

HB0488 Local Public Campaign Financing - Expansion to Additional Offices

Ways and Means Committee – February 8, 2022

Sponsors: Delegates Feldmark, Charkoudian, Davis, Ebersole, Hill, Lehman, R. Lewis, Lopez, Love, Ruth, Terrasa, and P. Young

Position: Unfavorable

Testimony of Kathleen Duvall, President, Maryland Circuit Court Clerks Association

Thank you Chair Atterbeary, Vice-Chair Washington and members of the committee for this opportunity to submit written testimony regarding HB 0488. My name is Kathleen Duvall, President of the Maryland Circuit Court Clerks' Association, which represents the elected Clerks of the Circuit Court in Maryland.

Our Clerks' Association opposes the inclusion of elected Clerks of the Circuit Court in the local public financing of election campaigns proposed HB 0488. We have several concerns regarding this proposal. First, while Clerks of the Circuit Court are elected in each county in Maryland, all elected Clerks of the Circuit Court are state officials, not county officials. The bill references counties that adopt "a system of public campaign financing for elective offices in the executive or legislative branches of **county government ...**" (emphasis added) and expanding this to additional offices. The intent of the bill clearly seems to be aimed at funding for local county elected offices. However, by including state elected offices, i.e., Clerks of the Circuit Court, the bill goes beyond this local focus and could also create a jurisdictional issue if county governments are to be providing campaign funding for state offices.

In addition, the proposed bill is vague as to any restrictions that counties may or may not require related to this campaign funding. Historically, similar public campaign financing proposals that have been adopted in other jurisdictions have included restrictions. This bill proposes that the governing body of each county specify their criteria, but it is otherwise silent

on what these criteria may be. In effect, it gives carte blanche to local county governments to adopt restrictions that could affect the election of state officials, i.e., Clerks of the Circuit Court. We believe this is problematical from the standpoint of state and local government jurisdiction and the separation of powers between the legislative and judicial branches. And it could also result in inconsistent rules from county to county for candidates running for this state office.

For these reasons, our Circuit Court Clerk's Association urges an unfavorable report for HB0488. Thank you again for the opportunity to comment.