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March 25, 2026

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

Re: **Request for Favorable Report HB0333**, General Assembly Vacancy – Political Party Central Committees – Procedures

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

I urge the Committee to issue a favorable report on HB0333. I am providing this testimony in my personal capacity as a Maryland resident (District 17). 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.

The issue of Central Committee appointment to fill legislative vacancies is so prominent that two of the three questions the League of Women Voters asked candidates for the Montgomery Central Committee to answer concerned elections and the Central Committee appointment process.

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 my colleagues took the responsibility seriously and invested significant time in getting 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 HB0333 have already been adopted by the MCDCC. These include widespread dissemination of the vacancy announcement and process for

applying; public meetings, district-level candidate forums, letters of support from district residents, public MCDCC votes, etc. The MCDCC should be recognized for taking these positive steps.

The MCDCC posts applicant materials on its website with applicant contact information redacted. Posting applications enables the public to get to know the applicants and increases public confidence that the process is open and not an insider game.

However, members of the Central Committee 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.

A major argument raised in opposition to recusal is easily rebutted. It is true that candidates in an election can vote for themselves. All candidates who are on the ballot can vote for themselves. However, the only candidate who can vote on legislative appointments is the Central Committee member. That is not right.

I support legislation to provide for elections to fill legislative vacancies. Even if the Constitution is amended to provide for elections, the reforms contained in HB0333 are still necessary to govern the initial appointment by the Central Committee.

I want to thank Delegate Palakovich Carr and Delegate Griffith for their leadership on this issue and urge the Committee to favorably report HB0333.

A handwritten signature in black ink, appearing to read "Jayson Spiegel". The signature is fluid and cursive, with the first name "Jayson" and the last name "Spiegel" clearly distinguishable.

Jayson L. Spiegel  
Gaithersburg, Maryland