

SENATE BILL 534

G1, L2

11r1948
CF HB 954

By: **Senators Shank, Edwards, and Young**

Introduced and read first time: February 4, 2011

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 15, 2011

CHAPTER _____

1 AN ACT concerning

2 **Washington County – Board of Elections – Membership and Compensation**

3 FOR the purpose of altering which salaries the Washington County Salary Study
4 Commission is required to study; altering the number of regular members of the
5 Washington County Board of Elections; requiring the members of the local
6 board to be of certain political parties; requiring a vacancy on the local board to
7 be filled in a certain manner; repealing the requirement that members of the
8 local board be paid a certain amount; requiring that the Washington County
9 Board of County Commissioners set the salaries of members of the local board;
10 repealing the requirement that substitute members of the local board be paid a
11 certain amount; providing that this Act does not apply to the salary or
12 compensation of the local board during a certain term of office; providing for the
13 effective date of this Act; and generally relating to the membership and
14 compensation of the Washington County Board of Elections.

15 BY repealing and reenacting, with amendments,
16 Article 24 – Political Subdivisions – Miscellaneous Provisions
17 Section 12–205(a)
18 Annotated Code of Maryland
19 (2005 Replacement Volume and 2010 Supplement)

20 BY repealing and reenacting, without amendments,
21 Article – Election Law
22 Section 2–201(a) and (b)
23 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (2010 Replacement Volume)
 2 (As enacted by Chapter 344 of the Acts of the General Assembly of 2010)

3 BY repealing and reenacting, with amendments,
 4 Article – Election Law
 5 Section 2–201(l) and 2–204 (a)(22) and (b)
 6 Annotated Code of Maryland
 7 (2010 Replacement Volume)
 8 (As enacted by Chapter 344 of the Acts of the General Assembly of 2010)

9 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
 10 MARYLAND, That the Laws of Maryland read as follows:

11 **Article 24 – Political Subdivisions – Miscellaneous Provisions**

12 12–205.

13 (a) The Commission shall study the salaries of the Washington County:

- 14 (1) Board of County Commissioners;
 15 (2) Board of Education;
 16 (3) Orphans’ Court judges;
 17 (4) Sheriff;
 18 (5) Treasurer; **AND**
 19 (6) [Board of Supervisors of Elections; and
 20 (7)] Board of Liquor License Commissioners.

21 **Article – Election Law**

22 2–201.

23 (a) (1) There is a county board of elections in each county of the State.

24 (2) Each local board and its staff is subject to the direction and
 25 authority of the State Board and is accountable to the State Board for its actions in all
 26 matters regarding the implementation of the requirements of this article and any
 27 applicable federal law.

28 (b) (1) Except as provided in subsections (j), (k), and (l) of this section,
 29 each local board consists of three regular members and two substitute members.

1 (2) Two regular members and one substitute member shall be of the
2 majority party, and one regular member and one substitute member shall be of the
3 principal minority party.

4 (3) Except as provided in subsection (l) of this section, in the event of
5 the absence of a regular member or a vacancy in the office of a regular member, the
6 substitute member of the same political party shall exercise the powers and duties of a
7 regular member until the regular member returns or the vacancy is filled as
8 prescribed in subsection (h) of this section.

9 (l) (1) In Wicomico County, Worcester County, [and] Somerset County,
10 **AND WASHINGTON COUNTY**, the local board consists of five regular members.

11 (2) Three regular members shall be of the majority party, and two
12 regular members shall be of the principal minority party.

13 (3) (i) If a vacancy occurs on the local board, the Governor shall
14 appoint an eligible person from the same political party as the predecessor member to
15 fill the vacancy in accordance with subsection (g) of this section for the remainder of
16 the unexpired term and until a successor is appointed and qualifies.

17 (ii) An appointment made while the Senate of Maryland is not
18 in session shall be considered temporary until the appointee is confirmed by the
19 Senate.

20 2-204.

21 (a) Each regular member of a local board shall receive the salary and
22 reimbursement of expenses provided in the county budget, but in no event may the
23 annual compensation be less than the following amounts:

24 (22) in Washington County, [\$5,000 for the president and \$4,500 for
25 other regular members] **THE AMOUNT SET BY THE COUNTY COMMISSIONERS**;

26 (b) (1) Consistent with paragraph (2) of this subsection, each substitute
27 member shall be compensated for each day of service as provided in the county budget.

28 (2) (i) Except as provided in subparagraph (ii) of this paragraph, a
29 substitute member shall be compensated at a rate of at least \$25 for each meeting of
30 the local board that the substitute member attends.

31 (ii) 1. In Baltimore City, a substitute member shall be paid
32 \$200 for each meeting that the substitute member attends.

33 2. In Calvert County, a substitute member shall be paid
34 at least \$50 for each meeting that the substitute member attends.

1 3. In Frederick County, a substitute member shall be
2 paid \$4,500 annually.

3 4. In Garrett County, a substitute member shall be paid
4 the amount set by the County Commissioners under Chapter 91 of the Public Local
5 Laws of Garrett County.

6 5. In Kent County, a substitute member shall be paid at
7 least \$50 for each meeting that the substitute member attends.

8 [6. In Washington County, a substitute member shall be
9 paid \$75 for each meeting that the substitute member attends.]

10 SECTION 2. AND BE IT FURTHER ENACTED, That, pursuant to Article III, §
11 35 of the Maryland Constitution, this Act may not be construed to extend or apply to
12 the salary or compensation of the Washington County Board of Elections during a
13 term of office beginning before the effective date of this Act, but the provisions of this
14 Act concerning the salary or compensation of the Washington County Board of
15 Elections shall take effect at the beginning of the next following term of office.

16 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 ~~October 1~~ June 6, 2011.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.