



**Olivia Bartlett, DoTheMostGood Maryland Team**

**Committee:** Education, Health and Environmental Affairs

**Testimony on:** SB0895—Declaration of Rights—Campaign Financing Right to Know

**Position:** Favorable

**Hearing Date:** February 23, 2022

**Bill Contact:** Senator William C. Smith, Jr.

DoTheMostGood (DTMG) is a progressive grass-roots organization with more than 3000 members in all districts in Montgomery as well as several nearby jurisdictions. DTMG strongly supports legislation that makes it easier for all eligible citizens to vote and substantially reduces the cost of running for elected office.

Elections have consequences. Our very democratic Republic is rooted in the idea of free and fair elections. Yet, we have reached a place where candidates receive substantial, secret financing from wealthy individuals and businesses that have policy agendas that they wish the candidate to promote of which we, as voters, are unaware. More transparency is essential for voters to believe that their views matter and their votes count.

Senate Bill 0895 proposes an extremely important amendment to the Maryland Constitution that is essential to stop the steady erosion of our democracy. The amendment will provide the public with the right to know information in an open, timely, and transparent manner about how, when, and by whom money is spent and by whom money is raised for candidates for elected office and on ballot questions. Significantly, SB0895 also mandates public financing of elections.

Many legal scholars consider *Citizens United* among the worst Supreme Court decisions, along with *Dred Scott* and *Plessy*. The *Citizens United* decision resulted in billions more being spent in political campaigns than in previous years. In 2000, the total sum of contributions to candidates for President and Congress was about \$4.6 billion but by 2020, that total rose to approximately to \$15 billion. The *Citizens United* decision has permitted outsized influence on our elections by rich individuals and big corporations. Since 2009, a dozen megadonors and their spouses have contributed approximately \$3.4 billion to Federal election campaigns. Moreover, the top 100 zip codes for political giving contain less than one percent of the total national population but account for roughly 20 percent of the approximately \$45 billion that federal candidates and political groups raised between 2009-2020.

While these numbers apply to Federal elections, we have no reason to believe Maryland, even with its contribution limits, offers a landscape where the donors who contribute the most do not have augmented sway. Phone calls and communications from large dollar donors are more likely to be returned or otherwise responded to by elected officials, and benefits, such as meetings with the legislators to promote their agenda, and tax breaks, are more likely to be granted to individuals and

corporations who donate the maximum sums. For these reasons, public disclosure of all contributions is essential for voters to understand which donors and vested interests are likely to influence a candidate's priorities and positions.

The dramatic increase in the amount of money candidates need to raise to be a viable candidate has also deterred many highly qualified potential candidates from running. While Maryland has contribution limits, Members of this Committee are acutely aware of how much money has to be raised in many Maryland legislative races to be a viable candidate and how the law tilts favorably to the re-election of incumbents.

A Supreme Court reversal of *Citizens United* or the enactment of an amendment to the US Constitution overturning that decision is exceedingly unlikely in the near term, and thus a potential shift in national policy on campaign financing down the road cannot be a basis to forestall election reform here. Maryland must take action under its own Constitution to enhance transparency and take the undue influence of dark money out of its politics. The best steps that Maryland can take are to require public disclosure of all political contributions and public financing of elections.

SB0895 will therefore seek to give Marylanders the right to know who is financing candidates. Campaign financing should be transparent and publicly financed elections should be the norm. This will make our elections more democratic and give constituents a bigger voice in choosing the people who will represent their interests. Passage of SB0895 will allow Marylanders to vote on this commonsense action in the upcoming November election.

For all these reasons, DTMG strongly supports SB0895 and urges a **FAVORABLE** report on this bill. Let the people vote on this!

Respectfully submitted,

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