

## TESTIMONY OF H. MARK STICHEL IN FAVOR OF HOUSE BILL 41

I am a principal in the law firm of Astrachan Gunst Thomas, P.C., and have been a member of the Maryland Bar since 1983. I have litigated election law cases in the courts, including the Court of Appeals of Maryland, and have direct experience with Maryland campaign finance law from my having been the Chairman of the Baltimore City Sitting Judges Committee since the early 1990s.

I very much regret that I will be unable to testify in person in favor of House Bill 41 due to a schedule conflict. I am attaching to my written testimony an article from the Maryland Bar Journal that I co-authored advocating that there should be private cause of action for injunctive relief under Maryland's campaign finance law. *See* H. Mark Stichel and Joshua Greenfeld, *Private Cause of Action for Injunctive Relief Under Maryland's Campaign Finance Laws*, MARYLAND BAR JOURNAL, Volume XLVIII, Number 2, pages 4-13 (March 2015). House Bill 41's proposed amendment of existing law to substitute the Chairman or Vice Chairman of the State Board of Elections for the Secretary of State in Election Law Section 13-605 is much narrower than the private cause of action that Mr. Greenfeld and I advocated in the Maryland Bar Journal. However, it would be a substantial improvement in existing law, which places the power to seek an injunction in the hands of an official who has not been responsible for election law administration since 1970. Further, the Chairman and Vice Chairman are members of different political parties, so at least one official who is not of the party of a potential violator of campaign finance law would have standing to seek injunctive relief.

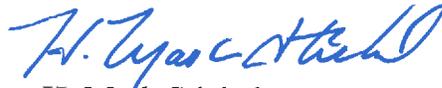
Time is of the essence when it comes to remedying campaign finance violations, especially on the eve of an election. Section 13-605 should be amended to allow two officials who have

expertise in campaign finance law to obtain an injunction to remedy a violation before an election occurs.

The views that I have expressed in this testimony and in the attached article are my own and do not represent the views of Astrachan Gunst Thomas, P.C., the Baltimore City Sitting Judges Committee and/or any other person or entity.

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Respectfully submitted,



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