

# **SB0089-Vacancies for Elected Seats.pdf**

Uploaded by: Britt, Adiena

Position: FAV

## SB0089 Municipalities - Vacancies in Elected Offices

Stance: Favorable

Testimony: My name is Adiena C. Britt and I reside in the 45<sup>th</sup> Legislative District of Baltimore City. I am writing to offer my support for SB0089 requiring a special election to be held in the event a vacancy occurs in an elected office. In the past several years, MD residents have been subjected to the two committees being able to be the sole entity to vote in a replacement for a vacant seat. They “open the floor” for candidates to “apply” but normally have someone in the mix that they’d rather just appoint. I witnessed this in my District for the vacancy that was created by the indictment of Cheryl Glenn.

A notice was sent out that required to be shared, that there would be a meeting for the Democratic Committee for Baltimore City to be able to choose her replacement. Though, district residents were encouraged to come, it was only circulated by a handful of people and the room where it was held only held about 100 or so people. Several people applied, including the daughter of one of the other Delegates for the district, who also had a seat on said committee.

The people who “interviewed” were presented with a series of curious questions, as well as some good ones. They had no idea what the questions would be so couldn’t prepare, yet the “candidate” who sat on the panel had knowledge of what would be asked. This was an unfair advantage. The constituents in the room were not allowed to vote, only the committee members. The people in the room seemed to like a small number of candidates, and there were as many as three strong candidates who seemed more qualified than the one who sat on the committee. When the “vote” occurred, two of these candidates and the person who held a chair were the top three vote getters. The top two “tied” with the same number of votes, so they decided to knock everyone else out of the mix and have another vote. When all was said and done, the more qualified candidate “lost” the nomination to the seat because Chanel Branch was able to vote, for herself. She was allowed to cast the tie breaking and deciding vote for herself. That should NEVER have occurred. Never. The only people who left there happy were the committee board members. Everyone else was livid because we were lured out in the cold to witness a dog and pony show. They already had their minds made up, and we had a person thrust upon us for representation who has been quite absent from advocacy and representation since.

Just a note that I am very active in community issues and email my representatives on quite a number of matters that mean a lot to me. She is not only unresponsive, but I have yet to see anything that she has sponsored or co-sponsored as far as legislation. It’s like a ghost in a seat, and this should never be the case. The constituents of a district should never be subjected to someone thrust upon them, only to turn around and be non-responsive and do absolutely nothing with the power and position they were handed.

Please allow this to pass through committee and be brought forth to the full Senate and House to be voted into Law.

Thank you.

Adiena C. Britt

6014 Old Harford Rd.

Baltimore, MD 21214

# **SB0089\_Municipalities - Vacancies in Elected Offic**

Uploaded by: Demnowicz, Cristi

Position: FAV



**BILL: SB0089**

**BILL TITLE: Municipalities - Vacancies in Elected Offices**

**BILL SPONSOR: Senator Peters**

**COMMITTEE: EHEA**

**POSITION: Favorable**

**HEARING DATE: 2.18.2021**

**TESTIMONY IN FAVOR OF SB0089**

Represent Maryland believes in democracy and that all politics are local. Currently, the way in which most legislative vacancies are filled at the hyper-local, local, and state level are not democratic. In fact, they are known to be the opposite, where insiders appoint their friends and colleagues and regular voters are left out of the process completely.

We believe all vacancies should be filled by a real special election, one in which voters cast their vote for who they want to represent them moving forward. In the last 3 years, more and more vacancies have been filled by appointment, meaning there are more unelected lawmakers in legislatures than any other time in recent history. This trend must end. The MDGA must close the unelected-lamaker pipeline that exists in much of Maryland, and this bill is a first step.

When voters know that their vote doesn't matter, when they know that decisions are made behind closed doors, when they know that the daughter of a sitting lawmaker is more likely to be appointed to a seat simply for being related, they become disillusioned and disgruntled. American democracy has eroded to the point of being nearly unrecognizable and it's not simply a bunch of radical extremists. It's the failure of our lawmakers to adapt and change to meet modern expectations. The people of Maryland want real special elections. Please find SB0089 favorable and show voters that you are listening to them.

Sincerely,  
Cristi Demnowicz  
Chair  
Represent Maryland  
Maryland Voter-D7

Represent Maryland is a grassroots anti-corruption group of citizen advocates that #FightForDemocracy in Maryland.

Our democracy solutions include: Public Election Funds, Independent Redistricting, Special Elections, Ranked Choice Voting, Increased Ethics and Transparency, and Increased Voter Participation. Learn more about our work at

[www.RepresentMaryland.org](http://www.RepresentMaryland.org)

Authorized by Represent Maryland PAC, T Miller, Treasurer



**SB 89\_FWA\_MML.pdf**

Uploaded by: Bailey, Angelica

Position: FWA



## Maryland Municipal League

*The Association of Maryland's Cities and Towns*

# TESTIMONY

February 18, 2021

**Committee:** Senate Education, Health, and Environmental Affairs

**Bill:** SB 89 – Municipalities – Vacancies in Elected Offices

**Position:** Support With Amendment

**Reason for Position:**

The Maryland Municipal League (MML) supports SB 89 with amendments. As introduced, this measure would require a municipality to hold an election within 90 days of a vacancy in an elected municipal office.

