

HOUSE BILL 538

Unofficial Copy  
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HB 1248/01 - CGM

2002 Regular Session  
2lr1156  
CF 2lr1195

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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~~ Valderrama, Hixson, Lee, and Bates**

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

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Committee Report: Favorable with amendments  
House action: Adopted  
Read second time: March 12, 2002

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CHAPTER \_\_\_\_\_

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~~ this Act; and generally relating  
10 to the 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:

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

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

5 (3) ~~Nine~~ Seven individuals appointed by the Governor, including:

6 (i) A member of the State Board of Elections;

7 (ii) A member of the State Ethics Commission;

8 (iii) A member of a statewide organization concerned with campaign  
9 finance practices, fair elections, and ethics in government; and

10 (iv) ~~Six~~ Four additional individuals;

11 (4) One member of the general public appointed by the Minority Leader  
12 of the Senate; and

13 (5) One member of the general public appointed by the Minority Leader  
14 of the House of Delegates.

15 (c) The Governor shall designate the chairman of the Commission.

16 (d) The Department of Legislative Services and the State Board of Elections  
17 shall provide staff for the Commission.

18 (e) The Commission shall:

19 (1) Collect information relating to the practice of public funding of  
20 election campaigns in other jurisdictions in the United States;

21 (2) Analyze current practices in Maryland relating to campaign  
22 contributions, funding, and activities; including:

23 (i) The nature and extent of campaign contributions for elections in  
24 Maryland by donors, including individuals, corporations, political committees, unions,  
25 and other persons or entities, and the characteristics of such donors;

26 (ii) The changes or trends in the total amount of contributions to  
27 candidates for elections in Maryland over the past several decades and the nature of  
28 such changes or trends, including but not limited to changes in the contribution  
29 patterns of any of the donors listed in subparagraph (i) of this paragraph;

30 (iii) The effectiveness of current Maryland election laws in  
31 maintaining confidence in the fairness and openness of elections, in preserving the  
32 democratic process, and in preventing undue influence or the appearance of undue  
33 influence by particular donors; and

1 (iv) The effect that the increasing need to raise substantial  
2 campaign contributions has on the ability of elected officials to perform their duties  
3 effectively and to serve the interests of all of their constituents equitably; ~~and~~

4 ~~(v) The role and prevalence of "issue ads" and other independent~~  
5 ~~expenditures under current Maryland election laws;~~

6 (3) Receive testimony as the Commission considers appropriate;

7 (4) Consider the effects of public funding of election campaigns, and if  
8 appropriate, make recommendations for implementing a system of public funding of  
9 statewide and legislative election campaigns in Maryland;

10 (5) Examine the State election code as it relates to changes needed to  
11 implement public funding of election campaigns; and

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

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
17 July 1, 2002. It shall remain effective for a period of 1 year and, at the end of June 30,  
18 2003, with no further action required by the General Assembly, this Act shall be  
19 abrogated and of no further force and effect.