

CITY OF BALTIMORE
RESOLUTION _____
Council Bill 18-0229
(Charter Amendment)

Introduced by: Councilmembers Burnett, Henry, Dorsey, Bullock, Pinkett, Scott, Cohen, Sneed,
Clarke

Introduced and read first time: April 23, 2018

Assigned to: Judiciary and Legislative Investigations Committee

Committee Report: Favorable with amendments

Council action: Adopted

Read second time: June 25, 2018

A RESOLUTION OF THE MAYOR AND CITY COUNCIL CONCERNING

Charter Amendment – Fair Election Fund

FOR the purpose of authorizing the establishment of a continuing, nonlapsing Fair Election Fund, to be used exclusively to administer a public financing option for political campaigns for Baltimore City elected offices; authorizing the Mayor and City Council to dedicate revenue to the Fair Election Fund by ordinance; authorizing the Mayor and City Council to provide for the oversight, governance, and administration of the Fair Election Fund by ordinance; establishing a Fair election Fund Commission to administer the Fund; and submitting this amendment to the qualified voters of the City for adoption or rejection.

BY proposing to add

Article I - General Provisions
Section 15
Baltimore City Charter
(1996 Edition)

SECTION 1. BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the City Charter is proposed to be amended to read as follows:

Baltimore City Charter

Article I. General Provisions

§ 15. SPECIAL FUND FOR FAIR ELECTIONS.

(A) *AUTHORIZATION.*

(1) BY ORDINANCE, THE MAYOR AND CITY COUNCIL OF BALTIMORE MAY ESTABLISH A CONTINUING, NONLAPSING FUND FOR PURPOSES OF ENCOURAGING FAIR ELECTIONS BY ADMINISTERING A PUBLIC FINANCING OPTION FOR POLITICAL CAMPAIGNS FOR BALTIMORE CITY ELECTED OFFICES.

(2) THESE PURPOSES INCLUDE:

EXPLANATION: Underlining indicates matter added by amendment.
~~Strike out~~ indicates matter stricken by amendment.

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- 1 (I) PROVIDING DIRECT FUNDING TO CANDIDATES FOR PUBLIC OFFICE WHO MEET
- 2 CERTAIN QUALIFICATIONS;
- 3 (II) PROVIDING TECHNICAL ASSISTANCE AND TRAINING TO INDIVIDUALS SEEKING
- 4 TO MAKE USE OF PUBLIC CAMPAIGN FUNDING;
- 5 (III) PUBLICIZING THE AVAILABILITY OF PUBLIC CAMPAIGN FUNDING; AND
- 6 (IV) ADMINISTERING A PUBLIC CAMPAIGN FUNDING PROGRAM.

7 (B) *BALTIMORE CITY FAIR ELECTION FUND COMMISSION.*

8 (1) THE FUND IS ADMINISTERED BY THE BALTIMORE CITY FAIR ELECTION FUND

9 COMMISSION, AND NO FUNDS MAY BE DISPERSED FROM THE FUND WITHOUT

10 AUTHORIZATION BY THAT COMMISSION.

11 (2) THE BALTIMORE CITY FAIR ELECTION FUND COMMISSION CONSISTS OF 11

12 MEMBERS, INCLUDING:

13 (I) 2 MEMBERS APPOINTED BY THE MAYOR;

14 (II) ~~2~~ 3 MEMBERS REPRESENTING ORGANIZATIONS FOCUSED ON GOVERNMENT

15 REFORM, APPOINTED BY THE ~~PRESIDENT OF THE CITY COUNCIL~~ MAYOR;

16 (III) 1 MEMBER REPRESENTING AN ORGANIZATION ADVOCATING FOR THE

17 INTERESTS OF CITY BUSINESS OWNERS, APPOINTED BY THE ~~PRESIDENT OF~~

18 ~~THE CITY COUNCIL~~ MAYOR; AND;

19 (IV) ~~2~~ ADDITIONAL 5 MEMBERS APPOINTED BY THE PRESIDENT OF THE CITY

20 COUNCIL; ~~AND~~.

21 ~~(V) 4 MEMBERS APPOINTED BY MAJORITY VOTE OF THE CITY COUNCIL.~~

22 (3) EACH MEMBER OF THE COMMISSION MUST:

23 (I) BE A RESIDENT OF THE CITY OF BALTIMORE;

24 (II) NOT BE A CANDIDATE FOR PUBLIC OFFICE;

25 (III) NOT BE A LOBBYIST REQUIRED TO REGISTER WITH THE CITY;

26 (IV) NOT BE THE CHAIR OR TREASURER FOR AN OPEN CAMPAIGN ACCOUNT;

27 (V) BE A REGISTERED VOTER; AND

28 (VI) BE CONFIRMED BY THE CITY COUNCIL.

