



*Maryland Optometric Association*

**POLITICAL ACTION  
HANDBOOK**

**Revised May 2016**

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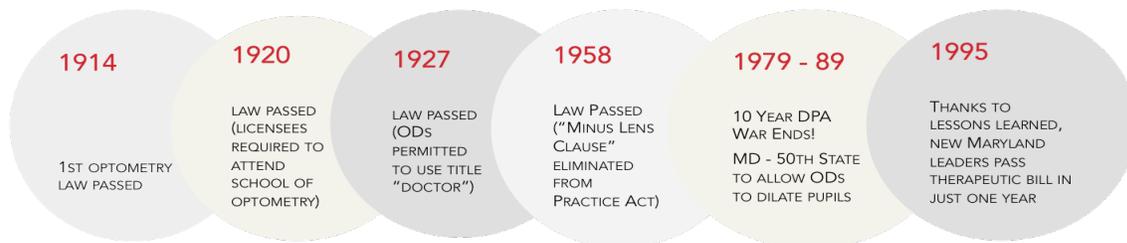
# INTRODUCTION

Like it or not, Optometry is a legislated profession, defined by and existing at the pleasure of the Maryland Legislature. The profession was first recognized and legitimized by the State of Maryland over a century ago in 1914 with the passage of Senate Bill 363. Not for lack of effort, Maryland was the 32<sup>nd</sup> state to pass its first optometry law. The passage of Senate Bill 363 was no small feat. It took ten years, the introduction of several bills before the legislature and a significant compromise made with medicine in order to get the law passed. The “compromise,” also known as the “MINOR LENSE CLAUSE,” prohibited optometrists from prescribing minus lenses to children under 15 years of age without first consulting a physician. Passage of the first optometry law was uphill battle from the start and a bittersweet victory for those who championed the cause.

Despite a slow start, and the many obstacles that have stood between the profession and its goals, Maryland Optometry has continually progressed and improved. Thanks to the tireless efforts of 20<sup>th</sup> century optometrists turned advocates, today the profession enjoys increased visibility, credibility and scope of practice in Maryland.

With Maryland leading the way in national healthcare reform efforts, new opportunities present themselves daily for the profession! But action is needed now -- as is robust doctor participation in the political promise. It is time to *seize the day* and move Maryland Optometry forward to the head of the class.

Below are some highlights of political achievements of the past. Help us write the future by getting involved today!



**Figure 1 Historical Legislative Timeline** “*Highlighting a Century of Progress Through Politics*”

This handbook is designed to be a tool for champions of Maryland Optometry, everyday doctors dedicated to improvement of their profession and life’s work.

*\*Please note that this handbook applies only to state political action. For information about advocacy at the federal level, please contact the American Optometric Association at [www.aoa.org](http://www.aoa.org)\**

## MARYLAND GENERAL ASSEMBLY

The Maryland Legislature or Maryland General Assembly meets in Annapolis each year for 90 days to act on more than 2300 bills including the State's annual budget. On average, the ratio of bills introduced to bills passed is 3 to 1, approximately 30 percent. The Session officially begins on the second Wednesday of January each year. The General Assembly has 47 Senators and 141 Delegates elected from 47 districts.

To find out your State legislative district and learn which Delegates and Senators represent you in the Maryland General Assembly, visit <http://mdelect.net/> and enter your street address in the search bar at the top of the page. Results will appear on the left side with the names of your Federal and State representatives. You may click on the name of any representative for legislative and contact information.

The Maryland General Assembly has a very helpful website that allows you to read and track legislation, committee hearing schedules, legislator voting records and much more. The website is <http://mgaleg.maryland.gov/>

To read a specific piece of legislation, go to the “Find Legislation” search bar on the home page. Type in the bill number without spaces all available information on the bill.

