

# Senate Hearing for HB 335.pdf

Uploaded by: Boyce, Regina T.

Position: FAV

REGINA T. BOYCE  
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Environment and  
Transportation Committee

Subcommittees  
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THE MARYLAND HOUSE OF DELEGATES  
ANNAPOLIS, MARYLAND 21401

3/23/2021

Good Afternoon Chairman Pinsky, Vice Chair and Education, Health and Environmental Affairs  
Committee Members,

I am Delegate Regina T. Boyce here to testify on **HB 335: Election Law - Party and Public Offices -  
Prohibitions.**

This bill prohibits elected officials from also holding or registering for an elected office as a party official:  
**the state central committee.**

Historically, the organizing of parties began in 1824 and was codified in law in 1886. It is stated that  
“When primary elections developed at the end of the nineteenth century, state central committees  
formed to oversee their conduct.”

The role of the state central committee, **grassroots elected volunteers**, is to build the party organization  
at each district level. This of course is done in many ways: getting out the vote by registering residents  
to vote, organizing and encouraging voter turnout during the primary and general elections, fundraising  
for the party, and facilitates the vacancy process to provide nominations to the governor.

For decades, the practice of holding both elected offices has been questionable. The allowance of  
holding both positions poses an interesting dynamic and conflicts of interest for the state central  
committee member role as well as the elected role. The allowance assumes automatic “next in line”  
policies and politics that distorts the democratic process and the true role of the elected party office.

I, as well as a number of my constituents, thank you for assisting us with correcting this allowance and  
ask for a favorable report.

Respectfully,

A handwritten signature in cursive script that reads "Regina T. Boyce".

Regina T. Boyce

# **HB0335\_Represent Maryland\_Favorable with Amendment**

Uploaded by: Demnowicz, Cristi

Position: FWA



**BILL:** HB0335

**BILL TITLE:** Election Law – Party and Elected Public Offices – Prohibitions

**BILL SPONSOR:** Delegate Boyce

**POSITION:** FAVORABLE WITH AMENDMENTS

**COMMITTEE:** EHEA

**HEARING DATE:** March 25, 2021

### **TESTIMONY IN SUPPORT WITH AMENDMENTS OF HB0335**

Cristi Demnowicz, Chair  
Represent Maryland

A big problem in Maryland politics and governance is disproportionate influence and access insiders and monied interests have to elected and appointed positions relative to most others. One of the ways entrenched powers are able to maintain control is through the vast power given to major party central committees, including the power to appoint new members of the general assembly whenever a vacancy occurs. Represent Maryland, a pro-democracy grassroots group of Marylanders, strongly opposes this 21st century patronage system.

We feel that while there is much to be done to break this system down and deliver more power to regular Marylanders, HB0335 is a strong start. The intent of this legislation is to stop officials from 1) campaigning for both positions simultaneously, and 2) being elected to the state central committee while serving as a state or local elected official (or vice versa) which is currently a very common practice. This is problematic since it creates a concentration of power in a few officials, who then can appoint family, friends, and benefactors to key positions, which further concentrates their power. By prohibiting this, passage of HB0335 will assist in weakening this concentration of power.

In fact, we believe this bill should go further, and propose that the bill is amended to also apply to those who sit on a central committee and seek a central committee appointment to the general assembly when a vacancy occurs in their district. We have seen numerous cases where a central committee member puts their name forward for a vacancy and is then voted on by their colleagues. This scenario gives a significant advantage to that person over other qualified applicants, since they would be able to vote for themselves. We believe this is a conflict of interest and it is important to end this practice so a more equitable process is carried out to determine the best candidate for the vacancy.

Represent Maryland believes in abolishing central committee appointments entirely and filling vacancies democratically with special elections. This legislation, with the proposed amendment, is a strong step toward ending conflict of interests. We request that it is amended as mentioned then sent to the senate floor in order to pass this session.

Sincerely,  
Cristi Demnowicz, Chair  
Represent Maryland  
Maryland Voter-LD7

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Represent Maryland is a grassroots anti-corruption group of citizen advocates that #FightForDemocracy in Maryland. Our democracy solutions include: Public Election Funds, Independent Redistricting, Special Elections, Ranked Choice Voting, Increased Ethics and Transparency, and Increased Voter Participation. Learn more about our work at [www.RepresentMaryland.org](http://www.RepresentMaryland.org)

Authorized by Represent Maryland PAC, T Miler, Treasurer

# **HB 335 Testimony.pdf**

Uploaded by: Logsdon, Todd

Position: UNF

# TODD J. LOGSDON

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Tuesday, March 23, 2021

The Senate of Maryland  
Education, Health, &  
Environmental Affairs Committee  
11 Bladen Street  
Annapolis, Maryland 21401

## **Re: HB 335: Election Law- Party and Public Offices- Prohibitions**

Good day Senators:

I write to you today in opposition to HB 335, which seeks to prohibit individuals from simultaneously running for or holding a state central committee office and an elected public office. For the sake of transparency, I am compelled to tell you that I am an elected member of the Republican State Central Committee for Allegany County, but my comments this day are individual in nature and are not to be taken to reflect the opinion of the Allegany County Republican State Central Committee nor the Maryland Republican Party.

While I recognize the concerns of the sponsor of this legislation about a conflict of interest for a person who simultaneously holds the position of central committee member and elected official, I question the existence of such a conflict. Article 1, Section 9 of the Maryland Constitution, which outlines the oath of office that is taken by all governmental elected officials, includes the phrase “...*that I will not directly or indirectly, receive the profits or any part of the profits of any other office during the term of my acting as \_\_\_\_.*” As central committee members are not paid officials – in fact, I spend a great deal of my own money in the exercise of my duties – it is clear that the holding of these two positions does not violate your oath.

The sponsor of this legislation testified in the House hearing that the allowance of dual office holding creates a specific conflict when the central committees are charged with filling vacancies in state elected offices. I submit that the “next in line” situation referred to therein exists independent of central committee office. That testimony implied that central committees are likely to “promote” from within their own ranks when given the opportunity. I fail to see the connection between the holding of a simultaneous office and the desire of the committee to “promote” simply because that person is also on the committee. Furthermore, this legislation does not take into account the fact that final appointment to fill any such office rests with the Governor, who chooses from a list of qualified candidates submitted by the central committee and has the ultimate authority.

Finally, this legislation does not account for municipal and non-partisan offices. Even if one were to concede – which I do not – that a conflict exists when a state or county elected official serves on the central committee, this conflict simply does not exist when a person serves in a municipal or non-partisan office over which the central committee has no jurisdiction.

While I am hopeful that this legislation does not pass, I would suggest that, if it must, it should be amended to allow a citizen to serve in a municipal or non-partisan office (mayor, town council, board of education, etc.) while simultaneously serving on a county central committee. In rural counties, it is extremely difficult to find enough qualified and interested citizens to serve our communities and run for office at all levels. As municipal elections are not held (with a handful of exceptions) in conjunction with state elections and central committees play no role in municipal government, I do not believe there is a legitimate reason to prohibit a person from serving in both capacities.

Please consider these comments when making your decision. I thank you for your time and for your service to your constituents.

Sincerely,

Todd Logsdon  
Frostburg, MD