

Andy Ellis
Seeking the Green Party nomination for Governor
HB 1382
FAV

I am a technology consultant. I would like to be able to offer my services to the State of Maryland without having to sign away my right to boycott. That is what this bill is about.

Executive Order 01.01.2017.25 requires every contractor bidding on state work to certify in writing that they will not boycott Israel during the contract period. It covers "Israel and its territories," which means the illegally occupied West Bank. A false certification means bid rejection or contract termination. If I want to do business with my own state government, I have to promise not to exercise a right the Supreme Court has protected since 1982.

I should not have to do that. Neither should any other Maryland contractor.

This executive order exists because the legislature rejected the policy. Three times between 2014 and 2017, efforts to pass anti-BDS legislation failed. In 2017, SB 739 and HB 949 both died in committee after opposition from the ACLU of Maryland, the Center for Constitutional Rights, Palestine Legal, the National Lawyers Guild, and a broad coalition that included my running mate, Owen Silverman Andrews, and the Maryland Green Party. Governor Hogan responded by imposing through executive order what this body refused to pass.

HB 1382 removes a political litmus test from the procurement process. Public contracting should evaluate whether a vendor can do the work at a fair price. It should not evaluate a vendor's political views on foreign policy. A landscaping company bidding on a state contract has no business being asked about Israel. Neither does a technology consultant.

When Governor Moore vowed to maintain Hogan's executive order, he said our laws should reflect our values. I agree. A state that values free speech should not condition public contracts on political litmus tests. A state that values the rule of law should not compel engagement with settlements that violate the Fourth Geneva Convention. A state whose legislature rejected this policy should not have it imposed by executive fiat.

I encourage this committee to provide a favorable report on HB 1382.