February 27, 2024

Delegate Vanessa Atterbeary, Chair
Maryland House Ways and Means Committee
Room 131, House Office Building
Annapolis, MD 21401-1991

HB1342 - Information

Dear Chair Atterbeary, Vice Chair Wilkins, and Committee Members,

Thank you for allowing the Maryland Association of Election Officials (MAEO) to present this informational testimony on HB 1342 - Elections – Ballot Questions – Publication of Proposed Laws and Plain Language Summary.

We express our strong support for the bill's objective to make ballot questions more understandable for the voting public. Clear and comprehensible ballot questions are crucial, as they empower voters to make informed decisions, which is a cornerstone of our democratic process. This initiative aligns with our commitment to enhancing the accessibility and transparency of the electoral process for all Marylanders.

However, we must convey our concerns regarding the practical implications of including plain language summaries alongside the full text of ballot questions. While the intent to aid voter comprehension is commendable, the addition of these summaries increases the likelihood of necessitating multi-page ballots for elections. This prospect raises several concerns based on our collective experience in managing the complexities of election administration across the state:

Increased Costs and Logistical Challenges:

- The potential for more frequent use of multi-page ballots would result in higher printing and distribution costs. Managing these ballots throughout the election process—from printing and distribution to secure storage and processing—would impose additional logistical challenges on local election boards.
- We are concerned that multi-page ballots could lead to voter confusion and fatigue, potentially increasing the number of spoiled ballots or deterring voter participation due to the perceived complexity of the voting process.

Proofing, Processing and Accuracy Concerns:

- The inclusion of plain language summaries will significantly extend the time required for ballot proofing, especially in the case of Ballot Marking Devices. For these devices, both visual and audio components must be meticulously reviewed for each ballot question across all ballot styles.
- The likelihood of encountering multi-page ballots could complicate the vote counting process, whether conducted by machine or by hand. This presents greater opportunities for processing errors, which could impact the accuracy of election results.

To mitigate some of these concerns, we suggest considering alternative methods for providing plain language summaries rather than including them directly on the scannable ballots. We would also like to point out that sample ballots already include non-technical summaries, as mandated. Also as mandated, our sample ballots are required to be present at polling locations for the convenience of our voters (MD Code, Election Law, § 10-306.)

We are grateful for the opportunity to provide informational testimony to the committee and are ready to address any questions you may have regarding the practices of local boards.

Sincerely,

John Michael Gudger
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Chair, MAEO Legislative Committee