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"CLEAN CAMPAIGN" PLEDGE PROGRAM

House Bill 5668

Sponsor: Rep. Sandra Hill

Committee: House Oversight and Ethics

Complete to 3-12-96

A SUMMARY OF HOUSE BILL 5668 AS INTRODUCED 3-7-96

The bill would amend the Michigan Campaign Finance Act to create a "clean campaign oversight board" in the Department of State to develop and implement a "clean campaign pledge" program and seal or symbol.

Clean campaign oversight board. The bill would create a five-member "clean campaign oversight board" in the Department of State. The governor would appoint the board members on or before the twentieth day of January of odd-numbered years. One member would represent a nonpartisan organization that advocated voter participation, and would chair the board; one member would represent print or broadcast media professionals in Michigan; one member would have been formerly elected to a nonpartisan local elective office; the two remaining members would be individuals from, respectively, the Republican and Democratic parties, who were in a leadership position in the Michigan legislature. If anyone appointed by the governor declined to serve, the governor would appoint another individual who met the criteria established for that position. The Republican and Democratic appointees would be appointed from a list of three nominees submitted by the legislative leaders of each political party on or before the tenth day of January in odd-numbered years; if the legislative leaders failed to submit the names of nominees within the prescribed period of time, the governor would appoint an individual who met the criteria established for that position. Board members would serve four-year terms and until their successors were appointed and qualified. Board members wouldn't be compensated for their service as board members but could be reimbursed for expenses incurred in administering their board duties, if funds were available.

Upon the board's request, the Bureau of Elections would be required to provide clerical assistance to the board. The board would meet at least three times a year, with special board meetings held at the call of the chair or a majority of board members. Board business would be conducted at public meetings held in compliance with the Open Meetings Act; the board would establish guidelines as prescribed in the Administrative Procedures Act. A majority of the board would constitute a quorum, but a smaller number could transact routine business and receive reports from the staff. A majority of the membership would have to concur in any board recommendations. Writings prepared, owned, used, in the possession of, or retained by the board in the performance of official functions would be available to the public under the Freedom of Information Act.

The board chair, or a member designated by the chair, could examine books and records of persons, partnerships, or corporations involved in matters properly before the board.

The board would be required to do all of the following:

1. Develop and implement a voluntary clean campaign pledge program for campaign material and political advertisements.
2. Develop a clean campaign pledge seal or symbol that candidates who filed the pledge with the board and paid the required fee could use in their campaign materials and political advertisements.
3. Develop and implement, in conjunction with Bureau of Elections, a public awareness campaign to educate candidates and the general public about the clean campaign pledge program.
4. Receive and keep on file for two election cycles each clean campaign pledge filed with the board.
5. Receive and hear complaints, from candidates or candidate committees, arising out of the publication, distribution, or dissemination of campaign materials or political advertisements in which the clean campaign pledge seal or symbol was used.
6. If a candidate were found to have violated the pledge, prepare and publish in a newspaper of general circulation a notice that indicated that the candidate had violated the pledge and that identified the campaign material or political advertisement(s) that violated the pledge.
7. Receive fees under the bill and expend them solely to defray the costs of preparing and publishing the notices of candidates who violated the pledge.
8. Receive and expend other funds, both public and private, in performing the board's powers and duties.

The "clean campaign pledge." Candidates could voluntarily sign the "clean campaign pledge" prescribed in the bill. Candidates who filed the pledge with the clean campaign pledge board and paid a filing fee of \$10 to the board would be entitled to use the clean campaign pledge seal or symbol in their campaigns; candidates who did not file the pledge and pay the fee would not be allowed to use the clean campaign pledge seal or symbol in their campaigns.

Candidates who signed the pledge would agree to follow the principles prescribed in the pledge.

The text of the clean campaign pledge would be as follows:

1. *I pledge to campaign openly and honestly, and to promote the ideas and issues I stand on.*
2. *I pledge that my campaign will seek to respect the integrity of my opponents, while describing legitimate policy differences between us.*

3. *I pledge that any criticism of my opponents shall be limited to legitimate issues concerning their public records or their stands on issues.*

4. *I pledge that my opponents' personal and family lives will not be the subject of my campaign materials or political advertisements, and that libelous or slanderous attacks will be avoided.*

5. *I pledge that my campaign materials and political advertisements shall be accurate, and will not willfully distort the records of my opponents.*

6. *I pledge that those who are associated with my campaign will adhere to these same standards, and that I will not allow continued association with a person or organization that violates these standards.*

7. *I pledge that I will call upon my opponents to pledge to these standards as well.*

[" _____ "]
signature

[" _____ "]
date

Violations. If the board determined that a candidate had violated the principles prescribed in the pledge or had used the clean campaign pledge seal or symbol without authorization (that is, without filing the pledge and paying the fee), that candidate would be prohibited from using the clean campaign pledge seal or symbol for the balance of the campaign. Such candidates also wouldn't be eligible -- nor would the board allow the candidate -- to file a clean campaign pledge or pay the fee during the immediately succeeding election cycle for that candidate.

MCL 169.202 et al.