

Department of Legislative Services  
Maryland General Assembly  
2011 Session

FISCAL AND POLICY NOTE  
Revised

House Bill 148  
Ways and Means

(Frederick County Delegation)

Education, Health, and Environmental Affairs

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**Allegany County and Frederick County - Boards of Elections - Membership**

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This bill alters the membership of the Allegany 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 on the board, 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:** Allegany County and Frederick County expenditures increase minimally in FY 2011 and by \$6,500 and \$1,000, respectively, each fiscal year thereafter, due to increased 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 and Frederick counties, 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 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 Frederick County (\$4,500), but not for Allegany County.

**Local Fiscal Effect:** Allegany County and Frederick County expenditures increase minimally in fiscal 2011 and by \$6,538 and \$1,000, respectively, each year thereafter, accounting for increased salaries paid to the two additional regular members on each board in comparison to the salaries 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 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:** SB 163 (Senator Brinkley, *et.al.*) - Education, Health, and Environmental Affairs.

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

**Fiscal Note History:** First Reader - February 2, 2011  
mm/hlb Revised - House Third Reader - March 30, 2011

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