We understand the importance of transparency and a public process, but this measure does not account for the diversity of elected municipal positions. Maryland has 157 municipalities, all with different charters, election budgets, legislative bodies, and term lengths. Broad mandates are often ill-fitting; local governments need flexibility to meet the needs of their communities and the requirements of their charters.

Consider a town with 1-year terms: under this measure, a vacancy occurring at any point during that year would trigger a special election, even though a general election is already scheduled to take place in less than a year. If a second vacancy occurred during the year, a third election would be required. This places a significant burden on the town.

Instead, MML would support requiring a special election for two or more vacancies that occur within the first half of their terms. This would protect the democratic process without triggering multiple elections within a short period of time. Given the financial and logistical burden of elections for local governments, especially our smaller members, MML would also support an amendment requiring the State to fund these special elections.

With the adoption of these amendments, the Maryland Municipal League would have no opposition. For these reasons, the Maryland Municipal League respectfully requests that this Committee adopted these amendments and provide SB 89 with a favorable report.

1212 West Street, Annapolis, Maryland 21401

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**FOR MORE INFORMATION CONTACT:**

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# **Takoma Park - SB 89 UNF - Municipal Vacancies.pdf**

Uploaded by: Ludlow, Suzanne

Position: UNF



## CITY OF TAKOMA PARK, MARYLAND

**SB 89**  
**Oppose**

**Senate Education, Health, and Environmental Affairs**

**February 18, 2021**

**SB 89: Municipalities - Vacancies in Elected Offices**

**City Contact: Suzanne Ludlow, City Manager**

**[suzannel@takomaparkmd.gov](mailto:suzannel@takomaparkmd.gov)**

The City of Takoma Park respectfully opposes SB 89, which sets inflexible requirements on municipalities for filling vacancies in elected offices.

The City of Takoma Park has a process for filling vacancies on the City Council that has worked well for many years when vacancies have occurred. Requiring special or regular elections within 90 days in all circumstances will result in unnecessary expense and disruption for municipalities throughout the State that already have rules in place to manage special elections. We appreciate the desire to require a system to fill vacancies. However, without an exemption from this law, the City of Takoma Park would need to amend its charter (attached for reference) and establish new procedures to replace a working system, creating needless burdens. The City of Takoma Park supports the continued flexibility in State law that enables municipalities to develop election laws and procedures that best meet the needs of their communities.

Absent an exemption for municipalities with preexisting processes for filling vacancies in elected offices, **the City of Takoma Park must oppose SB 89, and urge an unfavorable vote.**

## **Attachment: Takoma Park City Charter, Section 308**

### *Section 308 Vacancies on the Council*

(a) *Method of Filling Vacancies.* Should a vacancy on the Council occur more than two hundred and forty (240) days before the next regularly scheduled City election, a special election shall be held to fill the vacancy. If the vacancy occurs less than two hundred and forty (240) days before the next regularly scheduled City election, the remaining members of the Council by a majority vote shall, within sixty (60) days, appoint a person who is qualified in accordance with Section 302 or Section 304, as applicable, to fill such vacancy for the remainder of the unexpired term.

(b) *Special Election.* If a vacancy is to be filled by special election, the remaining members of the Council shall, by resolution, establish a date for the special election which shall be not less than forty-five (45) days nor more than sixty (60) days from the date of the vacancy.

(c) *Ballot.* If the requirements of Section 302 or Section 304, as applicable, are met, a person may have their name listed on the special election ballot as a candidate to fill a vacancy on the Council by submitting a petition to the City Clerk with a sufficient number of valid signatures at least twenty (20) days prior to the date scheduled for the special election.

(d) *Petition.* The petition must clearly state that its purpose is to place a specific person's name on the ballot at a special election to fill a vacancy on the Council of the City of Takoma Park, the office and/or ward that the election is being held to fill, and the date of the special election.

(1) For a Mayoral vacancy, a person must have the signatures of at least 30 qualified voters of the City in order to be listed on the special election ballot as a candidate.

(2) For a Councilmember vacancy, a person must have the signatures of at least 10 qualified voters of the ward in which there is a vacancy in order to be listed on the special election ballot as a candidate.

(3) A qualified voter may sign the petition of more than one person to fill a vacancy on the Council. Each qualified voter shall print their name under the signature and shall include their address and the date of their signature on the petition.

(4) Before listing a person's name on a special election ballot as a candidate to fill a vacancy on the Council, the City Clerk shall verify that sufficient signatures on a petition are from qualified voters of the City and for a Councilmember vacancy of the ward in which there is a vacancy. The invalidation of one signature on a petition shall not serve to invalidate any other signatures on a petition.

(e) *Voting.* For a Mayoral vacancy, all qualified voters of the City may vote in the special election to fill a vacancy on the Council. For a Councilmember vacancy, only qualified voters of the ward in which there is a vacancy may vote in the special election to fill a vacancy on the Council.

(f) *Write-Ins Permitted.* A qualified voter also may write in the name of a candidate on the special election ballot to fill a vacancy on the Council.

(g) *Results of Special Election.* The candidate who meets the qualifications for office as specified in Section 302 or Section 304, as applicable, and who wins in accordance with Section 606 in the special election to fill a vacancy on the Council shall serve on the Council for the remainder of the unexpired term for which their predecessor was elected.