

Department of Legislative Services
Maryland General Assembly
2003 Session

FISCAL AND POLICY NOTE
Revised

Senate Bill 213

(Senator Stone)

(Chairman, Ethics and Election Law Subcommittee)

Education, Health, and Environmental Affairs

Ways and Means

Election Law - Election Judges - Administrative Leave for State Employees

This bill authorizes up to eight hours of administrative leave for State employees who volunteer to serve as an election judge during hours that the employee is otherwise scheduled to work. It also states that those employees will receive the compensation awarded to election judges.

Fiscal Summary

State Effect: Potentially minimal increase in general, special, or federal fund expenditures to provide the administrative leave required under the bill. Revenues would not be affected.

Local Effect: Minimal.

Small Business Effect: None.

Analysis

Current Law: All employees in the State Personnel Management System, as well as the judiciary and legislative branches, are entitled to paid holiday leave for each statewide general election. Leave is not authorized for the State primary election or elections for certain federal offices, including the President. The Secretary of Budget and Management may grant paid leave to executive branch employees for several purposes, including jury service, military training, certain court appearances, and any other leave the Secretary deems necessary.

The local board of elections may fix the compensation of election judges within limits authorized by the governing body of the county. In addition, State law specifically provides for the minimum level of compensation for election judges in Baltimore City, and Allegany, Baltimore, Calvert, Harford, Prince George's, and Washington counties. Compensation for each day served ranges from \$80 in Allegany County to \$125 in several other counties, including Baltimore, Harford, and Prince George's. Chief judges receive slightly higher compensation. The local board may adopt guidelines governing the qualifications of election judges and pro rata payment. Each election judge must participate in training unless the judge is appointed under emergency circumstances.

State Expenditures: The bill would allow an unknown number of State employees who volunteer as election judges to use eight hours of administrative leave for any election day on which they serve. Currently, they are permitted eight hours of leave for the general election held once every four years to elect members of the Maryland General Assembly, the Governor, and other State positions. Under the bill, the number of days permitted for leave annually would increase to one State primary election (every four years), the primary election for federal elections (every two years), and a limited number of local special elections. The State Board of Elections (SBE) advises that 17,650 election judges served in the 2002 gubernatorial election.

The Department of Legislative Services (DLS) advises that any expenditure increase depends on several factors, such as the number of employees who volunteer and any replacement or overtime costs agencies may incur if the employee's duties require a temporary replacement or other employees to work overtime. The bill effectively allows employees to keep an additional personal or annual day that can be used at another time or (for annual leave only) included in leave compensation upon separation of State service. Given the limited amount of leave and employees that this bill is expected to affect, State agency expenditures are not expected to be significant.

Local Expenditures: SBE advises that the bill could potentially reduce the costs incurred by local election boards to recruit qualified election judges if it encourages more people to volunteer. Recruitment has become increasingly difficult and expensive.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Montgomery County, Prince George's County, Garrett County, Dorchester County, Maryland State Board of Elections, Department of Budget and Management, Department of Legislative Services

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