

## WHY ENVIRONMENTALISTS SHOULD SUPPORT “CLEAN ELECTIONS” PUBLIC FUNDING OF CAMPAIGNS

### THE EHRlich ADMINISTRATION, THE ENVIRONMENT AND CAMPAIGN FINANCE REFORM

Despite being massively outspent in campaign contributions by their corporate opponents throughout the 1990s, environmentalists in Maryland, thanks to their skill and tenacity, nonetheless succeeded in enacting some of the strongest environmental laws in the nation. The fact that Maryland had the most pro-environmental Governor in the nation, Parris Glendening, also helps explain the passage of landmark policies such as Smart Growth and more aggressive cleanup of the Chesapeake Bay.

**Those days are over.** Because Bob Ehrlich now occupies the Governor's mansion. In just one year on the job, Ehrlich has begun to roll back gains made for the environment in the 1990s, most notably by:

- Weakening enforcement of environmental laws. Environmental advocates blocked the confirmation of Ehrlich's choice to lead the Department of the Environment, former Chrysler Corp. attorney Lynn Buhl. But Ehrlich nonetheless is appointing his political cronies to other key positions and firing dozens of dedicated, career public servants charged with enforcing environmental laws.
- Cutting funds for environmental programs. In his first budget, Ehrlich “cut funding and personnel for Department of Natural Resources and Department of the Environment...zeroed out funding for the Community Parks and Playgrounds program, diverted money from the Transportation Trust Fund and slashed funding for land conservation programs,” according to the Maryland League of Conservation Voters. At the same time and despite a \$1 billion budget deficit, Ehrlich refuses to close tax loopholes by which his big corporate campaign contributors cheat on hundreds of millions of dollars in taxes they owe in Maryland.
- Polluting the Chesapeake Bay. Overwhelming scientific evidence points to phosphorous and nitrogen from the waste runoff of Delmarva's 1 billion chickens as the single worst pollutant of the Chesapeake Bay. Yet Ehrlich repealed regulations that required the big poultry producers – notably Perdue Farms and Tyson Foods – to limit waste runoff. Ehrlich claimed the regulations were no longer necessary because the poultry giants can be trusted to limit their runoff *on a voluntary basis!*
- Dumbing down Smart Growth. Ehrlich renamed Smart Growth “Priority Places” and claims he is continuing to pursue its goals. But closer inspection reveals he is in fact dismantling it by:
  - discontinuing Smart Growth's most vital provision: state purchase and permanent conservation of our rapidly vanishing open space;
  - ending its strongest means of enforcement: getting tough with localities that develop land outside of approved, currently settled areas;
  - excluding from the policy-making process environmental advocacy groups, who are the top experts on these issues.

Why would Ehrlich dismantle Maryland's nationally recognized Smart Growth program? Why would he assault the health of Marylanders by weakening efforts to clean our waterways? Why would he undermine Maryland's tourist and fishing industries by fouling the Bay?

#### Follow the Money Trail

Because the same big corporate interests that stand to gain by weakening environmental protections were the major funders of his successful 2002 campaign for Governor. *Of the record \$11 million Ehrlich raised, fully 92% was donated by corporate interests.* No wonder Ehrlich is so eager to advance their anti-environmental agenda.

## **Towards a Solution: “Clean Elections” Public Funding of Campaigns**

Campaign finance reform is an environmental issue because, when it comes to campaign contributions, environmentalists get outspent badly by their corporate opponents. Estimates vary, but nobody could dispute that anti-environmental donors outspend pro-environment donors many times over.

To level the political playing field in Maryland, we need to reduce the power of the Big Money special interests in Annapolis – interests that contributed approximately \$75 million in the 2002 election.

Strict limits on fundraising and expenditures would accomplish this goal. But the Supreme Court refuses to countenance mandatory campaign expenditure limits, calling them a violation of free speech.

It is futile to tinker around the edges of a campaign finance system whose main features the courts declare sacrosanct. We need to adopt a proven alternative to that system. That alternative is Clean Elections campaign finance reform as practiced in Arizona and Maine. Here's how it works:

- To participate, a candidate must demonstrate broad community support by collecting a large number of small contributions in the district he wishes to represent. For example, in Arizona, where Clean Elections is already law, candidates must collect several hundred \$5 contributions from voters in the district they wish to represent.
- If successful, the candidate receives enough money from the public Treasury to wage a competitive campaign.
- If a privately financed opponent outspends him, he receives offsetting funds to keep pace, up to a certain limit.