Note: Bill searches should always begin with “SB” for Senate bills or “HB” for House bills. You also want to make sure that you are searching within the desired Session year (e.g. Senate Bill 906 = “SB906” / House Bill 1064 = “HB1064”)

# GRASSROOTS OPTOMETRY IN MARYLAND

## Keyperson Contacts

Keyperson Contacts serve as the vital grassroots link to our legislators and our voice in Annapolis. These individuals help ensure the continued safety of patients and the preservation and amplification of the scope of our profession. Vital to the survival of our profession, is the ability of the Keypersons to develop and maintain personal relationships with their legislators. An effective Keyperson is one who:

- Has a previous relationship with, or is dedicated to developing a close and personal relationship with, their legislator. Often, such a relationship develops well before he or she is elected to office, such as the doctor-patient relationship, or those made through business endeavors or civic ties. Other times, the relationship is sparked through a contact's support of the legislator's political efforts such as fundraisers, public health events/fair, campaigning, etc...
- Once the relationship is established, is committed to promoting and fostering a lasting and productive connection with his/her legislator. The key to developing a lasting bond is up-keep by gaining and maintaining visibility with the legislator. Attending political functions, delivering contributions, active participation at other political, social, or civic gatherings can be a great way to become an effective Keyperson. Getting involved with your legislator is the beginning, but staying involved in their interests and activities is key.
- Actively maintains a continuous line of communication with the legislator and their staff. Doing so, affords optometry the ability to act quickly when legislative issues affecting the profession arise. The ability to place a personal call to the legislator is ideal; however, regular contact (electronic or otherwise) allows Keypersons ACCESS to the legislator when needed. Frequent, sociable communication is the key to ensuring ACCESS exists when it is most needed.
- Genuinely interested in protecting and promoting optometry and affecting the outcome of issues involving the profession. Keypersons must have bona fide interest and be able to act swiftly should an issue arise. Keypersons should have up-to-date, working knowledge of the issues affecting optometry. Never hesitate to contact the MOA Keyperson Chair, Legislative Committee Chair or Executive Director with questions about a specific issue. Most importantly, Keypersons must have a true desire to affect the outcomes of policy debates likely to affect optometry. Knowledge and passion for the issues conveys credibility and the need for action.

It is absolutely critical that Maryland Optometry strengthen our Keyperson Contacts to prevent us from being legislatively blindsided. Working together, we can strengthen our Keyperson network and ensure that every Key Legislator has an optometrist in mind when healthcare issues arise.

## **KEYPERSON ACTIVITIES:**

1. Meet with your legislator formally once a year at a local event (e.g. fair, picnic, etc.)
2. Meet with your legislator once a year in Annapolis during the legislative session. Messaging provided by the MOA.
3. Find common interest with your key legislator, something you can feel you align with and share in, outside of our optometry message. (e.g. grew up in same area, graduated from same college, belong to same rotary club, etc.)
4. Communicate via email or phone at least once quarterly.
5. When notified by the MOA, attend a fundraiser for your legislator and deliver an MOA PAC check on behalf of the Association.
6. Offer to post their campaign lawn signs at your home or office address.
7. Deliver all MOA messages to your legislator and make sure they understand the issue. See if you can get buy-in and support of the issue.
8. The success of any bill is measured before there is any formal hearing, MOA will be counting on you to deliver an accurate read of your legislator – do your best to know where your legislator stands on issues affecting optometry and report those positions and any other relevant messages to the MOA Executive Director.
9. Offer to be a resource for your legislator. You would be surprised at the number of people who call their legislator complaining about health problems. Become the go-to person for which their staff can refer vision related calls.
10. Cultivate relationships with your neighbor OD's. Reach out to them to get them involved and participate. Mentor them to contribute and get to know their legislators. This will help develop an alternate network if you are unable to attend a particular fundraiser or event.

This is the minimum asked of MOA Keyperson Contacts. If you would like to go further and work on a campaign, hold your own fundraiser, or anything else you may do so. The MOA has resources and information about all of these activities.

# HOW TO INTRODUCE YOURSELF TO YOUR LEGISLATOR

1. Enter your home address at <http://mdelect.net/> to find your local, state and federal legislators.
2. Look up the name of your senator at <http://www.msa.md.gov/msa/mdmanual/05sen/html/senal.html> and delegates at <http://www.msa.md.gov/msa/mdmanual/06hse/html/hseal.html>. Find information about him/her, including biographical information, committee assignments and leadership positions.
3. Contact the legislator's staff by telephone. Do not use e-mail for this important personal contact. Ask for the Legislative Aide and speak professionally when conveying your message.
4. Politely state that you live in the legislator's district and would very much like a brief meeting with the Senator or Delegate. The meeting should be in the district, unless the meeting is being requested during Session, in which case it could be in Annapolis. Be friendly but persistent and continue to call back until you speak to the Legislative Aide or have scheduled a meeting with your legislator. When communicating with staff or the legislator personally, it is imperative to clearly indicate that you are both a doctor of optometry, A CONSTITUENT and STRONG SUPPORTER interested in helping the Senator/Delegate. Impress that it is for this reason that you are requesting the meeting.
5. When you eventually meet, be considerate of the legislator's time. Make the time and place as convenient as possible, but informal. Be friendly and brief, but emphasize that you ask nothing more than the opportunity to serve his/her need to have resource people for information on issues that come up during the legislative session. Ask how you can help with the upcoming re-election campaign.
6. Tell him/her you appreciate their time and commitment to the people of your community. Close with a sincere thank you and comment that you are proud to have him/her for a legislator.
7. Follow up with a written thank-you letter on **your** office stationery in the next day or two.

