

JAYSON L. SPIEGEL
413 Upshire Circle
Gaithersburg, MD 20878
Jayson_spiegel@yahoo.co
(301) 525-1418

January 21, 2025

Honorable Brian Feldman
Honorable Cheryl Kagan
Senate Education, Energy and the Environment Committee
2 West Miller Senate Office Building
Annapolis, MD 21401

Re: **Request for Favorable Report SB0005**, General Assembly - Special Election to Fill a Vacancy in Office

Dear Chair Feldman, Vice Chair Kagan, and Members of the Committee::

I urge the Committee to issue a favorable report on SB0005. I am providing this testimony in my personal capacity as a Maryland resident. Although I am a member of the Montgomery County Democratic Central Committee (MCDCC), the opinions expressed herein do not reflect the opinions of other Central Committee members; they are mine alone.

Elections are the cornerstone of a democracy which in turn is the source of our freedom as Americans. Vacancies in office are inevitable, especially during the transition from one party holding the Governorship to another party. Maryland is not unique in that regard. Members of Congress often resign to accept positions in the administration of a new President.

Five legislative vacancies in Montgomery County have been filled since 2024. More than 40% of Montgomery County's delegation and almost 25% of all Maryland General Assembly members entered the legislature for the first time by appointment rather than election.

As a member of the MCDCC, I participated in the process of selecting nominees to fill legislative vacancies. I can personally attest to the fact that all my colleagues took the responsibility seriously and invested a substantial amount of time learning about the applicants. While the Central Committee selected outstanding public servants to fill vacancies in the General Assembly over the past two years, our democratic ideals and desire to empower citizens dictate replacement of the appointment system with short-term appointments and special elections.

I recognize that there are competing visions for the best way to fill legislative vacancies, but this bill would retain the benefits of the appointments process—namely lower cost and a pathway to elective office for traditionally disadvantaged communities—while also making that process more participatory and inclusive.

Our representatives in Annapolis should be chosen directly by the voters in their respective districts. This is the essence of a participatory democratic process. Because only a fraction of the Central Committee's membership live in any given district, appointments by the Central Committee give outsize influence to individuals who do not live in the district that has a vacancy. Empowering the district's voters to fill vacancies at the ballot box will not only allow for more direct feedback and engagement from the public but will also restore public confidence in the process of filling vacancies.

This bill fills vacancies quickly while ensuring an election is held without waiting for the next regular legislative election. Conducting an election during the "Presidential election year" also minimizes the cost of holding a special election.

SB0005 would amend the Maryland Constitution. If enacted by the General Assembly, the matter would be put before the voters on the 2026 ballot. That puts the matter in the hands of the voters to decide how they want vacancies to be filled – by election or Central Committee appointment.

I want to thank Senator Kagan for her leadership on this issue and urge the Committee to favorably report SB0005.

A handwritten signature in black ink, appearing to read "JL Spiegel".

Jayson L. Spiegel
Gaithersburg, Maryland