

**Department of Legislative Services**  
Maryland General Assembly  
2011 Session

**FISCAL AND POLICY NOTE**  
**Revised**

Senate Bill 163

(Senator Brinkley, *et al.*)

Education, Health, and Environmental Affairs

Ways and Means

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**Allegany County, Baltimore City, Charles County, and Frederick County -  
Boards of Elections - Membership**

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This bill alters the membership of the Allegany County, Baltimore City, Charles County, and Frederick County boards of elections to consist of five regular members instead of three regular members and two substitute members. Three of the regular members must be of the majority party and two must be of the principal minority party. If a vacancy occurs, the Governor must appoint an eligible person from the same political party as the predecessor member to fill the vacancy for the remainder of the unexpired term and until a successor is appointed and qualifies.

The bill takes effect June 6, 2011.

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**Fiscal Summary**

**State Effect:** None.

**Local Effect:** Expenditures for each of the four jurisdictions increase minimally in FY 2011 and by \$6,500 in Allegany County, up to \$15,200 in Baltimore City, \$4,600 in Charles County, and \$1,000 in Frederick County, each fiscal year thereafter, due to increase costs of compensation of board members. Revenues are not affected.

**Small Business Effect:** None.

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**Analysis**

**Current Law:** Most counties, including Allegany, Charles, and Frederick counties and Baltimore City, have a local board of elections made up of three regular members and two

substitute members. Two regular members and one substitute member must be of the majority party and one regular member and one substitute member must be of the principal minority party. The board of elections in Montgomery County consists of five regular members and two substitute members, and the board in Prince George's County consists of five regular members and three substitute members. Effective June 6, 2011, the boards of elections in Somerset, Wicomico, and Worcester counties will consist of just five regular members.

Members are generally nominated by the majority and principal minority party county central committees and appointed by the Governor, subject to legislative confirmation. If a member of a local board dies, resigns, is removed, or becomes ineligible, the substitute member belonging to the same political party becomes a regular member of the local board and a new substitute member is appointed. The term of a member is four years and begins on the first Monday in June of each year following a gubernatorial election. Each local board must meet to elect one of its regular members president within 20 days after the beginning of the term.

Each regular member of a local board receives the salary and reimbursement of expenses provided in the county budget, but minimum amounts are set in State law for the members in each county. In Allegany County, the annual compensation for regular members may not be less than the amount set by the county commissioners. In Baltimore City, the annual compensation for regular members may not be less than \$11,000 for the president and \$10,000 for other regular members. In Charles County, the annual compensation for regular members may not be less than \$800. In Frederick County, the annual compensation for regular members may not be less than \$5,500 for the president and \$5,000 for other regular members.

Statute specifies that a substitute member of a local board must be compensated for each day of service as provided in the county budget, and, unless otherwise provided, at a rate of at least \$25 for each meeting of the board that the substitute member attends. Specific compensation of a substitute member is provided in statute for Baltimore City (\$200 per meeting attended) and Frederick County (\$4,500 annually), but not for Allegany County or Charles County.

**Local Fiscal Effect:** Expenditures for each of the four jurisdictions increase minimally in fiscal 2011 and by \$6,538 in Allegany County, up to \$15,200 in Baltimore City, \$4,600 in Charles County, and \$1,000 in Frederick County, each fiscal year thereafter. This accounts for increased compensation paid to the two additional regular members on each board in comparison to the compensation of the current substitute members.

Currently, in Allegany County the annual salary of a regular member is \$3,764 and substitute members are paid \$100 per meeting. The estimate of \$6,538 includes fringe

benefits. In Baltimore City the annual salary of a regular member is \$10,000 and substitute members are paid \$200 per meeting and \$400 per canvass. In Charles County the salaries of the regular members and substitute members are \$3,300 and \$1,200, respectively, not accounting for fringe benefits. The estimate of \$4,600 accounts for a 10% fringe benefit rate. In Frederick County the salaries of the regular members and substitute members are \$5,000 and \$4,500, respectively.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** HB 148 (Frederick County Delegation) - Ways and Means.

**Information Source(s):** Allegany, Charles, and Frederick counties; Baltimore City; Department of Legislative Services

**Fiscal Note History:** First Reader - February 2, 2011  
ncs/hlb Revised - Senate Third Reader - March 22, 2011  
Revised - Enrolled Bill - May 4, 2011

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