

# SENATE JOINT RESOLUTION 11

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By: **Senators Harris and Mooney**

Introduced and read first time: March 2, 2009

Assigned to: Rules

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## SENATE JOINT RESOLUTION

1 A Senate Joint Resolution concerning

2 **Opposition to the Reinstatement of the Fairness Doctrine**

3 FOR the purpose of urging opposition to the reinstatement of the Fairness Doctrine.

4 WHEREAS, The First Amendment to the United States Constitution  
5 guarantees the right to free speech; and

6 WHEREAS, There are now many more opportunities and channels for  
7 broadcast on the nation's airwaves to exercise the right of free speech than there were  
8 in 1949 when the Fairness Doctrine was first instituted by the Federal  
9 Communications Commission (FCC); and

10 WHEREAS, The Fairness Doctrine was rescinded by the FCC in 1987 for these  
11 reasons, a decision upheld by a United States Court of Appeals in 1988, with ensuing  
12 expansion of political dialogue welcomed in a free society; and

13 WHEREAS, The leaders of the United States House of Representatives and the  
14 Senate have expressed a desire to reinstate the Fairness Doctrine; and

15 WHEREAS, An FCC commissioner has stated that reinstatement of the  
16 Fairness Doctrine may also extend it to the Internet; and

17 WHEREAS, Article 40 of the Maryland Constitution affirms "that the liberty of  
18 the press ought to be inviolably preserved; that every citizen of the State ought to be  
19 allowed to speak, write and publish his sentiments on all subjects, being responsible  
20 for the abuse of that privilege"; now, therefore, be it

21 **RESOLVED BY THE GENERAL ASSEMBLY OF MARYLAND,** That  
22 reinstatement of the Fairness Doctrine in any form through either FCC or  
23 congressional action should be opposed as a limit on our First Amendment rights as  
24 Americans that would reduce, rather than enhance, free speech; and be it further



**SENATE JOINT RESOLUTION 11**

1           RESOLVED, That a copy of this Resolution be forwarded by the Department of  
2 Legislative Services to President Barack Obama and Vice President Joseph R. Biden,  
3 Jr., The White House, Washington, D.C. 20500; Senate Majority Leader Harry Reid  
4 and Minority Leader Mitch McConnell, Senate Office Building, Washington, D.C.  
5 20510; Speaker Nancy Pelosi and House Minority Leader John Boehner, House Office  
6 Building, Washington, D.C. 20515; the Maryland Congressional Delegation: Senators  
7 Barbara A. Mikulski and Benjamin L. Cardin, Senate Office Building, Washington,  
8 D.C. 20510; and Representatives Frank M. Kratovil, Jr., C. A. Dutch Ruppersberger,  
9 III, John P. Sarbanes, Donna Edwards, Steny Hamilton Hoyer, Roscoe G. Bartlett,  
10 Elijah E. Cummings, and Christopher Van Hollen, Jr., House Office Building,  
11 Washington, D.C. 20515; and Commissioners Michael J. Copps, Jonathan S.  
12 Adelstein, and Robert McDowell, Federal Communications Commission, 445 12th  
13 Street, SW, Washington, D.C. 20554.