

SB140- Favorable.pdf

Uploaded by: Barbara Noveau

Position: FAV



Barbara Noveau, DoTheMostGood

COMMITTEE: Education, Energy, and the Environment Committee

TESTIMONY ON: SB0099 Election Law - Affiliating with a Party and Voting - Unaffiliated Voters-

POSITION: FAVORABLE

HEARING DATE: January 30, 2024

BILL CONTACT: Senator Cheryl Kagan

DoTheMostGood (DTMG) is a progressive grass-roots organization with members in all districts in Montgomery County as well as in several nearby districts. DTMG works to protect the fundamental rights of all Maryland residents, and which promote equity across all our diverse communities.

DTMG enthusiastically supports SB0099 that extends to unaffiliated voters the right to request to affiliate with a party at an early voting center during a primary election and vote a provisional ballot for the voter's preferred political party. Not only does this allow party affiliation earlier, it also will clear up the confusion of many voters over different rules for primaries, early voting and in-person voting on election day.

For these reasons, DoTheMostGood gives a **FAVORABLE** report on SB0099

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Barbara Noveau", is positioned above the typed name.

Barbara Noveau
Founder, DoTheMostGood
barbara@dtmg.org
240-338-3048



Barbara Noveau, DoTheMostGood

COMMITTEE: Education, Energy, and the Environment Committee

TESTIMONY ON: SB0140 General Assembly Vacancy - Political Party Central Committees - Procedures

POSITION: FAVORABLE with Reservations

HEARING DATE: January 30, 2024

BILL CONTACT: Senator Clarence Lam

DoTheMostGood (DTMG) is a progressive grass-roots organization with members in all districts in Montgomery County as well as in several nearby districts. DTMG works to protect the fundamental rights of all Maryland residents, and which promote equity across all our diverse communities.

DTMG supports with reservations SB140 that address transparency and conflicts of interest in the current procedures. We applaud the provision that a member of the central committee who has applied to fill the vacancy must recuse themselves from voting on the individual to fill the vacancy, and that the Central Committee votes will be cast by Roll Call vote will casts their votes by Roll Call vote or signed ballots. There are still problems with the entire process, from applying to campaigning and final votes not addressed here.

Overall, this bill puts small band-aids on a large wound: this process puts legislators into office without a single constituent vote. Since vacancies in the General Assembly are frequent, citizens can often end up with a delegate who would never be the choice of the people.

For these reasons, DoTheMostGood gives a **FAVORABLE with reservations** report on SB140

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Barbara Noveau", is positioned above the typed name.

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Barbara Noveau, DoTheMostGood

COMMITTEE: Education, Energy, and the Environment Committee

TESTIMONY ON: SB0029 - Special Elections - Procedures and General Assembly Vacancies and Ties

POSITION: FAVORABLE

HEARING DATE: January 30, 2024

BILL CONTACT: Senator Cheryl Kagan

DoTheMostGood (DTMG) is a progressive grass-roots organization with members in all districts in Montgomery County as well as in several nearby districts. DTMG works to protect the fundamental rights of all Maryland residents, and which promote equity across all our diverse communities.

DTMG enthusiastically supports legislation SB0029 that would require a special election be held to fill a vacancy or resolve a tie for election for a Delegate or Senator in the General Assembly, except when the vacancy occurs in a year when the General Assembly is elected. SB0029 bill also requires that such a special election be conducted by mail, addresses some of the concerns around cost to local boards of election while also promoting the efficiency and security of voting by mail.

We also applaud the speedy action by the Governor required if the vacancy or tie occurs in a General Assembly election year, especially provisions that untether the special election from a general election if it delays the special election beyond the stated times to announce and conduct the election. To leave constituents of the vacating Senator or delegate unrepresented beyond 30-45 days is unconscionable.

For all these reasons, DoTheMostGood strongly recommends a **FAVORABLE** report on (full bill number).

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Barbara Noveau", is positioned above the typed name.

Barbara Noveau
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SB0140_Political_Party_Central_Committees_MLC_FAV.

