

# STATE OF DELAWARE



## EXECUTIVE DEPARTMENT DOVER

EXECUTIVE ORDER  
NUMBER Thirty-Five

TO: HEADS OF ALL STATE DEPARTMENTS AND AGENCIES  
RE: CAMPAIGN FINANCING REFORM COMMISSION

WHEREAS, Delaware's Campaign Contributions and Expenditures Law, Chapter 80, Title 15 of the Delaware Code, was enacted on July 30, 1974; and

WHEREAS, despite the comprehensive nature of the campaign finance law, numerous questions have arisen over the years concerning its meaning and application; and

WHEREAS, the decision of the United States Supreme Court in Buckley v. Valeo, 424 U.S. 1 (1976), struck down as unconstitutional certain provisions in the Federal Election Campaign Act of 1971 which were similar to provisions in the Delaware law; and

WHEREAS, despite numerous legislative efforts to clarify the Delaware law and to correct those provisions with constitutional infirmities, the Campaign Contributions and Expenditures Law has remained unchanged since its enactment more than 12 years ago; and

WHEREAS, certain questionable campaign contributions by a political action committee during last year's election has focussed public attention on the apparent ambiguities in the campaign financing law and again underscored the need to clarify the law;

NOW, THEREFORE, I, MICHAEL N. CASTLE, by the authority vested in me as Governor of the State of Delaware, do hereby order and declare the following:

1. The Campaign Financing Reform Commission is hereby established. The Commission shall comprise the chairmen of the Democratic and Republican State Committees, the Action Chair of the League of Women Voters, the State President of Common Cause of Delaware, former Mayor of Wilmington William T. McLaughlin and former Chancellor Grover C. Brown. The State Elections Commissioner shall serve on the Commission as an ex officio, non-voting member. Mayor McLaughlin and Chancellor Brown shall serve as co-chairs.

2. The Commission shall review the Campaign Contributions and Expenditures Law in light of the problems which have surfaced over the past 12 years in interpreting and applying it, in light of the Supreme Court's decision in Buckley v. Valeo, in light of the campaign financing reform efforts in other states, and in light of the problems which recently focussed attention on the Delaware law, and shall recommend any improvements in the Delaware law which the Commission deems appropriate. In conducting its review and developing its recommendations, the Commission should consider the various legislative proposals for campaign financing reform over the years, and, in particular the current proposal of Common Cause of Delaware, as well as the campaign financing reform proposals which have been developed in other jurisdictions and any other material the Commission chooses to consider.

3. In developing its recommendations the Commission should solicit public input in the manner it considers most appropriate and effective.

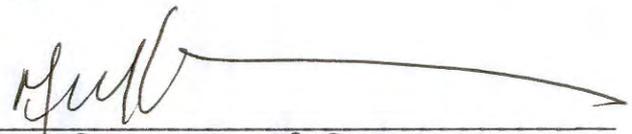
4. Staff support for the Commission will be coordinated by the Office of the State Elections Commissioner and by the Counsel to the Governor. Staffing and other expenses incurred by the Commission in the performance of its duties shall be reimbursed by the State.

5. The Commission shall report its findings and recommendations to the Governor and the General Assembly not later than April 30, 1987.

APPROVED this 21st day  
of January, 1987.

  
Governor

ATTEST:

  
Secretary of State