## **ESTABLISHING A RELATIONSHIP WITH YOUR LEGISLATOR**

1. Essential to establishing a good relationship with your legislator is gaining the respect and confidence of the staff. Courtesy and a friendly smile can go a long way to opening doors for you. Realize that many of the calls made to the staff people are from unhappy constituents with problems or complaints, so your positive attitude will be well received.
2. You should have two principles in mind at the start of this effort to build a relationship: value and trust. The Senator or Delegate must realize that you will become a valuable source of help, both politically and educationally. Tell him/her that you want to help with fund raising and campaigning as needed. Make them recognize your value as a source of information to help educate them on issues they will need to understand in the future. You must strive to earn their trust by never exaggerating or misrepresenting the facts. Following through on promises and commitments will also help establish a relationship of trust. Remember, they must have trusted resource people to advise them on a myriad of issues, and you are helping to fill that need by making yourself available as a source for answers.
3. Although you should show courtesy and respect, be careful not to appear to be awed or intimidated when speaking to a legislator. They are ordinary people doing an important job as public servants; so don't be afraid of them. Once you have established a friendly association, it will be rewarding to both of you. Unfriendly people don't usually win elections, so you will be surprised at how easy it is to get to know your Senator or Delegate. You may even acquire a good friend!
4. Continue to build the relationship by asking what you can do to help at least once between June and January and once between January and April. Try not to ask for help with your own issues until you feel confident that you have a good rapport with your legislator and have backed up your offer to help him or her. Although it may take a full election cycle to establish a strong rapport, the reward will be the personal satisfaction of knowing you are a trusted advisor and friend.

## HOW TO DISCUSS MOA LEGISLATION

Your senator or delegate must realize that you are more than a trusted expert to him or her. You are also a constituent who is connected to many more voting constituents at home – **your patients**. You should discuss issues in a way that will show concern for the health and welfare of your patients. Speak about the economic impact of denied access to primary eye care for those patients. Provide personal examples of time when your patients have had to go elsewhere for care because of co-management rules and/or insurer policies. Emphasize that the legislative process is not keeping pace with developments in medical technology and those who suffer the most are Maryland patients.

Grassroots Optometry will provide talking points from the MOA Legislative Committee and our lobbyists to enhance your knowledge and your ability to communicate issues to your legislators.

Once you have discussed the issues and emphasized the patient health and welfare aspect of the legislation, don't be shy about asking for the legislator's support. Be specific about your request. Do you want a vote in his/her committee to report the bill out favorably? Or are you asking for an unfavorable vote against an amendment of an existing bill going to the floor? You need to understand how a bill becomes law in order to communicate effectively with your legislator.

## COMMUNICATING WITH YOUR LEGISLATOR

In order for your message to be received by your legislator, you need to follow a few guidelines to help you communicate effectively.

You should first consider the method of communication to be used. Is the message urgent? Do you want a written record for review and reference by the recipient? How personal should it be? Should you telephone, e-mail, or write a letter to the legislator? How about a face-to-face meeting? Your choice should be determined by the timing and length of the communication as well as your own personal relationship with the legislator.

