

MARYLAND REGISTER

## Proposed Action on Regulations

<b>Transmittal Sheet</b>  <b>PROPOSED OR REPROPOSED</b>  <b>Actions on Regulations</b>	<b>Date Filed with AELR Committee</b>	<b>TO BE COMPLETED BY DSD</b>
	07/15/2014	Date Filed with Division of State Documents
		Document Number
		Date of Publication in MD Register

1. Desired date of publication in Maryland Register: 8/22/2014

2. COMAR Codification

**Title Subtitle Chapter Regulation**

33 14 03 01,.02

3. Name of Promulgating Authority

State Board of Elections

**4. Name of Regulations Coordinator Telephone Number**  
Erin Perrone 410-269-2845

**Mailing Address**

151 West Street

**City State Zip Code**  
Annapolis MD 21401

**Email**  
erin.perrone@maryland.gov

**5. Name of Person to Call About this Document Telephone No.**  
Jared DeMarinis 410-269-2853

**Email Address**  
jared.demarinis@maryland.gov

6. Check applicable items:  
X- New Regulations

- Amendments to Existing Regulations
    - Date when existing text was downloaded from COMAR online: .
  - Repeal of Existing Regulations
  - Recodification
  - Incorporation by Reference of Documents Requiring DSD Approval
  - Reproposal of Substantively Different Text:
    - : Md. R
    - (vol.) (issue) (page nos) (date)
- Under Maryland Register docket no.: --P.

**7. Is there emergency text which is identical to this proposal:**

- Yes  No

**8. Incorporation by Reference**

Check if applicable: Incorporation by Reference (IBR) approval form(s) attached and 18 copies of documents proposed for incorporation submitted to DSD. (Submit 18 paper copies of IBR document to DSD and one copy to AELR.)

**9. Public Body - Open Meeting**

- OPTIONAL - If promulgating authority is a public body, check to include a sentence in the Notice of Proposed Action that proposed action was considered at an open meeting held pursuant to State Government Article, §10-506(c), Annotated Code of Maryland.

OPTIONAL - If promulgating authority is a public body, check to include a paragraph that final action will be considered at an open meeting.

**10. Children's Environmental Health and Protection**

Check if the system should send a copy of the proposal to the Children's Environmental Health and Protection Advisory Council.

**11. Certificate of Authorized Officer**

I certify that the attached document is in compliance with the Administrative Procedure Act. I also certify that the attached text has been approved for legality by Jeffrey Darsie, Assistant Attorney General, (telephone #410-576-6356) on 04/17/2014. A written copy of the approval is on file at this agency.

**Name of Authorized Officer**

Linda H. Lamone

**Title**

State Administrator

**Telephone No.**

410-269-2840

**Date**

07/10/2014

# **STATE BOARD OF ELECTIONS**

## **Subtitle 14 ADMINISTRATION OF PUBLIC FINANCING ACT**

### **33.14.03 Outstanding Obligations**

Authority: Election Law Article §§2-102(b)(4) and 15-109(b), Annotated Code of Maryland

#### **Notice of Proposed Action**

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The State Board of Elections proposes to adopt Regulations .01 and .02 under COMAR 33.14.03 Outstanding Obligations.

This action was considered by the State Board of Elections at its July 10, 2014, meeting, notice of which was given in accordance with State Government Article, §10-506(c), Annotated Code of Maryland.

#### **Statement of Purpose**

The purpose of this action is to detail the fundraising requirements and payment of an outstanding obligation incurred during the primary election by a publicly financed gubernatorial ticket after the primary election. Since the General Election is fully funded by a public contribution grant, outstanding obligations incurred during the general election must be paid in full at the conclusion of the general election.

#### **Comparison to Federal Standards**

There is no corresponding federal standard to this proposed action.

#### **Estimate of Economic Impact**

The proposed action has no economic impact.

#### **Economic Impact on Small Businesses**

The proposed action has minimal or no economic impact on small businesses.

#### **Impact on Individuals with Disabilities**

The proposed action has no impact on individuals with disabilities.

#### **Opportunity for Public Comment**

Comments may be sent to Erin Perrone, Administrative Assistant, State Board of Elections, PO Box 6486, Annapolis, MD 21401, or call 410-269-2845, or email to [erin.perrone@maryland.gov](mailto:erin.perrone@maryland.gov), or fax to 410-974-2019. Comments will be accepted through September 22, 2014. A public hearing has not been scheduled.

#### **Economic Impact Statement Part C**

- A. Fiscal Year in which regulations will become effective: FY 0
- B. Does the budget for the fiscal year in which regulations become effective contain funds to implement the regulations?
- C. If 'yes', state whether general, special (exact name), or federal funds will be used:
- D. If 'no', identify the source(s) of funds necessary for implementation of these regulations:
- E. If these regulations have no economic impact under Part A, indicate reason briefly:
- F. If these regulations have minimal or no economic impact on small businesses under Part B, indicate the reason and attach small business worksheet.
- G. Small Business Worksheet:

Attached Document:

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**Title 33 STATE BOARD OF ELECTIONS**  
**Subtitle 14 ADMINISTRATION OF PUBLIC FINANCING ACT**  
**Chapter 03 Outstanding Obligations**

Authority: Election Law Article §§2-102(b)(4) and 15-109(b), Annotated Code of Maryland

**.01 Outstanding Obligations.**

**For the purposes of the expenditure limitation imposed by the Act, any outstanding obligation incurred by the candidate or authorized political committee of the candidate shall be counted towards the candidate's expenditure limitation at the time that the outstanding obligation was incurred.**

**.02 Post-Primary Election.**

A. Prohibition on General Election Funds. An outstanding obligation incurred during the primary election may not be paid with any public contribution funds for the general election.

B. Eligibility to Fundraise. After the primary election has occurred, an eligible gubernatorial ticket may solicit and receive contributions and transfers subject to Election Law Article, §§13-226 and 13-227, for the purpose of eliminating an outstanding obligation incurred during the primary election, provided that the contributor or transferor specifies that the funds are to be used exclusively for that purpose.

C. Not Counted as Eligible Private Contributions. Any contributions received after the primary election are not "eligible private contributions" for purposes of qualifying for public contributions.

D. Return of Excess. Any campaign funds raised expressly for the payment of an outstanding obligation that are in excess of the amount needed to pay off the debt shall be remitted to the Fund.

