

HOUSE BILL 538

Unofficial Copy
G1
HB 1248/01 - CGM

2002 Regular Session
2lr1156
CF 2lr1195

By: **Delegates Clagett, Hurson, W. Baker, Barkley, Bartlett, Barve, Benson, Billings, Bobo, Boutin, Brinkley, Bronrott, Brown, Busch, Cadden, Carlson, Cole, Conroy, Cryor, D'Amato, C. Davis, DeCarlo, Dembrow, Dewberry, Dobson, Donoghue, Doory, Dypski, Edwards, Elliott, Finifter, Frush, Fulton, Gladden, Glassman, Goldwater, Griffith, Grosfeld, Harrison, Hecht, Heller, Hubbard, Hubers, Hutchins, James, A. Jones, Kach, Kagan, Kirk, Klausmeier, Kopp, Krysiak, Leopold, Linton, Love, Mandel, Marriott, McHale, McIntosh, McKee, Menes, Moe, Montague, Murphy, Nathan-Pulliam, Oaks, Owings, Paige, Patterson, Pendergrass, Pitkin, Ports, Rawlings, Riley, Rosenberg, Rosso, Shank, Shriver, Snodgrass, Stern, Stull, Turner, and Valderrama**

Introduced and read first time: February 1, 2002
Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Election Laws - Study Commission on Public Funding of Campaigns in**
3 **Maryland**

4 FOR the purpose of establishing a Study Commission on Public Funding of
5 Campaigns in Maryland; specifying the composition, powers, and duties of the
6 Commission; providing for the staffing of the Commission; requiring the
7 Commission to report its findings and recommendations, including suggested
8 legislative changes, to the Governor and the General Assembly by a certain date;
9 providing for the termination of the Commission; and generally relating to the
10 Study Commission on Public Funding of Campaigns in Maryland.

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
12 MARYLAND, That:

13 (a) There is a Study Commission on Public Funding of Campaigns in
14 Maryland.

15 (b) The Commission shall consist of the following 15 members:

16 (1) Three members of the Senate of Maryland, one of whom shall be a
17 member of the minority party, appointed by the President of the Senate;

18 (2) Three members of the House of Delegates, one of whom shall be a
19 member of the minority party, appointed by the Speaker of the House; and

20 (3) Nine individuals appointed by the Governor, including:

- 1 (i) A member of the State Board of Elections;
- 2 (ii) A member of the State Ethics Commission;
- 3 (iii) A member of a statewide organization concerned with campaign
4 finance practices, fair elections, and ethics in government; and
- 5 (iv) Six additional individuals.
- 6 (c) The Governor shall designate the chairman of the Commission.
- 7 (d) The Department of Legislative Services and the State Board of Elections
8 shall provide staff for the Commission.
- 9 (e) The Commission shall:
- 10 (1) Collect information relating to the practice of public funding of
11 election campaigns in other jurisdictions in the United States;
- 12 (2) Analyze current practices in Maryland relating to campaign
13 contributions, funding, and activities; including:
- 14 (i) The nature and extent of campaign contributions for elections in
15 Maryland by donors, including individuals, corporations, political committees, unions,
16 and other persons or entities, and the characteristics of such donors;
- 17 (ii) The changes or trends in the total amount of contributions to
18 candidates for elections in Maryland over the past several decades and the nature of
19 such changes or trends, including but not limited to changes in the contribution
20 patterns of any of the donors listed in subparagraph (i) of this paragraph;
- 21 (iii) The effectiveness of current Maryland election laws in
22 maintaining confidence in the fairness and openness of elections, in preserving the
23 democratic process, and in preventing undue influence or the appearance of undue
24 influence by particular donors;
- 25 (iv) The effect that the increasing need to raise substantial
26 campaign contributions has on the ability of elected officials to perform their duties
27 effectively and to serve the interests of all of their constituents equitably; and
- 28 (v) The role and prevalence of "issue ads" and other independent
29 expenditures under current Maryland election laws;
- 30 (3) Receive testimony as the Commission considers appropriate;
- 31 (4) Consider the effects of public funding of election campaigns, and if
32 appropriate, make recommendations for implementing a system of public funding of
33 statewide and legislative election campaigns in Maryland;
- 34 (5) Examine the State election code as it relates to changes needed to
35 implement public funding of election campaigns; and

1 (6) On or before December 31, 2002, report its finding and
2 recommendations, including any proposed statutory changes to the Maryland election
3 laws, to the Governor, and, subject to § 2-1246 of the State Government Article, to the
4 General Assembly for consideration by the General Assembly in the 2003 Session.

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 July 1, 2002. It shall remain effective for a period of 1 year and, at the end of June 30,
7 2003, with no further action required by the General Assembly, this Act shall be
8 abrogated and of no further force and effect.