

Michael Butkiewicz

9904 Belhaven Road, Bethesda, Maryland 20817

House Government, Labor, and Elections Committee

HB 101 Public Broadcasters - Debate for Candidates for Statewide Office - Required

Participants

Bill Hearing Date February 4th, 2026

Position: Favorable with Amendments

Dear Chair Wells, Vice Chair Kerr, and Honorable Committee Members,

My name is Michael Butkiewicz. I am an author and civic-education researcher from Montgomery County, and my work has appeared across regional outlets. I write today in support of House Bill 101 with amendments. The bill requires that any public broadcaster choosing to host a debate for statewide office provide equal opportunity for all certified candidates to participate, and it prohibits broadcasters from setting eligibility criteria based on fundraising totals, party affiliation, or polling thresholds.

Under current circumstances, public broadcasters in Maryland operate with broad, self-determined discretion, inviting major-party nominees, excluding independents, imposing polling and fundraising thresholds, and relying on editorial judgment to determine who participates. Research published by the National Academy of Sciences of the United States of America underscores the stakes of this discretion, finding that selection bias is “the single most fundamental decision in journalism, and it is the most pervasive form of bias.”¹ The analogue to debate participation is direct: who is invited, who receives speaking time, and who is deemed worthy of rebuttal are all selection decisions. The same study concludes that such bias “can exert a profound influence on the public’s understanding of reality, leading to the over-representation or under-representation of certain events and contributing to a skewed worldview.” When applied to debates, this dynamic risks placing voters in a distorted informational environment, one where certain candidates or policy visions appear “pragmatic” not because the public prefers them, but because alternatives are withheld on market-driven grounds.

¹ Unveiling the Hidden Agenda: Biases in News Reporting and Consumption, Proceedings of the National Academy of Sciences (PNAS).

This is not merely a transparency issue for broadcasters; it raises deeper concerns about our norms of democratic openness and pluralism. While independents and lower-funded candidates are not formally barred from campaigning or holding office, they are rendered de facto ornamental, present on the ballot but structurally sidelined in the public forum. This dynamic is especially consequential when incumbents, overwhelmingly from the two dominant parties, are the primary recipients of lobbying and fundraising advantages, further entrenching their position relative to smaller parties.

Although my support for this bill is clear, I cannot overlook a significant inefficiency embedded within it: the absence of a definition for “equitable opportunity.” Without a clear standard, independents and smaller-coalition candidates risk becoming symbolic participants, visible but not substantively included. In the absence of statutory guidance, broadcasters may define “equitable opportunity” however they choose. Does it require equal response time? Does it vary by question? Does it remain entirely at the broadcaster’s discretion? Leaving this term undefined does not advance equitability; it creates a well-intentioned but ultimately fragile framework that can be easily undermined.

Recognizing this inefficiency, I propose defining “equitable opportunity” through the lens of contribution, because contribution determines the baseline from which response opportunities flow. This definition would not set a fixed number of seconds in statute or prescribe a specific debate format. Broadcasters would retain full authority over overall timing, structure, and production design. The standard would simply require that whatever time structure is adopted be applied equally to all participating candidates for each question, providing a clear and measurable safeguard against unequal treatment.

An inevitable question will arise about directed questions. Directed questions remain entirely permissible under this framework, as editorial judgment over question targeting and debate flow would remain with the broadcaster. The principle of equal opportunity applies only to the allocation of response time once a candidate is given the floor. Equal timing does not force bad television; it preserves format flexibility while preventing structural favoritism.

Rebuttal time should follow the same principle. Broadcasters would retain discretion over whether and how rebuttal segments are used, but any rebuttal opportunity offered should be made available on equal terms to all candidates. Once contribution time is equalized, rebuttal becomes a bounded secondary category, and any variation in impact reflects candidate strategy rather than broadcaster design.

This bill is one I am proud to show support for in its current structure. However, the bill remains incomplete, because its success ultimately depends on limiting the extensive discretion broadcasters retain once the debate begins. Addressing this gap would strengthen the bill's durability and ensure its goals are carried out in practice, not left vulnerable to uneven implementation.

For these reasons, I respectfully urge a favorable report with amendments on HB 101.

Thank you.