

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND**  
**2012 Legislative Session**

Resolution No. CR-7-2012  
Proposed by Council Member Lehman  
Introduced by Council Members Lehman, Franklin, Olson, Davis, Patterson and Toles  
Co-Sponsors \_\_\_\_\_  
Date of Introduction February 21, 2012

**RESOLUTION**

1 A RESOLUTION concerning

2 United States Constitutional Amendment to reverse *Citizens United v. Federal Election*  
3 *Commission*

4 For the purpose of expressing the Council's support of the letter from the Members of the  
5 Maryland General Assembly to the United States Congress to pass and send to the states for  
6 ratification a constitutional amendment to reverse *Citizens United v. Federal Election*  
7 *Commission* and restore constitutional rights and fair elections to the people.

8 WHEREAS, in a 5-to-4 ruling, the United States Supreme Court in *Citizens United v.*  
9 *Federal Election Commission*, invalidated two provisions of the Federal Election Campaign Act  
10 (FECA) finding that they were unconstitutional under the First Amendment; and

11 WHEREAS, the decision struck down the long-standing prohibition on corporations using  
12 their general treasury funds to make independent expenditures and prohibiting corporations from  
13 using their general treasury funds for electioneering communications; and

14 WHEREAS, as a result of the Court's ruling, federal campaign finance law no longer  
15 restricts corporate use of general treasury funds to make independent expenditures for any  
16 communication expressly advocating election or defeat of a candidate; and

17 WHEREAS, the protections afforded by the First Amendment to the United States  
18 Constitution to the people of our nation are fundamental to our democracy; and

19 WHEREAS, the First Amendment to the United States Constitution was designed to protect  
20 the free speech rights of people, not corporations; and

21 WHEREAS, corporations should not be afforded the entirety of protections or "rights" of  
22 people, such that the expenditure of corporate money to influence the electoral process is a form

1 of constitutionally protected speech; and

2 WHEREAS, the Court's ruling in *Citizens United* severely hampers the ability of federal,  
3 state and local governments to enact reasonable campaign finance reforms and regulations  
4 regarding corporate political activity; and

5 WHEREAS, Article V of the United States Constitution empowers the people and the states  
6 of the United States of America to use the constitutional amendment process to protect  
7 republican self-government; and

8 WHEREAS, the Members of the Maryland General Assembly have sent a letter to the  
9 United States Congress stating their disagreement with the majority decision in *Citizens United*  
10 and calling upon the United States Congress to propose and send to the states for ratification as  
11 soon as practicable a constitutional amendment to reverse this decision and restore fair elections  
12 and democratic sovereignty to the states and to the people.

13 NOW, THEREFORE, BE IT RESOLVED by the County Council of Prince George's  
14 County, Maryland, that the Council supports the letter from the Members of the Maryland  
15 General Assembly to the United States Congress to propose and send to the states for ratification  
16 a constitutional amendment to reverse *Citizens United v. Federal Election Commission* and  
17 restore fair elections and democratic sovereignty to the states and to the people; and

18 BE IT FURTHER RESOLVED that the Clerk of the Council shall forward a copy of this  
19 Resolution to each member of the Maryland Congressional Delegation, the Honorable Governor  
20 of Maryland, the Honorable President of the Maryland State Senate, the Honorable Speaker of  
21 the Maryland House of Delegates, and the Honorable Chairs of the Prince George's County  
22 Senate and House Delegations of the Maryland General Assembly.

Adopted this 21<sup>st</sup> day of February, 2012.

COUNTY COUNCIL OF PRINCE  
GEORGE'S COUNTY, MARYLAND

BY: \_\_\_\_\_  
Andrea C. Harrison  
Chair

ATTEST:

\_\_\_\_\_  
Redis C. Floyd  
Clerk of the Council