### **Contact Information:**

Current contact information for all legislators can be found at the following websites:

Senators – <http://www.msa.md.gov/msa/mdmanual/05sen/html/senal.html>

Delegates – <http://www.msa.md.gov/msa/mdmanual/06hse/html/hseal.html>

### **Personal meeting:**

This is probably the most effective method of communicating, but also requires some careful planning. Remember not to rush into issues before you have made a positive impression. Emphasize that you are a constituent from his/her home district. Try to meet at his/her convenience at a restaurant/coffee shop or at your office. This is easier during the summer and fall when they are not in Session. If you want to meet during Session some different rules apply:

- Make an appointment - Contact the scheduler in their office and explain your purpose for the meeting request and who you represent.
- Be prompt and patient – It is not uncommon for legislators to be late, or to have a meeting interrupted due to a crowded schedule. Be flexible and be open to meeting with staff if the legislator is unavailable.
- Be prepared – Whenever possible, bring to the meeting information and materials supporting your position to leave behind with the staff. Legislators are required to take positions on many different issues. In some cases, a legislator may lack important details about the pros and cons of a particular matter. It is therefore helpful to share information and examples that demonstrate clearly the impact or benefits associated with a particular issue or piece of legislation.
- Be Political – Legislators want to represent the best interests of their district. Whenever possible, demonstrate the connection between what you are requesting and the interests of his/her constituency. If possible, describe for the legislator how you can be of assistance to him/her.
- Be responsive – Be prepared to answer questions or provide additional information in the event the legislator expresses an interest or asks questions. Follow up the meeting with a thank-you letter that outlines the different points covered during the meeting, and send any additional information and materials requested.

If you can't arrange a meeting, write a personal letter.

**Letters:**

Use personal or business letterhead with typed copy. Make sure that your letterhead or letter copy includes an address (home or business) within the legislator’s district. Sign your name above the typed signature. Identify yourself, your position, and your subject clearly in the first paragraph. If writing about legislation, be sure to refer to the title and bill number. Be brief and to the point, preferably not more than one page. Use your own words. Form letters are likely to be ignored. Clearly state your reasons for your position, especially as they affect the patients you serve, not yourself or your profession. State how the bill/legislative matter at issue could be improved if you disagree with its language or purpose. Be specific and use verifiable facts to support your points. Remember to address the letter correctly:

The Honorable Senator (Full Name)  
 (Address Here)  
 Annapolis, MD 21401

The Honorable Delegate (Full Name)  
 (Address Here)  
 Annapolis, MD 21401

Dear Senator (last name):

Dear Delegate (last name):

**Email:**

All legislators have email addresses, but high tech is not necessarily high touch. Your message will be more personal on your own letterhead and signed in your own handwriting, so whenever possible use that approach first. Save e-mail until you are on a first-name basis with your legislator and there is a need for speed in your communication. When you e-mail, make sure that the subject line reads “constituent correspondence” and be sure to include your full name your home/business address in the legislator’s district below your electronic signature. Legislators get hundreds of e-mails every day and if they do not know that you are their constituent the e-mail could very possibly be deleted without ever being read.

**Telephone:**

Use the telephone only if you have already established a good relationship with your legislator and know him/her well. Telephone calls are usually taken by a staff member. Ask to speak to the Legislative Aide. After identifying yourself as a constituent and doctor, tell the Legislative Aide you wish to leave a brief message for the Senator/Delegate. Example: "Please tell Senator/Delegate (Last Name) that I support/oppose (SB\_\_\_/HB\_\_\_)." After stating one or two concise reasons for your support or opposition of the bill, ask the Aide what your legislator's position is. When that position is unacceptable or unclear, ask for clarification on rationale behind the contrary position and/or request a call back from the legislator.)

## HOW TO EFFECTIVELY PROVIDE ELECTION SUPPORT

Regardless of the time of year or where we are in an election cycle, incumbent legislators are assumed to always be running for re-election. They are either working to payoff election expenses from the previous election, planning for re-election, or running for a different office. Fundraising is always important and is outlined on the next page. Equally important is your contribution of personal time and effort to the legislator's re-election activities.

**\*Note:** Be sure you are registered to vote and show your commitment to the legislator's re-election efforts by offering to assist in at least two areas below.\*

Below are some ways that you can help your Senator or Delegate:

1. Start by contacting the chair of his/her re-election committee. Offer to help in any way you can. Attend a campaign strategy meeting to show your commitment. Even in a non-election year there are many jobs available, so ask for an assignment.
2. Go door-to-door delivering brochures and asking for support from voters. It is hard work, but very important and much appreciated.
3. Hold a fundraiser at your home, your club, or a local restaurant. Set up the date with the legislator first. Send letters of invitation to friends and patients. Tell them your legislator needs their support and will meet with the group personally. Most will be eager to attend such a private event. This could be attended by friends or just local optometrists.
4. Place signs in yards, starting with your own. Get a list of addresses within the legislative district where campaign signs can be placed. Offer to help with sign delivery in your neighborhood and/or offer to help with removal after election.
5. Help set up and/or work the legislator's phone bank to contact voters.
6. Arrange to have your legislator speak to local professional or service organizations of which you are a member.