### Advantages of Clean Elections:

- It enables citizens with community support but ordinary financial means to run for office.
- By encouraging electoral competition, public funding widens debate.
- It frees candidates and lawmakers from incessant fundraising, removing the appearance and reality of corruption.
- Participation in the publicly funded system is voluntary; by leaving the private campaign finance system alone, the Act is immune to judicial challenge.
- In Maine and Arizona, the number of candidates who participate in the system doubles with each election cycle. In 2002, a majority of candidates in both states financed their campaigns solely with public funds; both incumbents and challengers used the system; and participation cut across party lines.
- Member-rich organizations, such as environmental groups, benefit disproportionately from Clean Elections. That's because they can mobilize their members on behalf of pro-environment candidates to collect the \$5 contributions that qualify a candidate to participate in the system.
- Clean Elections candidates who win owe nothing to fat cat contributors, reducing the latter's privileged access in Annapolis. With lawmakers free from undue corporate influence, they are much more likely to support an environmental agenda.
- Maryland's Clean Elections system would cost less than \$2 per resident per year – a small price to pay for real democracy and significantly less than the current system, which lavishes pork on special interest contributors.
- Clean Elections reform has already been implemented in Maine and Arizona, where it is accomplishing all the benefits described above. That's why environmentalists in both states strongly support the law, including the Maine Sierra Club, Natural Resources Council of Maine, Arizona Sierra Club, Arizona League of Conservation Voters, Grand Canyon Trust, Sonora Trust, Nature Conservancy of Arizona, Center for Biological Diversity, and Don't Waste Arizona.

## **In 2004, We Have an Unprecedented Opportunity To Enact Clean Elections Reform in Maryland**

In 2002, the General Assembly passed a bill to create an official task force to examine public funding of campaigns and make recommendations for Maryland. This distinguished, bipartisan study commission, chaired by the Dean of Liberal Arts at the University of Baltimore, Carl Stenberg issued its final report in February 2004. It recommends in favor of Arizona-style reform for General Assembly races. Del. John Hurson, Del. Virginia Clagett, and Sen. Paul Pinsky are sponsoring legislation (SB 725/HB 1317) based on the Stenberg recommendation. The bill arrives at a moment ripe for campaign finance reform in Maryland:

- **Most Everybody Agrees That Maryland Suffers from a Campaign Finance Problem.** The 2002 election cycle was by far the most expensive in Maryland's history. The campaign inflation rate doubled between 1998 and 2002. Since 1990, the gubernatorial inflation rate has skyrocketed 726%. During the 2002 campaign, the media reported incessantly on the unprecedented sums of money spent. At record \$1 million in contributions from the gambling industry alone – timed to influence the high profile fight over legalization of slot machines -- has reinforced the general consensus that Maryland suffers from a campaign finance problem.
- **Strong Support from the Media.** The *Washington Post* and *Baltimore Sun* both support Arizona-style reform, so editorials could help create a pro-Stenberg climate that lawmakers will find difficult to ignore.
- **Key Legislative Leaders Support Public Funding of Campaigns or are Persuadable.** Senate President Mike Miller has not ruled out support for the Stenberg recommendation and says he looks forward to reading its report. Speaker Mike Busch is a progressive Democrat who will give this issue a fair-minded hearing. Del. Sheila Hixson, whose committee will consider the bill on the House side, is a cosponsor of the legislation. Sen. Paula Hollinger, whose committee considers the bill in the Senate, cosponsored the bill to create the Stenberg Commission and supports the Arizona model.
- **The Hurson-Clagett-Pinsky Bill is Affordable.** The Fiscal Note will put the cost at only \$27 million for a four-year election cycle. That comes to only \$6.75 million per year – i.e., 0.03% of the state's annual budget, or \$1.30 per Marylander per year. As implementation of the system would be delayed until the 2010 election cycle, this modest expense would kick in after the 2006 election – i.e., when the current budget deficit will be a distant memory. Moreover, the system could be financed not with tax-dollars, but instead through a surcharge on repeat drunk-drivers and speeding violators.
- **Arizona-style Reform Will Help Close the Budget Deficit.** Over the past year, Progressive Maryland has demanded closure of hundreds of millions of dollars in corporate tax loopholes as the best way to balance the state's budget. A focus on loopholes, in turn, has prompted the natural question: "How did they get there?" And this question, in turn, is giving advocates of public funding of campaigns one of our strongest arguments in favor of reform: tax loopholes are payola to corporate campaign contributors. If Maryland wants to climb out of this budget deficit and achieve more fiscal discipline in the future, the single best step we can take is to enact Maine-style campaign finance reform.
- **Arizona-style Reform is Incumbent-Friendly.** As incumbent lawmakers learn how the system works in Maine and Arizona, they see that this reform is in their self-interest. Already in Maine and Arizona, almost half of incumbents use the publicly funded system. And in both states 90% of incumbents still win re-election (as they do in Maryland). Why? Because incumbents enjoy plenty of other advantages over challengers besides a fundraising edge. They have superior name-recognition, more contacts among activists, better campaign skills, more experience, a proven track record, etc. Incumbents in both states like the system because it eliminates the worst aspect of their job (fundraising) and frees them after the election to vote their conscience (not as contributors and corporate lobbyists demand).

The Hurson-Clagett-Pinsky bill could do for campaign finance reform what the Thornton commission did for public schools. That's why environmentalists should make enactment of SB 725/HB 1317 a top priority in the 2004 session of the General Assembly. Join the growing movement in Maryland to bring Clean Elections to our state, a movement that includes the Sierra Club, Progressive Maryland, AFL-CIO, AARP, the Alliance of Retired Americans, NAACP, League of Women Voters, AFL-CIO, Common Cause/Maryland, United Methodist Church, American Jewish Congress, and many other groups. **To get involved, contact Sean Dobson of Progressive Maryland at [sean@progressivemaryland.org](mailto:sean@progressivemaryland.org) or 301.495.7004.**