



**TESTIMONY PRESENTED TO THE HOUSE WAYS AND MEANS COMMITTEE**

**HOUSE 268 – ELECTION LAW –  
DEADLINE FOR SELECTION OF LIEUTENANT GOVERNOR**

**February 6, 2020**

**DONALD C. FRY  
PRESIDENT & CEO  
GREATER BALTIMORE COMMITTEE**

**Position: Support**

**House Bill 268 – Election Law – Deadline for Selection of Lieutenant Governor** would repeal the existing constitutional requirement that a gubernatorial candidate must select his or her running mate at the time that he/she files their candidacy.

Instead, a candidate seeking a nomination for governor in a primary election would be permitted to either: select a running mate when filing for office; or select a running mate no later than 21 days after the primary election. If a candidate is seeking a nomination for governor outside of the primary election process, he or she would still be required to designate a running mate at the time of filing for office.

The Greater Baltimore Committee (GBC) began promoting this change following the 2018 primary election, after an impressive group of gubernatorial candidates and others seeking office were eliminated from consideration for the post of lieutenant governor due to the current filing requirement. Requiring a gubernatorial candidate to make a declaration of his or her running mate at the time of filing candidacy papers eliminates other candidates who run for governor or unsuccessful candidates for federal or state legislative offices or county executive or legislative offices from being considered for the job of lieutenant governor.

While candidates for lieutenant governor are qualified in their own right, adding the unsuccessful gubernatorial candidates and other unsuccessful federal, state and local candidates to the list of potential lieutenant governor candidates would provide the primary election nominee with an opportunity to add specific expertise and experience, balance the party's ticket, demonstrate a willingness to embrace divergent policy positions, forge party unity, and present the strongest team. This change would benefit either of the major parties that has a contested primary election.

The GBC encourages the committee to consider this common-sense legislation. Changing the timing of the selection of the lieutenant governor candidates would be a positive step to ensure highly qualified candidates for Maryland's top elected positions.

**For these reasons, the Greater Baltimore Committee urges a favorable report on House Bill 268.**

*The Greater Baltimore Committee (GBC) is a non-partisan, independent, regional business advocacy organization comprised of hundreds of businesses -- large, medium and small -- educational institutions, nonprofit organizations and foundations located in Anne Arundel, Baltimore, Carroll, Harford, and Howard counties as well as Baltimore City. The GBC is a 64-year-old, private-sector membership organization with a rich legacy of working with government to find solutions to problems that negatively affect our competitiveness and viability.*

**GREATER BALTIMORE COMMITTEE**

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# WBAL NEWS RADIO 1090: THE SELECTION OF MARYLAND'S LIEUTENANT GOVERNOR

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**Editor's note:** The following commentary aired on wbal.com (<http://www.wbal.com/article/345730/155/gbc-commentary-the-selection-ofmarylands-lieutenant-governor>) on November 3, 2018.



**Listen to the commentary** (<http://www.wbal.com/article/345730/155/gbc-commentary-the-selection-ofmarylands-lieutenant-governor>).

Election fever has been upon us and the end is in sight. Among the races that has grabbed the most attention has been the battle for Maryland's Governor.

As voters cast their ballots for Maryland's highest elected official they are, in fact, voting for both the Governor and Lt. Governor. In Maryland, those two offices are elected as a team. A Lt. Governor's sole constitutional responsibility is to assume the role of Governor should the Governor die or be deemed unable to fulfill their duties.

Here in the Old Line State, our gubernatorial candidates must announce their running mates prior to the primary election. However, a strong argument can be made that the selection of running mates should be made after the primary. That is the process in a number of other states. Also, our Presidential candidates do not officially select their Vice Presidential running mate until after they have secured the nomination for the top slot.

Allowing each party's nominee for Governor to select their running mate after the primary election would cast a broader net of potential running mates. A party's nominee might even select a highly qualified and experienced candidate who unsuccessfully ran in the gubernatorial primary election. A constitutional amendment and voter ratification would be required to set up such a process in Maryland.

