

Represent Maryland

End Corruption. Save our Republic.

2018 Legislative Recap

This session, a number of bills were introduced which fall into the democracy reform solutions which Represent Maryland advocates for. The following is an overview of these bills.

As public awareness about the problem with money in politics and the need for democracy reform builds, we will continue to advocate for these solutions in 2019 and beyond.

Campaign Finance Reform

HB 174 and SB375-Election Law - Local Public Campaign Financing - Expansion

Sponsored by: Delegate Moon, Senator Pinsky

Expanding on the 2014 bill that allowed Counties to establish public election funds, this pair of bills expands the offices for which the county may establish a system of public campaign financing to include: (1) an elected member of the county board of education; (2) clerk of the circuit court; (3) register of wills; (4) sheriff; or (5) State's Attorney.

This is a much needed "next step" to establish public election funds in Maryland and will be a focus of Represent Maryland in the 2019 legislative session.

Read more:

http://mgaleg.maryland.gov/2018RS/fnotes/bil_0004/hb0174.pdf

http://mgaleg.maryland.gov/2018RS/fnotes/bil_0005/sb0375.pdf

Status: No committee vote in either chamber.

HB 227-State Legislature Local Public Campaign Financing Act

Sponsored by: Delegate Korman

Expanding on the 2014 bill that allowed Counties to establish public election funds, this bill allows for the governing body of a county to establish a system of public campaign financing for candidates for member of the General Assembly from legislative districts within the county.

This is a much needed "next step" to establish public election funds in Maryland and will be a focus of Represent Maryland in the 2019 legislative session.

Read More: http://mgaleg.maryland.gov/2018RS/fnotes/bil_0007/hb0227.pdf

Status: No committee vote-ways and means

SB 374-Public Funding and Small Donor Act for General Assembly Elections.

Sponsored by: Senator Pinsky

This bill establishes the Public Funding and Small Donor Act for General Assembly Elections and a Commission to Study Public Financing of Elections in Maryland. The bill takes effect June 1, 2018, and the provisions that establish the study commission terminate June 30, 2020.

We believe this bill is unnecessarily cumbersome and a delay tactic to establishing public elections funds across the state. Represent Maryland will be supporting the bills previously mentioned, which take real, concrete steps toward this solution.

Read More: http://mgaleg.maryland.gov/2018RS/fnotes/bil_0004/sb0374.pdf

Status: No committee vote-EHEA

HB 260-Campaign Finance - Disclosure of Contributions and Expenditures - Preelection Period

Sponsored by: Del Carr

The bill requires a political committee to file a specified contribution report within 48 hours after a day on which the political committee receives a single contribution of \$1,000 or more from a contributor, a single transfer of \$1,000 or more from a political committee, or a single loan of \$1,000 or more that occur during the period between the closing date (third Sunday prior to an election) of the final campaign finance report filed before an election and the date of the election. A political committee must also file a specified expenditure report within 48 hours after a day on which the political committee makes a single expenditure of \$10,000 or more. Represent Maryland supports this bill as it increases transparency during a time when, historically, a lot of money is spent on campaigns. Without this addition to Maryland Campaign Finance Laws, this information is not available until several weeks after an election. We will be supporting this bill in 2019.

Read more: http://mgaleg.maryland.gov/2018RS/fnotes/bil_0000/hb0260.pdf

Status: No committee vote-ways and means

HB 1287-Election Law - Business Entity Campaign Contributions - Prohibition.

Sponsored by: Delegate Moon

Maryland is of only a few states that still allow direct contributions by businesses to candidate committees, most others prohibited the practice in 1907 with passage of The Tilman Act. This bill prohibits a business entity from directly making a contribution to a campaign finance entity. "Business entity" includes a corporation, a sole proprietorship, a general partnership, a limited partnership, a limited liability company (LLC), a real estate investment trust, or other entity. Although business entities can still make contributions by forming a PAC (political action committee) this law would eliminate "double donating" from the same source. Represent Maryland will be supporting this bill in 2019.

