

AMERICAN LEGION BOYS NATION

BILL SUMMARY

Note: This form must be completed and accompany all Bills submitted for consideration by The American Legion Boys Nation Senate.

DELEGATE NAME: Max Parsons

DELEGATE STATE: South Carolina

NAME OF BILL: To improve the efficacy and participation of United States voters by creating a freer and more transparent campaign finance system.

BRIEF SUMMARY OF BILL: The current state of campaign finance needs to be reformed.

To Be Completed By
The Clerk Of The Senate

BILL NO.

SB-2

AMERICAN LEGION BOYS NATION SENATE

IN THE SENATE OF AMERICAN LEGION BOYS NATION

Senator **Max Parsons** of **South Carolina** introduced the following Bill, which was read twice and referred to the following American Legion Boys Nation Senate Committee:

a Bill

1 BE IT ENACTED BY THE AMERICAN LEGION BOYS NATION SENATE ASSEMBLED, THAT

2 Justification:

3 The current state of campaign finance needs to be reformed for two major reasons.

4 - First, contribution limits unfairly hinder American citizen's right to free speech. Buckley v.
5 Valeo ruled that campaign contributions are a constitutionally protected form of speech. In
6 order to preserve the spirit of the first amendment and restore a true representative republic,
7 campaign spending limits should be removed. The court has said, limits on the amount an
8 individual may contribute to a candidate may be permissible in an effort to prevent the potential
9 for corruption or its appearance. But it has also said that this is the only justification for limiting
10 political spending. It has also made clear that money given to someone other than a candidate
11 does not create a sufficient risk of corruption to outweigh the First Amendment interest in
12 making them. No empirical data exists to suggest that money corrupts the democratic process;
13 thus, the restrictions on free speech should be removed.

14 - Second, the lack of clarity in the campaign donation process magnifies the problem. Express
15 Advocacy is defined defined by the Heritage Foundation as a very narrow class of
16 election-related speech that in "explicit words" or by "express terms advocate for the election or
17 defeat of a clearly identified candidate." Express advocacy is more qualified. Express advocacy
18 has to be independent of coordination. Essentially, express advocacy is when individuals
19 running for elections communicate with potential donors in order to create parallel platforms.
20 Donors cannot use hard money (finances regulated by the FEC) for express advocacy. As a
21 result they utilize soft money (money not regulated or tracked by the FEC) to advocate for their
22 candidates of choice. Participants in the election process are being forced to operate outside of
23 the law in order to utilize their constitutional right to free speech. These donations are

24 perceived as corrupt. This erodes the donation, campaign and election process.

25 - Perceived corruption has a quantified impact on voter turnout. A University of Connecticut
26 study found that in countries with moderate to high levels of perceived corruption there is a
27 corresponding decrease in voter turnout by 20-30%. As people begin to lose faith in the political
28 process due to unclear and unconstitutional laws the government begins to lose the mandate of
29 the governed.

30 - In order to fight perceived corruption, it is essential to realize that corruption is a symptom of
31 overregulation, not the problem's root. The problem many people perceive is corrupt behavior
32 in the private sector which catalyzes government involvement. The idea that a problem exists
33 leads to unnecessary government regulation to solve the issue. As the government interferes
34 more and more in the private sector, citizens are forced to tread outside of the law to access
35 their constitutional rights.

36 Proposal for Action:

37 There are three simple steps that must be taken in order to preserve the integrity of the election
38 process.

39 - First, maximum contribution limits should be raised. Limits should immediately be recalculated
40 with respect to 1980 levels of inflation. After this election cycle (2016) all limits should be
41 removed in preparation for the 2018 midterm elections.

42 - Second, all donor names should be released on a monthly basis starting six months before
43 any major state or federal election. It should be organized by Party/PAC/Politician and
44 aggregate amount.

45 - Finally, remove any limitations on express advocacy. Relationships between politicians and
46 donors will be noted in the monthly donor release.