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SB101 Election Law – Contested Elections

Good afternoon and thank you for considering my written testimony on behalf of Senate Bill 101. My name is David Blair, a resident of Montgomery County. I wish to thank Delegate Anne Kaiser, the House sponsor, and Senator Cheryl Kagan, the Senate sponsor for introducing this legislation.

Four years ago, I ran for Montgomery County Executive – it was my first time running for public office. It was a life changing experience. I gained a new appreciation for democracy and voting's fundamental role in it. Voting is the cornerstone of our civic life, the act that provides us our most direct say in how our communities are shaped, the services our government provides, and how our taxpayer dollars are used. The integrity of our democracy is contingent on the protection of our votes, and in Maryland, a reconsideration and amended legislation concerning vote recounts is not only a good idea, but a necessary protection of our democracy.

When I ran for County Executive in 2018, I lost by seventy-seven votes. The margin of my defeat equated to 0.06% of the approximately 130,000 votes cast. Suffice it to say, it was an incredibly close election. And yet, under current regulations an automatic recount was not required. In fact, if I requested a recount, I was liable for the full cost, which could not be properly estimated but was suggested to be around \$1 million. Had the margin of defeat been seventy-four votes or less, the County would have initiated a recount at the County's expense.

On one hand, my supporters were imploring me to pursue a recount – particularly because there were 955 provisional ballots that had been rejected and those ballots appeared to lean heavily in my favor. On the other hand, we had run a long and expensive race and the appetite to fund a recount was low. Ultimately, we chose to request a manual recount in three of the forty precincts.

This new bill offers multifarious protections for candidates – including candidates who use public campaign financing - and voters seeking recounts. These protections come with more appropriate thresholds. The new threshold in my election would have set the bar at 187 votes and an automatic recount would have been triggered. In electoral races where there are razor thin margins, a recount should be provided by the state. Other states like neighboring Virginia do so in the name of accuracy and protection of disenfranchised voters, and it's time for Maryland to follow suit.

One of the greatest challenges to the process of our democratic endeavor in recent decades has been adequately representing the full size of our population in elections, and the subsequent protection of each individual and equal voice. We must take tangible steps towards furthering that vision.

I support SB101. Legislation that ensures that no voter is disenfranchised, that each elected officer was indeed chosen by the voters, and that protects those who seek to ensure counting accuracy is paramount to our democracy and to the future of our state politics.

Again, thank you for your time and for your consideration of my testimony.