Read more: http://mgaleg.maryland.gov/2018RS/fnotes/bil_0007/hb1287.pdf

Status: No committee vote-ways and means

Voting

HB 152 and SB1048-Secure and Accessible Registration Act (SARA)

Sponsored by: Delegate Luedtke, Senator Smith

Also known as "AVR" or Automatic Voter Registration, This bill modifies provisions established under Chapter 287 of 2016 by changing "electronic voter registration agencies" designated under Chapter 287 to "automatic voter registration agencies" and redefining the "electronic voter registration systems" those agencies must establish, as "automatic voter registration systems." The State Board of Elections (SBE) must also work with (1) the State Comptroller, to provide individuals who file a tax return electronically the opportunity to register to vote through a link to the online voter registration system and (2) the Motor Vehicle Administration (MVA) and Maryland Health Benefit Exchange (MHBE), to identify specified individuals who are eligible to register, but not registered, to vote, in order to mail voter registration forms and other information to those individuals.

Read more:

http://mgaleg.maryland.gov/2018RS/fnotes/bil_0002/hb0152.pdf

http://mgaleg.maryland.gov/2018RS/fnotes/bil_0008/sb1048.pdf

Status: **Passed both houses, will become law.**

HB 532 and SB 375-Elective Franchise - Registration and Voting at Precinct Polling Place

Sponsored by: Delegate Reznik, Senator Pinsky

Also called Election Day Registration, this constitutional amendment gives the General Assembly the power to allow a qualified individual to register and vote at a precinct polling place on Election Day.

EDR has shown to increase voter participation by at least 6% where implemented. Represent Maryland will be encouraging voters to vote YES on this ballot questions in the November 2018 general election.

Read more:

http://mgaleg.maryland.gov/2018RS/fnotes/bil_0002/hb0532.pdf

http://mgaleg.maryland.gov/2018RS/fnotes/bil_0005/sb0375.pdf

Status: **Passed House (and senate), goes to voters on November General Election Ballot for a MD Constitutional Amendment**

HB 173-Montgomery County - Ranked Choice Voting MC 19-18

Sponsored by: Montgomery County Delegation

The bill authorizes the Montgomery County Council to adopt, by law, a ranked choice voting system for elections for county executive, member of the county council, judge of the circuit court, State's Attorney, clerk of the circuit court, register of wills, judge of the orphans' court, sheriff, or member of the board of education. The enacted local law may provide for the ballot format, procedures for tabulating votes, and any other provision necessary to implement ranked choice voting. "Ranked choice voting" means a method of casting

and tabulating votes in which voters rank candidates in order of preference, and votes are tabulated in a manner that reflects voter preference. Represent Maryland supports RCV and will be supporting this bill in 2019.

Read more: http://mgaleg.maryland.gov/2018RS/fnotes/bil_0003/hb0173.pdf

Status: No committee vote-ways and means

Open Primaries

HB 280-Ballot Access - Voter Registration - Affiliating With a Party

Sponsored by: Del Tarlau

Currently, an unaffiliated voter must change their affiliation 21 days before a primary election, in order to be able to vote in the primary election of their choice on Election Day. This bill allows unaffiliated voters to, during early voting, appear in person at an early voting center in the individual's county of residence and change party affiliation on an existing voter registration. If an election judge determines that the voter is a resident of the county, the election judge must issue the voter the appropriate ballot for the voter's new party affiliation. The bill also specifies that a registered voter who has declined to affiliate with a political party may change to a party affiliation at any time an individual may register to vote under Title 3 (voter registration) of the Election Law Article.

Represent Maryland supports full open primaries. Allowing voters to change their affiliation on the spot is helpful, but ultimately maintains all political power within the two established main parties. This bill is a small step to allowing more voters to participate in primary elections, however we believe more can and should be done to enfranchise the nearly 40% of Maryland voters who are unaffiliated or affiliated with a third party, without requiring them to affiliate with a main party. We will support this bill in 2019 and continue to advocate for full open (top 4) primaries in Maryland.

Read more: http://mgaleg.maryland.gov/2018RS/fnotes/bil_0000/hb0280.pdf

Status: No committee vote-ways and means

HB 1444-Election Law - Primary Elections - Voters Not Affiliated With a Political Party

Sponsored by Delegate Flanagan

This bill requires a political party that uses primary elections to nominate candidates for office to allow voters not affiliated with the party to vote in the party's primary elections. An individual may vote only in the primary election of a single political party.

