

PRINCE GEORGE'S COUNTY COUNCIL
COMMITTEE REPORT
2023 Legislative Session

Reference No.: CB-076-2023

Draft No.: 2

Committee: Government Operations and Fiscal Policy

Date: 9/28/2023

Action: FAV(A)

REPORT:

Committee Vote: Favorable as Amended 3-0-2, In favor: Council Members Burroughs, Oriadha and Ivey

Abstain: Council Members Fisher and Harrison

The Government Operations and Fiscal Policy Committee convened on September 28, 2023 to consider CB-76-2023. The Government Operations and Fiscal Policy Committee Director summarized the purpose of the legislation. As presented on July 18, 2023, this bill would amend the provisions of the Prince George's County Code that regulate the Fair Election Fund and seeks to address the requirements of the Fair Election Fund established by CB-99-2018. CB-76-2023 aims to revise the language to provide greater clarity. It addresses the participation of Applicant Candidates with Campaign Finance Entities that were created and used in an election before the current election cycle.

The Policy Analyst & Fiscal Impact Statement indicates that the enactment of CB-76-2023 may have a direct adverse fiscal impact on the County due to the possibility of changes in program costs if the number of Applicant Candidates increases or decreases because of the changes to the participation requirements for Applicant Candidates with Campaign Finance Entities. The existing staff complement can absorb any additional administrative demands. Other disbursement expenses may be incurred if the change results in an increase in Participating Candidates.

The Office of Law has reviewed CB-76-2023 as presented on July 18, 2023, and finds it to be in proper legislative form with no legal impediments to enactment.

The Bill sponsor addressed the proposed amendments to CB-76-2023, indicating that the Bill provides more clarity than the previously enacted Bill in 2018 and corrects the definitional items and technical changes. He further stated that the Fair Election Fund Commission members have been appointed and are ready to begin their work.

Page 4, line 14, the original language said that a candidate could have a \$6,000 contribution by the candidate or spouse; the Bill Sponsor changed it to "and."

Page 6, lines 7,8,9, would look to catch people who had past problems with their campaign finance treasury and keep them from participating. That language was deleted.

Lines 12 and 13 are mainly for those who want to refrain from participating in debates. That language was deleted.

Pages 4 and 5: if you have not spent any money since the last election cycle and want to participate in the Fair Election Fund, you can do it without any problems. If you have spent money, you must decide 24 months before the next primary to freeze or switch your account.

A Council Member asked what the impact of joining the public campaign fund would be if you had an existing campaign account and an outstanding loan.

The Bill sponsor indicated that there would not be an impact.

A Council Member asked whether this legislation might attract an excessive number of candidates. The Bill sponsor indicated that it would help Districts similar to her District, where the residents can't raise funds.

A Council Member asked how this was being funded. The Bill sponsor indicated that the funding was being allocated from the General Fund.

The Administration representative stated that the Administration supports CB-76-2023.

Office of Finance believes this Bill will impact their agency as it assigns multiple administrative duties to the Office of Finance, including responsibility to staff the Fair Election Fund Commission. Current Finance staffing levels need to be increased to absorb any additional duties. The fiscal impact would be about \$104,000 to support the salary and fringe benefits for a full-time Administrative Assistant 2 to staff the Fair Election Fund Commission.

On Page 8, line 11, the amendment is to add clarification regarding expectations for staffing the Fair Election Fund Commission and increase the amount of time the Director of Finance has to deposit those funds into the candidate's account from three (3) business days to five (5) business days after the State Board authorizes the contribution.

The Government Operations & Fiscal Policy Committee voted 5-0 favorably as amended on CB-76-2023.