

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>
	05/29/2015	Date Filed with Division of State Documents
		Document Number
		Date of Publication in MD Register

1. Desired date of publication in Maryland Register: 7/10/2015

2. COMAR Codification

**Title Subtitle Chapter Regulation**

33 21 05 01, .02, .03

3. Name of Promulgating Authority

State Board of Elections

4. Name of Regulations Coordinator

Erin Perrone

Telephone Number

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

Nikki B Charlson

Telephone No.

410-269-2843

**Email Address**

nikki.charlson@maryland.gov

**6. Check applicable items:**

- 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 May 21, 2015. 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**

05/28/2015

**Title 33**  
**STATE BOARD OF ELECTIONS**  
**Subtitle 21 SPECIAL ELECTIONS BY MAIL**

**33.21.05 Election Judges**

Authority: Election Law Article, §§2-102(b)(4), 9-501, 9-503, and 9-506, Annotated Code of Maryland.

**Notice of Proposed Action**

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The State Board of Elections proposes to adopt Regulations .01, .02, and .03 under COMAR 33.21.05 Election Judges.

This action was considered by the State Board of Elections at its May 28, 2015 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 explain how many election judges are to be assigned to a voting center and how election judges will be trained for special elections by mail.

**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 August 10, 2015. A public hearing has not been scheduled.

**Economic Impact Statement Part C**

- A. Fiscal Year in which regulations will become effective: FY 16
- B. Does the budget for the fiscal year in which regulations become effective contain funds to implement the regulations?
- No
- 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:
- No funds are necessary to implement these regulations.
- E. If these regulations have no economic impact under Part A, indicate reason briefly:
- These regulations are technical and administrative in nature.
- F. If these regulations have minimal or no economic impact on small businesses under Part B, indicate the reason and attach small business worksheet.
- These regulations do not impact small business as they are technical and administrative in nature.
- G. Small Business Worksheet:

Attached Document:

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## **Title 33 State Board of Elections**

### **Subtitle 21 Special Elections by Mail**

#### **Chapter 05 Election Judges**

Authority: Election Law Article, §§2-102(b)(4), 9-501, 9-503, and 9-506, Annotated Code of Maryland

##### **.01 Local Board Employees**

A. A local board may appoint an employee to serve as an election judge, if the employee's primary responsibilities during the special election are the duties of an election judge.

B. If a local board appoints an employee to serve as an election judge, the local board shall include in the plan required by COMAR 33.21.04.06 this information.

##### **.02 Number of Election Judges.**

A. Each voting center shall have at least two election judges of different political party affiliations to serve as chief judges.

B. Each voting center shall have at least 4 election judges.

C. For each voting center, the local board shall appoint the number of election judges provided in the plan submitted under COMAR 33.21.04.06 and approved by the State Administrator.

**.03 Training of Election Judges.**

A. Development of Training Materials. The State Administrator shall develop an election judges' manual, forms and training materials.

B. Schedule and Materials. No later than 30 days before a special election, the local board shall submit to the State Administrator the:

- (1) Schedule for training election judges;
- (2) Election judges' manual and forms; and
- (3) Training materials.

B. Training Classes. Each election director shall prepare and conduct training classes for election judges in accordance with COMAR 33.02.03.04.

**C. Attendance Mandatory.**

- (1) Each election judge shall attend one training class.
- (2) An election director may require an election judge to receive supplemental training.
- (3) Except as provided in §C(5) of this regulation, if an election judge serves as assigned, the election judge is entitled to compensation of at least \$20 for each required class the election judge attends.
- (4) Unless appointed under emergency circumstances, an individual may not serve as an election judge unless the individual has attended the required class.
- (5) If a local board appoints an employee to serve as an election judge, the employee shall not receive compensation as an election judge.

LINDA H. LAMONE  
STATE ADMINISTRATOR