Represent Maryland supports full open primaries. Primary elections are paid for by all tax payers, and prohibiting the nearly 40% of voters who are not affiliated with a main party is not democratic. This bill is a small step to allowing those voters to participate, however it also opens the door for destructive cross-over voting. Represent Maryland will advocate for full open (top 4) primaries in Maryland in 2019.

Read more: http://mgaleg.maryland.gov/2018RS/fnotes/bil_0004/hb1444.pdf

Status: In the House - Unfavorable Report by Ways and Means

Redistricting Reform

HB 356 and SB307-General Assembly and Congressional Legislative Redistricting and Apportionment Commission

Sponsored by Governor Hogan

This Administration bill proposes a constitutional amendment that, if approved by the voters at the next general election, repeals existing constitutional provisions related to the legislative and congressional redistricting process and requires the appointment of a General Assembly and Congressional Legislative Redistricting and Apportionment Commission. The bill prohibits two-member delegate districts and any consideration of party, incumbency, or candidates when drawing districts. The bill also includes provisions related to commission membership, votes required for passage of a plan, the jurisdiction of the Court of Appeals, the process for developing and enacting redistricting plans, and funding for the commission and agencies specified in the bill.

Represent Maryland supports an independent redistricting commission to re-draw Maryland's congressional maps. We will continue to support and advocate for this bill in 2019.

Read More:

http://mgaleg.maryland.gov/2018RS/fnotes/bil_0006/hb0356.pdf

http://mgaleg.maryland.gov/2018RS/fnotes/bil_0007/sb0307.pdf

Status:

In the House - Unfavorable Report by House Rules and Executive Nominations

In the Senate - Unfavorable Report by Education, Health, and Environmental Affairs

HB 1022-Congressional Districts - Standards

Sponsored by Delegate Malone

This proposed constitutional amendment would define congressional districts in the Maryland constitution, and if approved by voters at the next general election, requires each congressional district in the State to consist of adjoining territory, be compact in form, and be substantially equal in population. In addition, due regard must be given to natural boundaries and the boundaries of political subdivisions.

Represent Maryland supports an independent redistricting commission to re-draw Maryland's congressional maps. We will continue to support and advocate for this bill in 2019.

http://mgaleg.maryland.gov/2018RS/fnotes/bil_0002/hb1022.pdf

Status: In the House - Unfavorable Report by House Rules and Executive Nominations

Special Elections

HB 307-General Assembly - Special Election to Fill a Vacancy in Office

Sponsored by Delegate Moon

This proposed constitutional amendment requires the Governor to declare a special primary and general election immediately after a vacancy occurs in the office of a State senator or delegate if the vacancy occurs on or before the date that is 21 days before the deadline for filing a certificate of candidacy for the regular statewide primary and general election in the second year of the term. The special primary election and special general election must be held at the same time as the regular statewide elections. The Governor must appoint an eligible individual to fill the vacancy until a successor is elected by special election. If the vacancy occurs after the date that is 21 days before the certificate of candidacy deadline, the individual appointed by the Governor serves the remainder of the term.

Represent Maryland supports special elections for vacancies of office at the state level. We believe they should be held within 90 days of the vacancy, before a replacement is appointed by the governor. Appointees become incumbents, which too often are re-elected, leading to cronyism within political parties. We will be watching this bill in 2019.

Read More: http://mgaleg.maryland.gov/2018RS/fnotes/bil_0007/hb0307.pdf

Status: No committee vote-ways and means

Democracy Amendment

HJ11 and SJ7-United States Constitution - Amendments Convention - Democracy Amendment

Sponsored by Delegate Gaines, Senator Pinsky

This joint resolution applies to the U.S. Congress for an amendments convention to be called for the purpose of proposing an amendment (or amendments) to the U.S. Constitution authorizing the regulation of contributions and expenditures intended to influence elections.

Represent Maryland supports adding a "Democracy Amendment" to the US Constitution. The amendment should include provisions that declare that spending money on elections is not protected as a first amendment right and that only natural persons are protected by the US Constitution (no artificial entities such as corporations, etc.) We will be watching this resolution in 2019.

Read More:

http://mgaleg.maryland.gov/2018RS/fnotes/bil_0001/hj0011.pdf

http://mgaleg.maryland.gov/2018RS/fnotes/bil_0007/sj0007.pdf

Status: Passed in the House; In the Senate - Unfavorable Report by Education, Health, and Environmental Affairs

