MARYLAND REGISTER

Proposed Action on Regulations

Transmittal Sheet PROPOSED OR REPROPOSED Actions on Regulations	Date Filed with AELR Committee 05/29/2015	TO BE COMPLETED BY DSD 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	06	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:

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 **X-** 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

X- 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	**Telephone No.**
State Administrator	410-269-2840

Date

05/28/2015

Title 33
STATE BOARD OF ELECTIONS

Subtitle 21 SPECIAL ELECTIONS BY MAIL

33.21.06 Voting Center Procedures

Authority: Authority: Election Law Article, §§2-102(b)(4), 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 33.21.06 Voting Center Procedures.

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 the voting center evaluation program, voting hours activities and non-voting hours activities.

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, 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:

Title 33 State Board of Elections

Subtitle 21 Special Elections by Mail

Chapter 06 Voting Center Procedures

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

.01 Voting Center Evaluation Program.

The early voting center evaluation program required by COMAR 33.17.06.03 applies to voting centers.

.02 Voting Hours Activities.

A. Issuing a Ballot.

(1) A voter who votes at a voting center shall receive either a regular ballot or a provisional ballot.

(2) An election judge shall issue:

(a) If the electronic pollbook shows that the local board has received the voter's vote-by-mail ballot, a provisional ballot;

(b) If the electronic pollbook shows that the local board has not received the voter's vote-by-mail ballot, a regular ballot;

(c) If the voter surrenders an unvoted vote-by-mail ballot at a voting center, a regular ballot; or

(d) If the individual's name is on the inactive list, a regular ballot if the individual signs the affirmation required by Election Law Article, §3-503(b)(5).

B. Receipt of Vote-By-Mail Ballots. A local board shall provide a receptacle for the return of voted vote-by-mail ballots at a voting center.

.03 Non-Voting Hours Activities.

A. Except as provided in §B of this regulation, the non-voting hours procedures required by COMAR 33.17.07 apply to voting centers.

B. The requirements of COMAR 33.17.07.04 do not apply to voting centers.

C. After each day of voting, a local board shall return to the local board the receptacle for the voted vote-by-mail ballots, remove all ballots, and return the receptacle for the next day of voting.

LINDA H. LAMONE
STATE ADMINISTRATOR