

SENATE BILL 40

Unofficial Copy
G1

2003 Regular Session
3r0595
CF 3r0596

By: **Senators Pinsky, Conway, and Kittleman**
Introduced and read first time: January 15, 2003
Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable
Senate action: Adopted
Read second time: February 20, 2003

CHAPTER _____

1 AN ACT concerning

2 **Election Law - Study Commission on Public Funding of Campaigns in**
3 **Maryland - Sunset Extension**

4 FOR the purpose of establishing a new termination date for the Study Commission on
5 Public Funding of Campaigns in Maryland; altering the date by which the
6 Commission must report its findings and recommendations, including suggested
7 legislative changes, to the Governor and the General Assembly; making a
8 stylistic change; and generally relating to an extension of the sunset for the
9 Study Commission on Public Funding of Campaigns in Maryland.

10 BY repealing and reenacting, with amendments,
11 Chapter 169 of the Acts of the General Assembly of 2002
12 Section 1 and 2

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
14 MARYLAND, That the Laws of Maryland read as follows:

15 **Chapter 169 of the Acts of 2002**

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
17 MARYLAND, That:

18 (a) There is a Study Commission on Public Funding of Campaigns in
19 Maryland.

20 (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;

5 (3) 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) Four additional individuals; and

11 (4) One member of the public appointed by the Minority Leader of the
12 Senate and one member of the public appointed by the Minority Leader of the House.

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

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

16 (e) The Commission shall:

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

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

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

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

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

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

- 1 (3) Receive testimony as the Commission considers appropriate;
- 2 (4) Consider the effects of public funding of election campaigns, and if
3 appropriate, make recommendations for implementing a system of public funding of
4 statewide and legislative election campaigns in Maryland;
- 5 (5) Examine the State election code as it relates to changes needed to
6 implement public funding of election campaigns; and
- 7 (6) On or before December 31, [2002,] 2003, report its [finding]
8 FINDINGS and recommendations, including any proposed statutory changes to the
9 Maryland election laws, to the Governor, and, subject to § 2-1246 of the State
10 Government Article, to the General Assembly for consideration by the General
11 Assembly in the [2003] 2004 Session.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
13 July 1, 2002. It shall remain effective for a period of [1 year] 2 YEARS and, at the end
14 of June 30, [2003,] 2004, with no further action required by the General Assembly,
15 this Act shall be abrogated and of no further force and effect.

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 June 1, 2003.