7. Invite friends to a coffee in your home for the legislator. Enlist the support and help of friends, family and staff.
8. Offer to assist with regular mailings to constituents. Get to know the legislator's staff. Volunteer at your legislator's fund-raising events.

## **HOW TO CONDUCT A LOCAL FUNDRAISER**

1. Contact your senator or delegate's CAMPAIGN OFFICE to set up a date for your small group event. If your legislator does not have a campaign office, or you cannot find contact information for his/her campaign, contact the District or Annapolis Office and request contact information for the individual that coordinates local campaign events/fundraisers for the Senator/Delegate. When you speak to the campaign contact, let him/her know that you are interested in holding an informal, small group event for your Senator/Delegate in the District.
2. Agree on a location. Your office or the office of a colleague is best, because it creates a stronger connection to you as a doctor of optometry and establishes you as a source for information on eye care and ocular health. An alternative would be a local restaurant where colleagues may stop in for a light breakfast and some face-to-face conversation with the legislator on their way to work. Keep it simple and brief.
3. Arrange for the location, planning for light food and beverages, depending on the format and time of day. Keep the cost down, because it has to be reported by the legislator as an in-kind contribution by you, the sponsor of the event.
4. Mail or fax invitations to all the ODs in the area, regardless of MOA affiliation. MOA can help you with the mailer if need be.
5. Follow up with a personal phone call to each invitee and ask for a donation, even if the OD is unable to attend. Whenever possible, it is best to have contribution checks mailed to you in advance, but attendees may also bring contributions the day of to the event. **Make sure attendees know to make their checks payable to the legislator's campaign committee.** (e.g. Friends of Jo Smith). It is always a good idea to include this information in your event invite.
6. Try to obtain some campaign signs or decorative items from the legislator's campaign staff to personalize your event and show your support.
7. Send a thank you to each OD who attended the event. Let them know how much their attendance and contribution meant to you, to optometry's future and to the legislator.

# **IMPORTANT FACTS ABOUT OPTOMETRY**

## **OPTOMETRISTS ARE PRIMARY EYE CARE SPECIALISTS**

Doctors of optometry are primary health care providers who examine, diagnose, treat and manage diseases and disorders of the visual system, the eye and associated structures as well as diagnose related systemic conditions. According to the American Optometric Association, more than 70% of primary eye examinations are conducted by optometrists. There are more than 900 licensed ODs in Maryland. Optometrists are classified as primary eye care physicians under Medicare. In 2013, the Maryland Department of Health & Mental Hygiene amended the Maryland Medicaid State Plan to include optometric services under “physician services.” This was important to ensure that all Maryland children have access to the Pediatric Eye Care Essential Health Benefit now mandated by the ACA. Other State and Federal healthcare reform initiatives and programs like Healthy People 2020 and the Maryland Million Hearts Campaign have also recognize the importance of eye and vision health. Both programs acknowledge the important role eye care plays in early detection of problems such as glaucoma and diabetic eye disease and its impact on all patients’ overall health and productivity. Because vision is critical to most individuals’ ability to function on a day-to-day basis, Optometrists often see patients with no primary care physician and/or patients who have not been to their doctor in years. It is not uncommon for an Optometrist to catch what could be a life threatening disease or signs of disease during a routine exam of this patient population.

## **OPTOMETRISTS ARE EASILY ACCESSIBLE AND DELIVER QUALITY, COST-EFFECTIVE, CARE**

Doctors of optometry provide quality medical eye care at a significantly lower cost than emergency rooms and most ophthalmologists. Optometrists are found in many traditionally underserved areas within rural and urban settings. They work in many different settings including: hospitals, private practices, in nationally branded franchise operations and in health care clinics. Optometrists are often the only eye care provider with weekend and evening office hours for patient convenience

## **PATIENTS DESERVE THE FREEDOM OF CHOICE**

Optometry is continually vigilant at State and Federal levels to maintain public access to the best available vision and medical eye care possible. There are powerful lobbying firms arguing in Annapolis and Washington D.C. on behalf of "MD" degree physicians to limit patient access to non-MD providers. Despite years of advocacy, some laws and/or insurers still require patients to see a MD provider in lieu of their optometrists for medical eye care despite the patient’s preference. For example, glaucoma patients are required to make an additional appointment to see an ophthalmologist once per year. Many states have updated this antiquated co-management policy for glaucoma patients to reflect the current education and training of optometrists and no longer require the mandatory referral to a MD. Not having to make an additional appointment, take an additional day off work and pay yet another insurance co-pay is significantly more convenient and cost efficient for the patient, and provides superior continuity of care. In this scenario, referrals are still be made whenever the primary care optometrist deems it necessary to ensure the best care of their patient.

