

SENATE JOINT RESOLUTION 4

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By: **Senator Dyson**

Introduced and read first time: February 4, 2011

Assigned to: Education, Health, and Environmental Affairs

SENATE JOINT RESOLUTION

1 A Senate Joint Resolution concerning

2 **Election Law – Commission to Study Campaign Finance Law**

3 FOR the purpose of creating a Commission to Study Campaign Finance Law;
4 specifying the composition, powers, and duties of the Commission; providing for
5 the staffing of the Commission; requiring the Commission to report its findings
6 and recommendations, including suggested legislative changes, to the Governor
7 and the General Assembly by a certain date; providing for the termination of
8 the Commission; and generally relating to the Commission to Study Campaign
9 Finance Law.

10 WHEREAS, As the cost of election campaigns escalates, candidates and other
11 persons involved in the political process often must devote an increasing amount of
12 time and effort engaged in campaign fund-raising; and

13 WHEREAS, There is concern in Maryland and across the country that the cost
14 of election campaigns may discourage potential candidates and present a serious
15 obstacle to efforts to attract a wide and diverse field of candidates for elective office,
16 including women and minorities; and

17 WHEREAS, Many citizens express concern about the perceived impact and link
18 between campaign contributions and the executive and legislative
19 decision-making process; and

20 WHEREAS, The people of Maryland ought to be assured that the State's
21 campaign finance laws are structured in a way that enhances public confidence and
22 trust in the executive and legislative decision-making process and that those
23 decision-making processes are not subject to improper and undue influence because of
24 campaign contributions; and

25 WHEREAS, The time now seems ripe for the General Assembly to take a fresh,
26 comprehensive look at the issue of campaign finance regulation and assess whether
27 additional modifications to the campaign finance laws are in order; now, therefore, be
28 it



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1 RESOLVED BY THE GENERAL ASSEMBLY OF MARYLAND, That:

2 (a) There is a Commission to Study Campaign Finance Law.

3 (b) The Commission shall consist of the following 17 members:

4 (1) Four individuals appointed by the President of the Senate, at least
5 one of whom shall represent the minority party in the Senate, including:

6 (i) At least two members of the Senate of Maryland; and

7 (ii) If necessary to fill the four appointments allowed to the
8 President under this item, one or two additional individuals;

9 (2) Four individuals appointed by the Speaker of the House, at least
10 one of whom shall represent the minority party in the House, including:

11 (i) At least two members of the House of Delegates; and

12 (ii) If necessary to fill the four appointments allowed to the
13 Speaker under this item, one or two additional individuals; and

14 (3) Nine individuals appointed by the Governor, at least three of
15 whom shall be members of a political party other than that of the Governor, including:

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

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

18 (iii) A regulated lobbyist; and

19 (iv) Six additional individuals.

20 (c) The chair of the Commission shall be designated by the Governor.

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

23 (e) The Commission shall:

24 (1) Examine the State election code as it relates to campaign
25 financing;

26 (2) Collect information about campaign financing practices and
27 standards for other jurisdictions;

28 (3) Consider issues related to campaign contributions, including:

1 (i) The types of individuals, corporations, political action
2 committees (PACs), unions, and other persons who make campaign contributions for
3 elections in Maryland;

4 (ii) The role played by PACs in election campaigns in Maryland;

5 (iii) The adequacy of the current limits on contributions or
6 transfers that may be made by individuals, PACs, or other persons during an election
7 cycle;

8 (iv) The effectiveness of current disclosure requirements in
9 Maryland and in other states in providing detailed and accessible information to the
10 public regarding beneficiaries and expenditures by candidates, candidate slates,
11 campaign committees, and political action committees;

12 (v) The role and impact of technology changes over the years on
13 how campaigns are conducted and how money is raised and spent on elections;

14 (vi) The role and prevalence of “issue ads” and other
15 independent expenditures under the current Maryland campaign finance laws,
16 particularly in light of the recent United States Supreme Court decision in Citizens
17 United v. Federal Election Commission; and

18 (vii) An assessment of the system of electronic filing for campaign
19 contributions administered by the State Board of Elections to facilitate full and timely
20 disclosure of campaign contributions;

21 (4) Examine issues relating to the implementation of a system of
22 public financing of statewide and legislative election campaigns in Maryland;

23 (5) Receive testimony, as the Commission considers appropriate; and

24 (6) Report its findings and recommendations, including any proposed
25 statutory changes to the Maryland campaign finance laws for consideration by the
26 General Assembly in the 2013 Session, to the Governor and, subject to § 2–1246 of the
27 State Government Article, the General Assembly not later than December 31, 2012.

28 (f) The Commission shall terminate its existence after June 30, 2013; and be
29 it further

30 **RESOLVED**, That a copy of this Resolution be forwarded by the Department of
31 Legislative Services to the Honorable Martin O’Malley, Governor of Maryland; the
32 Honorable Thomas V. Mike Miller, Jr., President of the Senate of Maryland; and the
33 Honorable Michael E. Busch, Speaker of the House of Delegates.