

Department of Legislative Services
Maryland General Assembly
2008 Session

FISCAL AND POLICY NOTE

House Bill 794

(Carroll County Delegation)

Environmental Matters

Education, Health, and Environmental Affairs

Carroll County - County Commissioners

This emergency bill establishes commissioner district boundaries in Carroll County and specifies eligibility criteria for individuals serving as Carroll County Commissioners.

Fiscal Summary

State Effect: None.

Local Effect: Carroll County expenditures could increase by \$58,500 to create, prepare, and mail voter district notification cards in FY 2009 only. Revenues would not be affected.

Small Business Effect: None.

Analysis

Bill Summary: The bill specifies that an individual is eligible to serve as a county commissioner if the individual:

- is at least age 21;
- is a resident of the State and Carroll County;
- has resided in the county for at least one year preceding the election date; and
- has been a resident of his/her district for at least six months prior to the election (if the district to which the individual has been elected has been established for at least six months) or has been a resident of his/her district for as long as it has been

established (if the district to which the individual has been elected has been established for less than six months).

Moreover, the bill repeals the requirement that the Carroll County Commission Redistricting Committee recommend provisions for the staggered terms of office for the county commissioners.

Background: Chapter 417 of 2003 increased the membership of the Carroll County Board of County Commissioners from three to five, to be elected by commissioner district. Before Chapter 417 became effective, it had to be ratified by a majority of votes on a referendum. The Act was ratified by referendum during the 2004 general election and applied to the election of the board of county commissioners in November 2006.

Chapter 417 also established a seven-member commission redistricting committee that is required to recommend the establishment of five commissioner districts of substantially equal population and provisions for staggered terms of office for the county commissioners. The committee was required to report its recommendations to the Carroll County Legislative Delegation to the General Assembly by December 1, 2005 and by December 1 following the release of each decennial U.S. census. The committee recommended against staggered terms for the commissioners; and from the two district options it was considering, the committee recommended the Option 2 districting plan. Carroll County advises that the districts, as outlined in the bill, would be the Option 1 districting plan.

Certain language in Chapter 417 was invalidated by the circuit court for Carroll County in June 2006 and that ruling was upheld by the Maryland Court of Appeals in September 2006. Pursuant to the Maryland Court of Appeals decision, Carroll County currently has three county commissioners who were elected from the county at-large during the 2006 general election.

Local Fiscal Effect: Carroll County advises that the bill's provisions specifying district boundaries for the Carroll County commissioner districts could increase expenditures by \$58,460 for voter district notification cards in fiscal 2009 only. This total includes \$5,000 for printing 106,000 notifications, \$10,000 for preparing the notifications using an off-site mailing contractor, and \$43,460 in postage. The county further advises that there may be additional costs associated with printing different absentee ballots for each commissioner district and for setting up voting machines; however, the county advises that it cannot quantify these expenditures at this time.

County commissioners receive an annual salary of \$45,000 and fringe benefits. An increase in the number of commissioners from three to five after the November 2010

election would result in an increase in Carroll County expenditures by approximately \$230,150 in fiscal 2011. This estimate reflects the salaries of the commissioners (\$45,000), the salaries of two administrative staff (\$44,000), and fringe benefits at 35%. The estimate also includes the construction and furnishing of two offices, computer equipment, training, and vehicles for the commissioners. Annualized expenditures would increase by approximately \$290,300 reflecting salaries, fringe benefits, and operating costs for a full year. These expenses were included in the county's budget for fiscal 2007. Legislative Services advises that because legislation was enacted in 2003 to increase the number of commissioners to five and that the related expenses were budgeted by the county in fiscal 2007, these costs are not considered to be new incremental expenses.

Additional Information

Prior Introductions: A similar bill, HB 491 of 2006, received a favorable with amendments report from the House Environmental Matters Committee and passed the House. The Senate Education, Health, and Environmental Affairs Committee did not take action on the bill.

Cross File: SB 675 (Senators Brinkley and Kittleman) – Education, Health, and Environmental Affairs.

Information Source(s): Carroll County, Department of Legislative Services

Fiscal Note History: First Reader - February 20, 2008
mll/hlb

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