## **KEEPING UP WITH MEDICAL ADVANCES & TECHNOLOGY**

The current process by which the Maryland legislature updates optometric law does not keep pace with the changing rate of medical technology. Every time a new drug or tool is introduced it has to be added to optometric legislation through a lengthy bill process. This is a disservice to patients who could benefit from increased access these new therapies.

## **HOW A BILL BECOMES A LAW IN MARYLAND**

### **BILL DRAFTING & INTRODUCTION**

Each bill must be sponsored by a legislator and is drafted by the Department of Legislative Services. The sponsor then files it with the Secretary of the Senate or the Chief Clerk of the House of Delegates. The bill or resolution is numbered, stamped for approval and codification, and printed for first reading.

A bill filed prior to the first day of a regular session is called a pre-filed bill. Such a bill is introduced and assigned to a standing committee on the opening day of a session, thus obtaining a head-start advantage.

A bill may be introduced throughout the 90 days of a session, but the later a bill is introduced, the more difficult its passage becomes. Any Senate bill introduced after the 24th calendar day must be referred to the Senate Rules Committee, cannot be required to be returned to the floor except by a two-thirds vote of the membership, and may not be petitioned from the Rules Committee. A House bill introduced after the 31st calendar day must be referred to the House Rules and Executive Nominations Committee, requires a two-thirds vote to be returned to the floor, and cannot be petitioned from the Rules and Executive Nominations Committee.

### **COMMITTEES (1st READING OF BILL)**

After introduction, the bill is assigned to a standing committee for review. Their primary function is to consider all legislation referred to them by the Senate President or House Speaker. To review proposed legislation, the Senate has four standing committees, and the House has six.

The fate of most legislative proposals is determined within the standing committee to which they are assigned. Committees hold a public hearing on each bill assigned to them. The Department of Legislative Services prepares a fiscal analysis and economic analysis for each bill, and these fiscal notes are considered during committee deliberations.

At the committee hearing, testimony usually is heard from the bill's sponsor and other proponents and opponents of the bill. This may result in amendments to the bill. The final vote of the committee is recorded by member, and may be favorable (with or without amendment), unfavorable, or without recommendation. Having been "voted out of committee," the bill now returns to the floor of its chamber of origin accompanied by a report of committee action.

### **CONSIDERATION OF COMMITTEE REPORT (2nd READING OF BILL)**

After consideration of committee amendments, the bill is then open to amendment from the floor. Second reading is completed when the presiding officer orders the bill, with any adopted amendments, printed for third reading.

#### FLOOR VOTE ON BILL (3rd READING OF BILL)

No amendments may be presented on third reading. In the chamber of origin, a recorded vote is taken to pass or reject the bill. To pass, the bill must receive a majority vote of the elected membership.

#### SECOND CHAMBER

After passage by the first chamber, the bill is sent to the opposite chamber, has its first reading, and is assigned to a committee for consideration. The procedure followed is identical with that of the first chamber except that amendments may be proposed during second and third readings. If not amended in the second chamber, final passage may occur without reprinting.

If amended in the second chamber, the bill is returned to the chamber of origin so that house may consider the amendments. If the amendments are agreed to, the bill is voted on as amended and action is complete. The bill is reprinted, or "enrolled," to include the added amendments before being submitted to the Governor.

If the amendments are rejected, the amending chamber may be asked to withdraw its amendments. If it refuses, either chamber may request that a conference committee be appointed to resolve the differences between the two chambers.

#### CONFERENCE COMMITTEE

Appointed by the Senate President and the House Speaker, a conference committee consists of three members of each house. The committee sends a report of its recommendations to each chamber which then can adopt or reject it. If the report is adopted, the bill is voted upon for final passage in each house. If the report is rejected by either house, the bill fails.

