

Process for Filling Vacancies in Republican Seats

- The Maryland Code (Local Government Article, Section 9-402, formerly Article 25, Section 16) provides that when a vacancy occurs in an office of county commissioner, the Governor shall appoint, within 15 days, the individual whose name is submitted by the respective political party's central committee.
- Over the last several months and in an effort to promote public trust in our appointment process, the Queen Anne's County Republican Central Committee (committee), has developed a formal process for filling vacancies in Republican-held offices.
- Our process, which I share with you today, involves a strict timeline, uniform application and transparent review of candidates. It also values communication with sitting public officials and members of the public.

Description of Adopted Process

- 1) While state law does not dictate a time period for the committee's nomination process, the committee will select the nominee for submission to the Governor, within 30 days of the occurrence of a vacancy.

- 2) The committee will notify all sitting Commissioners within 4 days of the notice of vacancy.
- 3) The vacancy shall be publicly announced w/in 5 days of the vacancy. Both through the committee's website and press release to area news outfits.
- 4) At the same time the committee may request public comment be submitted by June 03, 2015, to the committee's email address: qarepublicans@gmail.com.
- 5) Applicants are provided a 10-day period to submit their application, which includes a 'Declaration of Intent to Apply for Nomination', and a 4-page questionnaire with instructions. Applicants also must submit a resume and headshot. All submissions shall be filed electronically to the QARCC email address qarepublicans@gmail.com. The deadline to submit all required documents will be midnight May 25, 2015.
- 6) On June 4th, interview line-up will be determined by lottery.
- 7) Interviews will be held during a public meeting(s) beginning no later than the 27th day of the process, which is June 6th & 7th.
- 8) On the 30th day, the committee will submit its nominee to the Governor.

9) The Governor must appoint the committee's nominee within 15 days of written submission of the name

- As elected representatives of the Republican voters in Queen Anne's County, it is always the Committee's objective and duty to recruit and promote the most qualified Republican candidate who will advance the core principles of the Republican Party- LIMITED GOVERNMENT, FISCAL and Personal ACCOUNTABILITY.
- We appreciate your support as we engage in this critical selection process, and will continue to provide updates on our progress.

BACKGROUND

Authorities

- It is clear that both county and state law defer to the respective political parties, to determine matters of candidacy in the case of a vacancy in the office of county commissioner.
- The Queen Anne's County Code specifically defers to the Maryland Code to address a process for filling vacancies in the office of county commissioner (QAC Code, Chapter 4, Article I. Section 4-6).

- The Maryland Code (Local Government Article, Section 9-402, formerly Article 25, Section 16) provides that when a vacancy occurs in an office of county commissioner, the Governor shall appoint the individual whose name is submitted by the respective political party's central committee, within 15 days.

Eligibility

- While the Queen Anne's County Code has a district residency requirement to qualify for an *elected* office, appointments to office involve matters of political candidacy and therefore are controlled by Maryland law.
- The Maryland Code requires only that the nominee be chosen by the same party as the vacating official. There is no district residency requirement for the nominee to receive appointment to fill a vacancy in the office of commissioner, other than in Allegany County.
- While there is no legal requirement that the committee limit selection of a nominee from within the district where the vacancy occurs, the public sentiment seems to prefer this.
- For this reason the committee sought outside legal opinion from the State GOP and the Office of the Attorney General for the State of Maryland. These opinions concur that there is no such legal district residency requirement.

- However, the Attorney General recommends that our committee process respect the intent of the County regarding representation from each district. The committee agrees this is ideal.

Committee Determination

- It is the decision of the Queen Anne's County Republican Central Committee, that while we are not required legally to nominate from within District 1, which Commissioner Paul Comfort formerly represented, we agree that *government closest to the people is best*.
- For this reason we will respect the intent of the County Code in the case of elections, and show extreme preference for qualified candidates who currently reside in District 1.
- In the rare case that no qualified Republican candidate can be identified in District 1, the Queen Anne County Republican Central Committee may legally re-open the application process, excepting applications from all interested county Republicans, in order to find a qualified replacement.

Respectfully submitted,

Tim Kingston

Chairman

Queen Anne's County Republican Central Committee