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1 (4) THE TERM OF A MEMBER OF THE COMMISSION IS:

2 (I) FOR THE MEMBERS OF THE INITIAL COMMISSION APPOINTED BY ~~VOTE~~ THE
3 PRESIDENT OF THE CITY COUNCIL, 6 YEARS BEGINNING ON MAY 1, 2019;

4 (II) FOR ALL OTHER MEMBERS OF THE INITIAL COMMISSION, 4 YEARS
5 BEGINNING ON MAY 1, 2019; AND

6 (III) FOR ALL MEMBERS APPOINTED TO A FULL TERM AFTER MAY 1, 2019, 4
7 YEARS FROM THE EXPIRATION OF THEIR PREDECESSOR'S APPOINTMENT.

8 (5) A VACANCY ARISING DURING A TERM SHALL BE FILLED IN THE SAME MANNER AS
9 THE ORIGINAL APPOINTMENT AND SHALL BE FILLED FOR THE REMAINDER OF THE
10 PREDECESSOR'S TERM.

11 (6) THE COMMISSION SHALL ELECT A CHAIRPERSON AND A VICE CHAIRPERSON FROM
12 ITS MEMBERS.

13 (7) A COMMISSION MEMBER SHALL NOT RECEIVE COMPENSATION FOR SERVICE ON THE
14 COMMISSION, BUT MAY BE REIMBURSED FOR REASONABLE AND NECESSARY
15 EXPENSES AS PROVIDED IN THE ORDINANCE OF ESTIMATES.

16 (C) *REVENUE SOURCES.*

17 THE FUND ESTABLISHED UNDER THIS SECTION MAY CONSIST OF:

18 (1) MONEY APPROPRIATED TO THE FUND IN THE ANNUAL ORDINANCES OF ESTIMATES;

19 (2) GRANTS OR DONATIONS MADE TO THE FUND; AND

20 (3) PROCEEDS FROM FINES, FEES, SURCHARGES, OR OTHER REVENUES DEDICATED TO
21 THE FUND BY ORDINANCE.

22 (D) *CONTINUING NATURE OF FUND.*

23 NOTWITHSTANDING ANY OTHER PROVISION OF THIS CHARTER, UNSPENT PORTIONS OF THE
24 FUND ESTABLISHED UNDER THIS SECTION:

25 (1) REMAIN IN THE FUND, TO BE USED EXCLUSIVELY FOR THEIR ORDAINED PURPOSES;

26 (2) DO NOT REVERT TO THE GENERAL REVENUES OF THE CITY; AND

27 (3) THEIR APPROPRIATIONS DO NOT LAPSE.

28 (E) *IMPLEMENTATION.*

29 BY ORDINANCE, THE MAYOR AND CITY COUNCIL SHALL PROVIDE FOR THE OVERSIGHT,
30 GOVERNANCE, AND ADMINISTRATION OF THE FAIR ELECTION FUND, INCLUDING:

31 (1) QUALIFICATIONS OF CANDIDATES ELIGIBLE FOR FUNDING FROM THE FUND;

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(2) METHODS AND CRITERIA FOR ALLOCATING AVAILABLE FUNDS AMONG ELIGIBLE PROGRAMS OR CANDIDATES; AND

(3) THE ESTABLISHMENT OF ANY OTHER LEGISLATIVE OR ADMINISTRATIVE RULES, REGULATIONS, OR STANDARDS, CONSISTENT WITH THIS SECTION, GOVERNING THE FUND, ITS OPERATIONS, AND PROGRAMS, SERVICES, AND CANDIDATES FUNDED BY IT.

SECTION 2. AND BE IT FURTHER RESOLVED, That this proposed amendment to the City Charter be submitted to the legal and qualified voters of Baltimore City, for adoption or rejection, in accordance with Article XI-A, § 5 of the Maryland Constitution, in the form specified by the City Solicitor.

Certified as duly passed this _____ day of _____, 20__

President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,
this _____ day of _____, 20__

Chief Clerk

Approved this _____ day of _____, 20__

Mayor, Baltimore City