Uploaded by: Cecilia Plante

Position: FAV



**TESTIMONY FOR SB0140
GENERAL ASSEMBLY VACANCY – POLITICAL PARTY CENTRAL COMMITTEES –
PROCEDURES**

Bill Sponsor: Senator Lam

Committee: Education, Energy, and the Environment

Organization Submitting: Maryland Legislative Coalition

Person Submitting: Cecilia Plante, co-chair

Position: FAVORABLE

I am submitting this testimony in favor of SB0140 on behalf of the Maryland Legislative Coalition. The Maryland Legislative Coalition is an association of activists - individuals and grassroots groups in every district in the state. We are unpaid citizen lobbyists and our Coalition supports well over 30,000 members.

The Central Committees of the Democratic and Republican parties play an outsize role in nominating individuals for legislative positions in the General Assembly whenever there is a vacancy. Due to past vacancies, there are a considerable number of Delegates and Senators who have essentially been elected by the Central Committee rather than by their constituents.

The process of nominating a candidate to the Governor to fill a vacant position is not a particularly transparent one. This bill seeks to remedy that problem by requiring that the Central Committee provide public notice that they are accepting applications and that they hold the application period open for at least 7 days. They must also advertise any meetings that they will have on the vacancy publicly and post any applications online. Their meetings on the vacancy must be open to the public. Finally, any member of the Central Committee that has applied for the vacancy must abstain from voting.

This is just how a democratic process should work. Nominees for legislative positions should not be voted on behind closed doors. This process directly affects the constituents of the district that the vacancy is in, and they should be able to see and participate in that process.

We support this bill and recommend a **FAVORABLE** report in committee.

Montgomery Co. Our Revolution Maryland

Uploaded by: Edward Fischman

Position: FAV

Testimony of Edward Fischman
(Chair – Montgomery County chapter of Our Revolution Maryland)

Testimony in Support of SB140

Chairman Feldman and the Members of the EEE Committee:

I offer this testimony in support of the bill, SB 140, and thank Senator Lam for bringing this question before the Senate. I am testifying on behalf of Our Revolution Maryland which has been advocating for various reforms to our election and appointment rules to democratize rules which too often work to entrench and reinforce the influence of those in positions of power. In connection with this interest, members of our organization have stood for election or appointment to the county Democratic Central Committees, as well as the General Assembly, in hopes of advancing some important reforms.

I was elected to the Montgomery County Committee in 2022, and I have sought to promote the very reform which is the subject of SB140. I speak for myself, and not the Committee or its members, but I think my experience in the vacancy process may be instructive, so I feel it is important to state my interest. Although I and other members of the committees can certainly benefit from the current rules which allow them to vote for themselves in a vacancy appointment, I believe it is unseemly, undemocratic, and counter-productive to the interests of the parties themselves.

A number of my colleagues on the Montgomery Central committee joined me in this effort, but given resistance from the state party, our reform proposal failed to secure a majority vote.

Advocates for the current system earnestly maintain that prohibiting their participation in the process would somehow deprive the interested member of some essential right to vote. That fundamentally misunderstands how this is different from ANY other election. Members are uniquely positioned in comparison to other applicants, and it is indisputably a massive advantage if they get to cast one of a very small number of votes on their own behalf. It should be obvious to all that this is problematic. Rather than infringing on one person's democratic rights, this change makes for a fairer, more democratic process for all. Given that committees are only empowered to fill vacancies because of the Constitution, it is also appropriate for the Legislature to define the circumstance and rules for exercising that authority.

I also believe it is in the best interests of the parties. Central committee members should be focused on party-building. While the vacancy nomination power is an important one, I believe the current system creates an incentive which may entice candidates to run for the committee for reasons other than party-building. The change proposed in SB140 is only a small tweak there, but I believe it will be an important one. It will also boost the public's perception of the integrity of the central committees.

On my own behalf, and on behalf of thousands of Our Revolution members in Maryland, I urge the committee to issue a favorable report on SB140

Jayson Spiegel SB0140 Favorable.pdf

Uploaded by: Jayson Spiegel

Position: FAV

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January 26, 2024

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

Re: Request for Favorable Report SB 0140, General Assembly Vacancy – Political Party Central Committees – Procedures

Dear Chair Feldman and Members of the Education, Energy and Environment Committee:

I urge the Committee to issue a favorable report on SB0140. 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, 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.

