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Support SB 6: General Assembly – Special Election to Fill a Vacancy in Office *Senator Clarence Lam*

The Issue:

- When a vacancy occurs in the Senate or House of Delegates, voters are denied input on who represents them
- The current appointment process focuses on maintaining the power of a political party over a seat
- Often members are appointed to executive branch positions at the start of new administrations, leaving voters represented by unelected members for nearly four years
- Appointed members have an incumbency advantage in the next election

What Does SB 6 Do?

- If a vacancy occurs more than 55 days before the candidate filing deadline for a regular statewide primary:
 - A replacement member is appointed to serve until a new member is elected
 - Governor calls for a special election to occur at the same time as the presidential election
 - A new member is elected at the presidential election
- If a vacancy occurs within 55 days of the candidate filing deadline for a regular statewide primary:
 - A replacement member is appointed to serve the remainder of the current term

How Does SB 6 Help?

- Allows voters to elect replacement Senators and Delegates
- Makes the selection of replacement members more democratic
- Reduces political control over the vacancy filling process

Additional Background Information:

- 28 states use special elections to fill state legislative vacancies: Alabama, Arkansas, California, Connecticut, Delaware, Florida, Georgia, Iowa, Kansas, Kentucky, Louisiana, Maine, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, New Hampshire, New Jersey, New York, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Virginia, Wisconsin
- Currently, Maryland fills U.S. Senate, U.S. House of Representatives, Attorney General, and Comptroller vacancies using special elections

Mr. Kenneth Stevens

Columbia, MD

Testimony in support of Senate Bill 6 for House Ways and Means Committee on Feb, 4.

Senate Bill 6 is a very good and overdue Constitutional Amendment. It simply gives the voters the right to vote to fill a legislative vacancy that occurs early enough in a four-year term for the selection to be accomplished in conjunction with a presidential year primary and general election. Why should those voters not have that right?

The affected Central Committee would retain the right to make the initial choice, so the members of such committees wouldn't lose any power. But why should their choice be allowed to slide right past the opportunity for the voters to make their own choice?

Some may favor filling vacancies in special elections and I would have no objection to that. But there would be an extra cost to that and there would be little to no cost in putting a few extra names on a presidential year ballot. So this can be seen as a compromise.

I urge a favorable report on Senate Bill 6.

Respectfully submitted,

Kenneth Stevens