

February 20, 2020

Testimony on SB 396
Election Law - Deadline for Selection of Lieutenant Governor
Education, Health, and Environmental Affairs

Position: Favorable with Amendments

Common Cause Maryland supports SB 396, which would amend the Maryland constitution to alter the current process for gubernatorial candidates to select Lieutenant Governor candidates, allowing for a Lt. Governor candidate to be chosen after the primary.

Under the current Maryland Constitution, gubernatorial candidates must select their Lieutenant Governor running mates at the time of filing their candidacy. This process unnecessarily limits those candidates' choices – anyone considering running for governor would obviously decline the position, even though those candidates often grow large bases of support.

By allowing for lieutenant governor candidates to be chosen after the primary election, instead of forcing them to be chosen at the outset of the gubernatorial campaign, candidates will be encouraged to run more positive campaigns. The prospect of selecting a losing gubernatorial candidate, though one that still has significant support outside of the winner's base, could have a positive influence on the primary campaign itself.

However, we are concerned with SB 396's solution, which allows gubernatorial candidates to choose to file immediately with a lieutenant governor candidate or to choose one after the primary. This will create a system where some candidates are listed on primary ballots with a lieutenant governor and some without. This could cause voter confusion, or perhaps even create an unconscious bias toward more "official" candidates who appear with lieutenant governors at the ready, thus reducing the value of this change.

We urge the committee to consider this strongly before going ahead with a compromise approach that may undermine the reform itself. However, we ultimately support removing the requirement that gubernatorial candidates file with lieutenant governor partners.