As a member of the Montgomery County Democratic Central Committee (MCDCC), I participated in the process of selecting nominees to fill legislative vacancies. I can personally attest to the fact that all of my colleagues took the responsibility seriously and invested significant time to get to know the applicants. While the Central Committee selected outstanding public servants to fill vacancies in the General Assembly over the past year, our democratic ideals and desire to empower citizens dictate replacement of the appointment system with special elections.

Many of the reforms contained in SB0140 have already been adopted by the MCDCC. These include widespread dissemination of the vacancy and process for applying; public meetings, district-level candidate fora, public votes, etc. The MCDCC should be acknowledged for taking these positive steps.

However, members of the MCDCC who apply to fill legislative vacancies are not required to recuse themselves from voting on filling the vacancy. The proper and

honorable thing to do would be for members to recuse themselves, but it is not required. Memorializing recusal in law would increase public confidence in the appointment process and represent a positive reform.

I am a strong supporter of special elections because the best way to fill vacancies is through elections. There are other bills pending before the General Assembly that reform the process for filling vacancies and all of them are an improvement over the current appointment process. If special elections cannot be implemented this year, then passage of SB0140 is a positive initial step.

I want to thank Senator Lam for his leadership on this issue and urge the Committee to favorably report SB0140.



Jayson L. Spiegel
Gaithersburg, Maryland

Testimony in support of SB0140.pdf

Uploaded by: Richard KAP Kaplowitz

Position: FAV

SB0140_RichardKaplowitz_FAV
1/30/2024

Richard Keith Kaplowitz
Frederick, MD 21703

TESTIMONY ON SB#0140 - FAVORABLE
General Assembly Vacancy – Political Party Central Committees - Procedure

TO: Chair Feldman, Vice Chair Kagan, and members of the Education, Energy and the Environment

FROM: Richard Keith Kaplowitz

My name is Richard K. Kaplowitz. I am a resident of District 3. I am submitting this testimony in support of SB#0140 General Assembly Vacancy – Political Party Central Committees - Procedure

Elections are held so that the voters can pick who should represent their interest in Annapolis. However, when a delegate or senator leaves their position, it falls to the Central Committee of that representative's party to pick a successor. This bill attempts to make the process more open and permit the involvement of the affected voters working in concert with that Central Committee. Statewide, 23% of the 188-member General Assembly first acquired their seats through appointment: 20% of the 141-person House of Delegates and one-third of the 47-member state Senate, according to figures published this past October by Common Cause

This bill is an attempt to make the process of choosing the successor more public and stops a committee member from being able to vote themselves into the office. It is a good step towards correcting that situation and returning us to a state where the voters pick their leaders, not their leaders picking themselves or their friends to serve in the General Assembly.

I respectfully urge this committee to return a favorable report on SB#0140.

1-30 NS LH SB 140 General Assembly Vacancy - Polit

Uploaded by: Nikki Tyree

Position: FWA



**TESTIMONY TO THE SENATE EDUCATION, ENERGY, AND THE ENVIRONMENT
COMMITTEE**

SB 140 General Assembly Vacancy - Political Party Central Committees - Procedures

Position: Support

By: Linda T. Kohn, President

Date: January 30, 2024

The League of Women Voters of Maryland supports Senate Bill 140, requiring transparency in the process of selecting a candidate to fill a seat in the General Assembly when it is left vacant by the Central Committees.

Since 1985, the League of Women Voters has supported additional statewide standards regulating the central committee nominating process to fill legislative vacancies, public notice of meetings within the vacated district for public input, the public announcement of candidates prior to that meeting, and a publicly recorded vote of each committee member. SB 140 would support this position.

With Maryland having such a high rate of appointed legislators creating a transparent process of how those who are appointed would allow voters to know who is representing them and allow them to participate in public meetings before the appointment.

LWVMD would respectfully request an amendment to this bill that would ensure when a name is put forth for appointment, along with their application, there shall be a disclosure to attest to how the candidate may know any member who sits on the committee in a professional or personal capacity.

Since 1985, the League of Women Voters of Maryland has supported the use of special elections to fill vacancies in the office of Senator or Delegate. We strongly believe that legislative representatives should be selected by their constituents rather than potentially serve nearly a full four-year term based on appointment by the Governor. While SB 140 does not allow for special elections, LWVMD is pleased that it shows a positive step in that direction and creates more transparency around the process.

We urge a favorable report, with LWVMD's proposed amendment, on SB 140.