

"Federation Corner" column
Montgomery Sentinel - October 28, 2010

Rock that vote, baby

by Jim Humphrey
Chair, MCCF Planning and Land Use Committee

For decades now, media pundits have bemoaned the influence of special interests over elections, as well as the functioning government in general. No sooner had Congress approved the McCain-Feingold Act to close Federal election finance loopholes, and the President signed the legislation into law, than special interests invented a creative new way to circumvent the law and funnel soft money to their chosen candidates for elective office.

Here in Montgomery County, there are two major special interests that exert significant influence over our electoral process, those being unions and the development industry. Both these groups push their members to vote for selected candidates. And the money they contribute to candidates' campaigns has a two-fold impact. It funds the marketing of candidates by paying for mailers and ads. And it later helps open the door for those interests to meet with and lobby their supported candidates, if elected to office.

Union influence

Union influence is exerted by two types of unions: labor unions composed of employees working in private industry; and public employee unions.

The data showing campaign contributions to County Council candidates from unions illustrates the heavy influence of union money in the primary. It seems clear that the unions expect to benefit from helping to elect certain candidates because they move so much money into the campaign war-chests of their favorites.

The percentage of a candidate's total which is attributed to union money also shows how dependent some candidates are on union support. For instance, if a candidate received at least 20% of his or her campaign money from unions, this candidate would be hard-pressed to remain competitive if the unions withdrew their support. By making candidates dependent on their support, unions are able to exercise undue influence over the Council.

In the recent September primary, four of the winning candidates received at least 23% of their money from unions.

Public employee unions are represented by lobbyists who do not register with the Montgomery County Ethics Commission, which would seem to be a clear violation of law. In addition to lobbying the Council to approve contracts which have been negotiated with the County Executive, unions also lobby for and against legislation.

County ethics law requires union lobbyists to register with the county, which these public employee unions have not done. They have, however, registered with the state ethics commission. If the County Council was not afraid of the unions, it is likely that some Council members would notice this lapse and raise the question.

Is it a conflict of interest for unions to effectively choose the people who sit on both sides of the bargaining table when contracts are negotiated and approved? Is it appropriate for elected officials to depend on unions to fill their campaign coffers? Are the taxpayers' interests being sacrificed by a Council intent on re-election and willing to appease their funders at budget time?

Development industry influence

The development industry exerts its influence in Montgomery elections, specifically Council elections, because that is the body with authority to approve zoning laws and growth plans that can either increase or diminish the profitability of the industry.

In the current election cycle, the debate over county growth policy has taken a back seat to concern over the effect of the national economic crisis on the county. But the debate over aggressive county growth versus a more reasonable rate of growth supported by adequate infrastructure is still one that can generate huge amounts of development industry influence in elections. In the 2006 election cycle, candidates for Council office received a total of around \$4 million in campaign contributions from industry interests including development companies, their financial partners, land use attorneys and related construction trades. In that election, some current Council members received more than 20% of their money from the development industry.

Is this why residents and impacted neighborhoods are relegated to a back seat when seeking to be involved in decision making about community growth plans? Is it a conflict of interest for a Council member to vote on a land use issue that would benefit a developer who has contributed richly to the Council member's campaign war-chest? Can we really believe a Council member's indignant assertion that their votes on land use matters are not influenced by the development industry campaign contributions they have received?

Voter influence

In a democracy, the voting public is not considered a special interest. And participation in the electoral process is the surest way for citizens to negate the influence of special interests over elections and the functioning of government.

In the September primary, fewer than 20% of registered Montgomery voters cast ballots, possibly because so many races were uncontested. (The Democratic races for County Executive and three of five district Council races were uncontested, as were all Republican Council races.) But in an election with such a poor turn out, it is entirely possible for unions and special interests to sway the results, even without contributing much financial support to candidates.

The solution to taking back government for the people involves each voter deciding for themselves the issues of importance, evaluating candidates' platforms, making their choice, and then voting. So rock that vote, baby.

The views expressed in this column do not necessarily reflect formal positions adopted by the Federation. To submit an 800-1000 word column for consideration, send as an email attachment to theelms518@earthlink.net