Once the dust has settled from this year's election it is worth debating if changing the selection date for gubernatorial running mates would strengthen the nominating process for our top elected official in the state. In the end, voters and the state as whole may greatly benefit.

*I'm Don Fry, President & CEO of the Greater Baltimore Committee.*

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## A better way to select a lieutenant governor

By: Donald C. Fry ☉ July 19, 2018

When then-Democratic presidential nominee Sen. Barack Obama was searching for a running mate, he did not have to look far for qualified candidates. The hard-fought Democratic primary had featured several highly qualified candidates, including Sen. Joe Biden from Delaware and Sen. Hillary Clinton from New York. Biden dropped out of the race following the Iowa caucus but his time spent on the campaign trail left an impression on Obama. In May 2008, Obama asked Biden to take a “more prominent role” in his campaign and a few short months later, he was chosen as the vice presidential nominee.



While some may argue the second name on a ticket is inconsequential, the benefits of Biden as a running mate cannot be understated. Biden’s selection greatly strengthened and united the Democratic presidential ticket and Democratic Party. During the campaign, Biden provided Obama with much-needed diversity, both racially and generationally, and provided strength in areas where Obama was not as strong (a record of legislative leadership and expertise in foreign policy). Biden’s down-to-earth personality and keen sense of humor attracted him to voters as someone who could relate to their challenges. As vice president, he successfully implemented the economic stimulus plan and, through his longstanding bipartisan relationships, negotiated numerous budget deals with Republicans. He is the best example in recent history of why it is critically important to have a well-qualified running mate.

In Maryland, gubernatorial candidates are required by law to select a lieutenant governor running mate at the time of filing for office for the primary election. In making that decision, gubernatorial candidates look for potential running mates who can provide them with diversity, including geographical, generational and racial and strength in areas where the gubernatorial candidate might be weak.

However, requiring a gubernatorial candidate make a declaration of his/her running mate prior to the primary election eliminates candidates who are running for governor to be considered for the job of lieutenant governor. This limits a successful gubernatorial candidate from selecting a former gubernatorial opponent as his/her running mate who could produce a better balanced and highly experienced team that could energize and galvanize the party’s base and be a stronger governing team.

Maryland is not the only state that operates in this fashion. There are “team elections” for the governor and lieutenant governor in 26 of 50 states. Of those 26 states, 10 – including Maryland – dictate the governor and lieutenant governor candidates run together in the primary election. But there is also precedent for withholding the decision of lieutenant governor until after the primary election. In New Jersey, the lieutenant governor is chosen by the successful gubernatorial candidate within 30 days following the primary election. In Connecticut, Indiana, Michigan and South Dakota, the lieutenant governor candidate is selected at a party convention after the gubernatorial primary.

It is intriguing to think of what could be possible if current Maryland law allowed gubernatorial candidates to choose their running mates after the primary election. While some may argue the lieutenant governor candidates selected in this year’s primary election were qualified in their own right, adding the unsuccessful Democratic gubernatorial candidates to the list of potential lieutenant governor candidates would have provided the successful Democratic nominee with an opportunity to add specific expertise and experience, balance the party’s ticket, demonstrate a willingness to embrace divergent policy positions, forge party unity and present the strongest team. (There was no contested Republican gubernatorial primary.)

The only statutorily defined role of a lieutenant governor is to assume the governorship in the unfortunate event a sitting governor dies or is unable to perform the duties of the office. While this is not often the controlling factor in the selection of a lieutenant governor, the recent untimely passing of Baltimore County Executive Kevin Kamenetz, who was a contender in the Democratic primary, provides a stark reminder of the fragile nature of life and

emphasizes the importance of ensuring that a capable, highly-qualified lieutenant governor is part of a ticket that will occupy the State House.

Allowing gubernatorial candidates to select their running mates after the primary would require the passage of a constitutional amendment by the state legislature and ratification by the voters. While it is too late to consider such a policy change for the 2018 election cycle, changing the timing of the selection of the lieutenant governor candidates in the future would be a positive step to ensure a more effective and stable state government.

*Donald C. Fry is president and CEO of the Greater Baltimore Committee. He is a frequent contributor to The Daily Record.*

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