



TESTIMONY TO THE HOUSE COMMITTEE ON WAYS AND MEANS

HB 1288 – Election Law -- Initiative Process

POSITION: Support With Amendments

BY: Linda T. Kohn, President

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The League of Women Voters of Maryland believes that democratic government depends upon informed and active participation in government and supports a change in the Maryland Constitution to allow voters the right to petition for a statutory and/or a Constitutional amendment through the initiative process. Initiatives allow citizens to propose statutes or constitutional amendments that are to be placed on the ballot for consideration by voters following a process of gathering signatures. Currently, it is estimated that 21 states allow citizen-driven initiatives to amend state laws and 18 states allow citizen-driven initiatives to amend the state constitution.¹ In Maryland, only legislators can place statutes or constitutional amendments on the ballot (except for veto referendum).

States that allow citizen initiatives often include various conditions on them and HB 1288 includes several provisions we support, such as specifying the number and distribution of signatures required to place an initiative on the ballot and oversight of the wording by the Attorney General. We also believe the following additional practices should be considered:

- the subject matter of an initiative should be limited to a single subject to make it easier for voters to understand the initiative and to prevent an “unpopular” issue from being paired with a “popular” issue;
- an objective fiscal analysis should be required;
- a higher number of signatures should be required for an initiative to change the state’s constitution than for a legislative change; and
- the requirement for passage of a legislative initiative should be greater than 50%.

The League urges a favorable report on HB 1288 with amendments.

¹ https://ballotpedia.org/Initiated_constitutional_amendment and https://ballotpedia.org/Initiated_state_statute