Department of Legislative Services

Maryland General Assembly
2006 Session

FISCAL AND POLICY NOTE

House Bill 1519   (Delegates Frank and King)

Ways and Means

Election Law - Election Judges - Compensation

This bill requires a local board to compensate an election judge for each election day actually served, in an amount not less than $225 per day for each chief election judge and $175 per day for each other election judge. The State Board of Elections (SBE) must reimburse each local board, after each general election, $70 for each chief election judge salary paid by the local board and $50 for each salary paid to other election judges during the preceding primary and general election. The Governor must provide a sufficient amount in the budget to pay these subsidies.

The bill takes effect July 1, 2006.

Fiscal Summary

State Effect: General fund expenditures would increase by approximately $2.2 million in FY 2007 due to payment of election judge salary subsidies to local boards for the 2006 primary and general election, assuming money is appropriated to fully subsidize the salaries in accordance with the bill. Future year expenditures reflect continuing subsidy costs of roughly $2.2 million in election years, paid after each general election.

(in dollars)	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Revenues	$0	$0	$0	$0	$0
GF Expenditure	2,165,200	0	2,165,200	0	2,165,200
Net Effect	($2,165,200)	$0	($2,165,200)	$0	($2,165,200)

Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate effect

Local Effect: Local expenditures would increase or decrease to the extent the election judge salaries set in the bill, less the subsidies provided for in the bill, are higher or lower than the salaries currently paid by each local board.

Small Business Effect: None.

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Analysis

Bill Summary: In uncodified language, the bill requires the Governor to include in the annual budget for fiscal 2009 and every subsequent fiscal year in which a statewide general election is scheduled, an appropriation for SBE not less than $1,095,720 to subsidize the salaries of election judges in accordance with the bill's requirements. It is the General Assembly's intent that this amount be adjusted as needed to meet the projected amount of subsidy for elections in a fiscal year. If money is not appropriated in the fiscal 2007 budget to fully subsidize election judges' salaries in accordance with the bill, the bill may not be construed to apply to the 2006 elections.

The bill repeals election judge salary amounts that are statutorily specified for select counties.

A local board must pay an election judge at least $20 for each required training program attended by an election judge and an election judge only must participate in a training program before each primary election.

Current Law: Each local board is authorized to fix the compensation of election judges within limits authorized by the county's governing body, with the exception of the boards in Baltimore City and Baltimore, Calvert, Harford, Prince George's, and Washington counties, for which compensation of election judges is statutorily defined. The minimum for election judge salaries in Allegany County is also set by statute.

Each election judge, except for those appointed under emergency circumstances, must participate in a training program that, pursuant to SBE regulations, must be conducted before the primary election in a presidential or gubernatorial election year, must be at least two hours in length, and must be prepared and conducted by local election directors with the use of election judge manuals provided to each local board by SBE. Pursuant to the regulations, an election judge is entitled to compensation of at least $20 for each training class attended, provided the election judge serves on election day.

Background: During the 2004 general election, chief judge salaries ranged from $120 per day to $225 per day and salaries for other judges generally ranged from $100 per day to $150 per day, with a couple of counties paying those election judges $175 and $185-$195 per election day. Twenty counties and the City of Baltimore compensated election judges for training, in addition to the election day salary, at rates generally ranging from $20 to $30 per training session. Sixteen counties had indicated at the end of 2004 that they were considering salary increases.

State Fiscal Effect: According to SBE, there were almost 18,000 election judges in the State during the 2004 elections. Of those judges, approximately 4,000 were chief judges and 14,000 served as check-in judges, voting unit judges, and provisional ballot judges.

The 2006 elections will require additional compensation of election judges for those working at early voting polling places. To implement early voting, SBE has estimated that at least 10 election judges would be needed in each of 17 counties and at least 30 in each of 6 counties and the City of Baltimore (based on State law requirements of at least one early voting polling place in each county and at least three in 6 counties and the City of Baltimore, and assuming 10 election judges would be needed for each polling place).

Exhibit 1 reflects the approximate costs per election of the subsidies SBE must provide local boards, assuming no more than the minimum number of early voting polling places required under State law would be needed.

Exhibit 1
SBE Election Judge Salary Subsidy Costs Per Election

Election Day *	Chief: 4,000 ($70) =	$280,000
	Other: 14,000 ($50) =	$700,000
Early Voting	Chief: 76** ($70) x 5 days =	$26,600
	Other: 304 ($50) x 5 days =	$76,000
Total Approximate SBE Subsidy (per election)		**$1,082,600**

* Assumes the same number of judges would be used in each election for election day voting as were used in the 2004 elections.
** Assumes a 1:5 ratio of chief judges to other election judges for early voting.

If money is appropriated in the fiscal 2007 budget to fully subsidize election judge salaries in accordance with the bill's requirements, general fund expenditures would increase by approximately $2.2 million in fiscal 2007, reflecting the cost of providing subsidies for election judge salaries for the 2006 primary and general elections and assuming the same number of election judges would be needed for both the primary and general elections. Future year expenditures would reflect continuing subsidy costs in election years.

Local Fiscal Effect: Setting the chief election judge salary at $225/day and the salary for other election judges at $175/day and providing a subsidy from SBE of $70 for each chief election judge salary paid and $50 for each salary paid to other election judges, would cause local boards to be responsible for $155 of salary per day for chief election judges and $125 of salary per day for other election judges, once each local board has received the subsidy from SBE after the general election. Therefore, net local expenditures (accounting for the SBE subsidy) for election judge salaries would increase or decrease to the extent the election judge salaries currently paid by each county are higher or lower than what the county would be responsible for under the bill.

For example, Baltimore City net expenditures for election judge salaries on election day would increase by $4,000 per election, due to a $5 increase in what it would be responsible for paying 800 chief election judges. Baltimore City currently pays its chief election judges $150/day ($5 less than what it would be responsible for under the bill) and other election judges, $125/day (equal to what it would be responsible for under the bill). Expenditures for election judge compensation for early voting would also increase minimally. Montgomery County advises it would also experience a relatively minimal increase in expenditures of $11,000 for election judge salaries on an election day (excluding early voting). Frederick County, however, which currently pays its election judges at substantially lower rates than what it would be responsible for under the bill ($125/day for a chief election judge and $110/day for other election judges), advises it would experience a net increase in expenditures of $96,800, which includes $17,960 resulting from compensating election judges for training sessions, which the county does not currently do.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Somerset County, Montgomery County, Maryland State Board of Elections, Baltimore City, Frederick County, Department of Legislative Services

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Analysis by: Scott D. Kennedy   Direct Inquiries to:
                                            (410) 946-5510
                                            (301) 970-5510