

SB 29: Special Elections - Procedures and General Assembly Vacancies and Ties
Senate Education, Energy, and the Environment Committee
Issa Haddad -- FAVORABLE

January 29, 2024

Chair Feldman and Committee Members,

The voters residing in Maryland's legislative districts should choose the legislative and executive officials who represent them. Individuals who reside outside a district – including people like me, a party central-committee member -- should not have a vote in this choice.

Simply put: A special election is the most democratic way to fill an elected-office vacancy that occurs during the four-year legislative term.

I respectfully communicate my support for SB 29, which would require that a special election be held, by mail, to fill a General Assembly vacancy that occurs during a four-year legislative term, prior to a General Assembly election year.

Many Maryland state legislators were initially appointed to office by the governor, after being nominated by the party central committee in the district where a between-elections vacancy occurred, in accordance with a process laid out in Maryland's Constitution.

I personally first took part in this process in January 2023, when the Montgomery County Democratic Central Committee (MCDCC) chose a nominee to fill a District 14 delegate slot vacated by the resignation of Delegate Eric Luedtke. Twenty-four MCDCC members voted in the selection process, three of whom reside in District 14, choosing a nominee to represent District 14's 100,584 (2022) registered voters. Contrast that each of the three D14 delegates elected in November, 2022, including former Delegate Luedtke, received over 30,000 votes. So in January 2023, precisely three District 14 residents, and twenty-one non-residents, chose in place of the thousands of D14 voters.

Further, candidates who seek vacancy appointment lamentably are not subject to Maryland campaign-finance rules that require disclosure of contributions and expenditures.

Special elections as the most democratic method to fill Maryland General Assembly vacancies that occur during the four-year legislative term, and voters want them. Please consider:

1. In 1998, Montgomery County voters approved a charter amendment providing for special elections for County Council vacancies, with 90% of the vote.
2. In 2004, Howard County voters approved a charter amendment providing for special elections for County Council vacancies, with 88% of the vote.
3. In 2014, Maryland voters approved a statewide constitutional amendment allowing for special elections for County Executive vacancies, with 81% of the vote.

Voters support for special elections. SB 29 – a comprehensive approach similar to Delaware's, Virginia's, and Pennsylvania's and not just a mid-term confirmation vote – is the best way to implement them.

I urge a favorable committee report and General Assembly enactment of SB 29.

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