



THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

Chair Korman, Vice Chair Boyce, Subcommittee Chair Healey, and members of the Environment and Transportation Committee, thank you for having me today.

House Bill 28 is about ensuring that every Marylander—no matter which county they call home—can live under a local government with separately elected executive and legislative branches. This structure reflects the republican form of government guaranteed to all citizens by the U.S. Constitution.

Currently, commissioner counties in Maryland are not truly independent governments. They lack a local constitution and function as wards of the General Assembly. According to the Maryland Constitution and state Supreme Court precedent, the General Assembly acts as the legislative branch for these counties. Under the U.S. Constitution's Guarantee Clause, states are promised a republican form of government. Federal case law makes it clear that defining that form of government is the responsibility of the state's population as a whole—not individual counties. Because commissioner counties operate as wards of the General Assembly, they cannot independently determine their form of governance.

Shouldn't all Maryland citizens—regardless of race, ethnicity, or background—have the right to a local government rooted in popular sovereignty, with separate and independently elected branches, like our state and federal governments? Right now, those living in commissioner counties do not.

As a former County Commissioner, I experienced the limitations of this system firsthand. Commissioner-based government consolidates power within the General Assembly, leaving local citizens without true sovereignty. Many legislators opposing this bill do so to maintain that control, perpetuating the false belief that commissioner counties are independent and self-governing.

Imagine a math teacher who, for job security, agrees with students that 2+2 equals 5 rather than teaching the correct answer. That's what's happening here. The truth is that counties without separately elected executive and legislative branches are less independent, not more.

The principles outlined in this legislation reflect the foundation of the U.S. Constitution—rejecting outdated models of governance in favor of popular sovereignty. Federal case law is clear: counties do not have the right to adopt systems modeled on colonial-era governance through referendum. The authority to define a republican form of government belongs to the people of the state as a whole.

By passing this amendment, Maryland would align all counties under a unified, constitutional governance structure. Picture Maryland as a machine with moving parts—some counties functioning efficiently, while others lag behind. This legislation would ensure every county operates equally and effectively within the larger state and federal framework.

This is our chance to fulfill the ideals of Hamilton and Madison, just as they replaced the flawed Articles of Confederation with the U.S. Constitution. It's time for Maryland to unify its governance and ensure equal sovereignty for every resident.

Thank you for considering this important legislation. I respectfully urge a favorable report from the committee.

Sincerely,

A handwritten signature in blue ink, appearing to read "C. Bouchat", written in a cursive style.

Delegate Christopher Eric Bouchat