#### CONSENT CALENDAR

The consent calendar is a list of bills to be read and voted upon as a group. The Senate and the House of Delegates may adopt a "consent calendar" procedure if members of each house receive reasonable notice of the bills placed on each consent calendar. This procedure expedites the legislative process.

#### GOVERNOR'S SIGNATURE

All bills passed by the General Assembly become law when signed by the Governor, or when passed over the Governor's veto by three-fifths of the membership of each house. All passed bills must be presented to the Governor within twenty days following adjournment of a session. The Governor may veto such bills within thirty days after presentation. If a passed bill is not vetoed, it becomes law.

## READING BILLS

Each bill is assigned a number and a title. The first page of a bill also includes the following information: sections of Maryland law that would be changed by the passage of the legislation, the committees the bill has been assigned to, a summary of the purpose of the legislation, and the sponsors of the bill.

Bills listed as being sponsored by "The Speaker (By Request of Administration)", "The President (By Request of Administration)" or "Committee Chair (By Request of Department)" are bills proposed by the Governor and his agencies and are not proposals of the Speaker of the House, the President of the Senate, or the respective Committee Chair. They are listed with the official title of a legislator rather than the Governor due to requirements in the Maryland Constitution.

In the upper right hand corner of the first page you may notice a code that starts with the letters "CF". This means that the bill has been "Cross Filed" with a bill in the other house. The remainder of the code gives you the bill number that has been assigned on the other side.

Some legislation contains a "Preamble." Most legislation amends existing law, but if there is a preamble, then that means that this legislation would create a totally new section of Maryland law if passed. The preamble puts forth reasoning as to why a new section of law is needed.

Reading Maryland legislation can be a tricky process. When looking at the text of a bill it is important to notice the formatting of the wording. The basic rules are listed below:

1. **CAPITALS** INDICATE MATTER ADDED TO EXISTING LAW
2. **[Brackets]** indicate matter deleted from existing law
3. **Underlining** indicates amendments to a bill
4. **Strike out** indicates matter stricken from the bill by amendment or deleted from the law by amendment.
5. ***Italics*** indicate opposite chamber/conference committee amendments.

Sometimes there is language at the end of a bill that begins with the phrase "AND BE IT FURTHER ENACTED." This is called uncodified language. Uncodified language is wording that will not be contained in the actual law, but is in the bill to explain the intent behind certain provisions.

The last line of the bill usually lists the effective date of the legislation, should it be passed and signed by the Governor. If the bill is listed as "Emergency Legislation" then that means that it would take effect the moment the Governor has signed it into law.

# MARYLAND CAMPAIGN FINANCE LAW

A basic understanding of rules that define how and how much a citizen may contribute to a political campaign is essential for you to be able to participate in the process.

A political action committee (PAC) is an entity that seeks to advance its political interests or purposes through the promotion of candidates, political parties, or questions. The advantages of a PAC include the ability to receive contributions from members or employees and to direct campaign expenditures on their behalf.

## **Giving Money to a Campaign**

Maryland law makes a distinction between contributions and transfers. A contribution is money or anything of value given BY AN INDIVIDUAL OR COMPANY to a political committee to promote or assist in promoting the success or defeat of a candidate, political party, or question. A person may contribute directly or indirectly no more than \$6,000 to one political committee, and a total of \$24,000 to all political committees, during the four-year cycle. However, in 2014 the United State Supreme Court issued an opinion (*McCutchen v. Federal Election Committee*) that held that aggregate contribution limits are invalid under the First Amendment to the Constitution. Therefore, a person may make an unlimited aggregate amount of total contributions, but not in excess of \$6,000 to any one political committee (i.e., Maryland's \$24,000 total aggregate limit is legally unenforceable). A person may not make a contribution in excess of \$100 except by check or credit card. A person can make cash contributions up to \$100 for an election cycle. Once the threshold is reached, the person is prohibited from making further cash contributions for the remainder of the election cycle to any political committee.

A transfer is a monetary contribution made BY ONE POLITICAL COMMITTEE TO ANOTHER. For example: a PAC may transfer money to a candidate committee. A political committee may transfer no more than \$6,000 to another political committee during the four (4) year cycle. There is no aggregate limit for transfers by political committees.

