

**JAYSON L. SPIEGEL**  
413 Upshire Circle  
Gaithersburg, MD 20878  
[Jayson\\_spiegel@yahoo.com](mailto:Jayson_spiegel@yahoo.com)  
(301) 525-1418

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 0029**, Special Elections – Procedures and General Assembly Vacancies and Ties

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

I urge the Committee to issue a favorable report on SB0029. I am providing this testimony in my personal capacity as a Maryland resident. The opinions expressed in this testimony are mine alone and do not reflect the opinions of any group to which I may belong or on whose behalf I may have provided testimony to the General Assembly.

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, I have 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 empowering citizens dictate replacement of the appointment system with special elections.

Only a small fraction of the Central Committee lives in each legislative district. Therefore, when the Central Committee selects a replacement to fill a vacancy, the overwhelming majority of “voters” live outside the district. Those who live outside a district, Central Committee members, should not have a say in the process. The voters residing in the affected legislative district should choose their representatives. Accordingly, the best way to fill vacancies is through elections.

I acknowledge that there are costs associated with holding special elections, but cost is not a valid reason to limit democratic elections or substitute for the will of the electorate. SB0029 addresses the cost issue by requiring mail in ballots. Many Marylanders currently vote by mail, so the process is familiar. Some states, such as Oregon, conduct all elections by mail.

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. I would also support those bills as an initial reform step because something should be done this session. I support SB0029 because it would provide the simplest and most direct means of filling future vacancies by direct election.

I want to thank Senator Kagan for her leadership on this issue and urge the Committee to favorably report SB0029.



Jayson L. Spiegel  
Gaithersburg, Maryland