

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL NO. 712
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, insert “EMERGENCY BILL”; in line 9, after “Elections;” insert “requiring certain polling places to be equipped with a certain computer device; providing that certain powers and duties assigned to the State Board shall be exercised in accordance with an affirmative vote of a supermajority of the members of the Board; requiring local boards of elections to administer voter registration and absentee balloting for certain facilities in accordance with procedures established by the State Board; requiring early voting polling places to be open during certain hours on each day during the early voting period;”; in line 12, after “registration;” insert “making this Act an emergency measure;”; in line 16, strike “2-303(a)” and substitute “2-102, 2-202(b), 2-303(a), and 10-302”; and in line 21, strike “10-301.1(c)(1)” and substitute “10-301.1(b) and (c)(1)”.

AMENDMENT NO. 2

On page 2, after line 1, insert:

“2-102.

(a) The State Board shall manage and supervise elections in the State and ensure compliance with the requirements of this article and any applicable federal law by all persons involved in the elections process.

(b) In exercising its authority under this article and in order to ensure compliance with this article and with any requirements of federal law, the State Board shall:

- (1) supervise the conduct of elections in the State;
- (2) direct, support, monitor, and evaluate the activities of each local board;

(Over)

- (3) have a staff sufficient to perform its functions;
- (4) adopt regulations to implement its powers and duties;
- (5) receive, and in its discretion audit, campaign finance reports;
- (6) appoint a State Administrator in accordance with § 2-103 of this subtitle;
- (7) maximize the use of technology in election administration, including the development of a plan for a comprehensive computerized elections management system;
- (8) canvass and certify the results of elections as prescribed by law;
- (9) make available to the general public, in a timely and efficient manner, information on the electoral process, including a publication that includes the text of this article, relevant portions of the Maryland Constitution, and information gathered and maintained regarding elections;
- (10) subject to §§ 2-106 and 13-341 of this article, receive, maintain, and serve as a depository for elections documents, materials, records, statistics, reports, certificates, proclamations, and other information prescribed by law or regulation;
- (11) prescribe all forms required under this article; and
- (12) serve as the official designated office in accordance with the Uniformed and Overseas Citizens Absentee Voting Act for providing information regarding voter registration and absentee ballot procedures for absent uniformed services voters and overseas voters with respect to elections for federal office.

(C) THE POWERS AND DUTIES ASSIGNED TO THE STATE BOARD UNDER THIS ARTICLE SHALL BE EXERCISED IN ACCORDANCE WITH AN AFFIRMATIVE VOTE BY A SUPERMAJORITY OF THE MEMBERS OF THE STATE BOARD.

2-202.

(b) Each local board, in accordance with the provisions of this article and regulations adopted by the State Board, shall:

(1) oversee the conduct of all elections held in its county and ensure that the elections process is conducted in an open, convenient, and impartial manner;

(2) pursuant to the State Personnel and Pensions Article, or its county merit system, whichever is applicable, appoint an election director to manage the operations and supervise the staff of the local board;

(3) maintain an office and be open for business as provided in this article, and provide the supplies and equipment necessary for the proper and efficient conduct of voter registration and election, including:

(i) supplies and equipment required by the State Board; and

(ii) office and polling place equipment expenses;

(4) adopt any regulation it considers necessary to perform its duties under this article, which regulation shall become effective when it is filed with and approved by the State Board;

(5) serve as the local board of canvassers and certify the results of each election conducted by the local board;

(6) establish and alter the boundaries and number of precincts in accordance with § 2-303 of this title, and provide a suitable polling place for each precinct, and assign voters to precincts;

(7) provide to the general public timely information and notice, by publication or mail, concerning voter registration and elections;

(8) make determinations and hear and decide challenges and appeals as provided by law;

(Over)

(9) (i) aid in the prosecution of an offense under this article; and

(ii) when the board finds there is probable cause to believe an offense has been committed, refer the matter to the appropriate prosecutorial authority; [and]

(10) maintain and dispose of its records in accordance with the plan adopted by the State Board under § 2-106 of this title; AND

(11) ADMINISTER VOTER REGISTRATION AND ABSENTEE VOTING FOR NURSING HOMES AND ASSISTED LIVING FACILITIES IN ACCORDANCE WITH PROCEDURES ESTABLISHED BY THE STATE ADMINISTRATOR, SUBJECT TO THE APPROVAL OF THE STATE BOARD.”.

AMENDMENT NO. 3

On page 2, after line 23, insert:

“(b) Each early voting polling place shall be open for voting:

(1) beginning the Tuesday before a primary or general election through the Saturday before the election; and

(2) [8 hours each day] DURING THE HOURS BETWEEN 7 A.M. AND 8 P.M. during the period specified under paragraph (1) of this subsection.”.

AMENDMENT NO. 4

On page 2, after line 34, insert:

“10-302.

(A) In a timely manner for each election, the local board shall provide for the delivery to each polling place the supplies, records, and equipment necessary for the conduct of the election.

(B) EACH POLLING PLACE SHALL BE EQUIPPED WITH A COMPUTER DEVICE THAT CONTAINS A RECORD OF ALL REGISTERED VOTERS IN THE COUNTY AND THAT IS CAPABLE OF BEING NETWORKED TO OTHER POLLING PLACE COMPUTER

DEVICES.”.

AMENDMENT NO. 5

On page 3, strike beginning with “shall” in line 25 down through “2006” in line 26 and substitute “is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a yea and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted”.