### **Four-Year Cycle**

2010 Cycle – 1/1/2007 through 12/31/2010

2014 Cycle – 1/1/2011 through 12/31/2014

2018 Cycle – 1/1/2015 through 12/31/2019

Purchasing a ticket to attend a campaign fundraiser is considered a contribution or a transfer to the political committee selling the tickets. It is a transfer if the ticket is purchased by another political committee. It is a contribution if it is purchased by a person. Receipts must be issued for all contributions of \$51.00 or more from a contributor; or upon request by the contributor regardless of the amount given.

## **In-Kind Contributions**

An in-kind contribution is a contribution given to a political committee in a form other than money. In-kind contributions include items, services, goods and anything of value provided to the political committee. The amount of an in-kind contribution is the fair market value of the item or items (at the time of the contribution). It is important to remember that an in-kind contribution counts toward the donor's contribution limits.

Services provided to a campaign for free or at a reduced cost will also be considered an in-kind contribution unless permitted as an individual's volunteer activity for a campaign.

The contribution limits do not apply when an individual volunteers his or her own time to a campaign, or uses the individual's personal vehicle to provide transportation incident to an election.

## **Contributions by Business Entities**

Contributions made by business entities are subject to the \$6,000 contribution limit. Contributions by different corporations\*\* are considered made by one contributor if:

- The corporations that made the contributions were owned by the same stockholders; or
- One of the corporations wholly owns the other.

*\*\*Under current law, only corporations are required to attribute contributions made by identically owned corporations. This rule does not apply to other business entities such as partnerships, LLCs and LLPs.*

## **Unlawful Contributions**

1. Maryland law does not recognize joint contributions. A contribution made to a political committee must be attributed to a single person.
2. Anonymous contributions are strictly prohibited. If an anonymous contribution is received, it must be paid over to the Treasurer of the State of Maryland.
3. A contribution may not be accepted in the name of any other person or entity but the name of the person making the contribution. A person may not use another person as a conduit to conceal the source of the contribution.
4. Contributions may not be solicited, accepted, or deposited by an elected official or a person acting on behalf of an elected official, during the Legislative Session. The restriction only applies to the regular 90 day legislative session and not to an extended or special session.

## Campaign Materials Produced by a Person

Campaign materials paid for by a person other than the political committee mentioned in the campaign materials are either an in-kind contribution to the political committee or an independent expenditure. This distinction dictates the contents of the authority line.

- In-Kind Contribution: If an individual or an entity pays for a sign or other item in support of a candidate with the candidate's cooperation and coordination, the sign or other item should have the authority line of the candidate's campaign finance entity.
- Independent Expenditure: If an individual or an entity pays for a sign, giveaway item or other campaign item in support of or in opposition to a candidate **without the candidate's cooperation or coordination**, the authority line should include the following statement. "This message has been authorized and paid for by (insert). This message has not been authorized or approved by any candidate." The name and address of the entity; and the name and title of the president, treasurer, or person responsible for the campaign material should also be included.

## Campaigning on Election Day

Maryland law prohibits electioneering within 100 feet of the entrance or exit to a polling place on Election Day. The 100-foot "No Electioneering" zone is measured from the entrance/exit of the building closest to the room in which voting actually takes place.

No electioneering means that no canvassing, electioneering, campaigning, or posting of any campaign material is permitted within the zone. "Posting of any campaign material" includes wearing clothing shirt, hat, sticker, or button that indicates support of or opposition to any candidate, question, or political party if worn by any person remaining in the "No Electioneering" zone. A person who violates the prohibition is guilty of a misdemeanor and subject to a fine of not less than \$50 nor more than \$500, or imprisonment for not more than 60 days, or both.

## REFERENCE INFORMATION

### **Find Your Legislators**

To locate and contact your State Delegate(s) and your State Senator and view a map of your legislative district visit: <http://mdelect.net/>

### **Key Legislative Websites**

Code of Maryland Regulations (*State Statutes*): <http://www.dsd.state.md.us/comar/>  
Maryland General Assembly (*State Legislature*): <http://www.mgaleg.maryland.gov/>  
Maryland Manual (*Biographical and Contact Info for State Officials, Departments & Offices*)  
<http://www.msa.md.gov/msa/mdmanual/html/mmtoc.html>  
Maryland Register: <http://www.dsd.state.md.us/MDRegister/mdregister.aspx>  
Maryland State Board of Elections: <http://www.elections.state.md.us/>  
Maryland Department of Legislative Services: <http://dls.state.md.us/>  
Maryland State Ethics Commission: <http://ethics.gov.state.md.us/>

### **MOA Contact Information**

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