

Department of Legislative Services
Maryland General Assembly
2012 Session

FISCAL AND POLICY NOTE

House Bill 908
Ways and Means

(Delegate Ross, *et al.*)

Election Law - Boards of Elections - Membership

This bill alters the composition of the State Board of Elections, local boards of elections, and local boards of canvassers, by generally replacing requirements that a certain number of members of each board be members of the principal minority party with requirements that the same number of members be individuals that are not members of the majority party.

The bill takes effect July 1, 2012; however, the provisions of the bill applicable to local boards of elections and local boards of canvassers take effect June 1, 2015, the beginning of the next four-year term of members of local boards of elections.

Fiscal Summary

State Effect: None. The bill does not directly affect State finances.

Local Effect: None.

Small Business Effect: None.

Analysis

Bill Summary:

Composition of the State Board of Elections

The bill replaces requirements that each member of the State Board of Elections be a member of one of the principal political parties and that the board may not have more

than three or fewer than two members of the same principal political party with a requirement that three members of the board be members of the majority party and two members be nonmajority party members. A “nonmajority party member” is a member who is a registered voter not affiliated with the majority party. The Governor may appoint any eligible individual as a nonmajority party member. The process for appointment of a majority party member, involving submittal of an individual’s name by the party’s State central committee to the Governor for appointment, is not changed by the bill.

After the expiration of the terms of the principal minority party members of the State Board of Elections who are serving on the effective date of the bill, the Governor must appoint nonmajority party members to succeed the principal minority party members.

Composition of Local Boards of Elections

The bill replaces requirements that certain numbers of regular members and substitute members of local boards of elections be members of the principal minority party with requirements that the same numbers of regular members and substitute members be nonmajority party members. The Governor may appoint any eligible individual as a regular nonmajority party member or a substitute nonmajority party member. The process for appointment of a majority party member, involving submittal of lists of eligible individuals by the party’s county central committee to the Governor, to make an appointment from, is not changed by the bill.

Composition of Local Boards of Canvassers

The bill replaces a requirement that at least one member of a local board of canvassers present during the canvassing process be a registered voter of the principal minority party with a requirement that one member present be a registered voter not affiliated with the majority party.

Current Law:

Composition of the State Board of Elections

The State Board of Elections consists of five members appointed by the Governor, with the advice and consent of the Senate. The Governor must appoint as a member an individual whose name is submitted to the Governor by the State central committee of the principal political party entitled to the appointment. Each member of the board must be a member of one of the principal political parties. A person may not be appointed to the board if the appointment will result in the State Board having more than three or fewer

than two members of the same principal political party. “Principal political party” means the majority party and the principal minority party.

Composition of Local Boards of Elections

In Baltimore City and Allegany, Caroline, Charles, Frederick, Harford, Somerset, Washington, Wicomico, and Worcester counties, the local board of elections consists of five regular members. Three regular members must be of the majority party and two regular members must be of the principal minority party.

In Montgomery County, the local board of elections consists of five regular members and two substitute members. Three regular members and one substitute member must be of the majority party, and two regular members and one substitute member must be of the principal minority party.

In Prince George’s County, the local board of elections consists of five regular members and three substitute members. Four regular members and two substitute members must be of the majority party, and one regular member and one substitute member must be of the principal minority party.

In the remaining 12 counties, the local board of elections consists 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.

Composition of Local Boards of Canvassers

The local board of elections in each county serves as the local board of canvassers for the purpose of canvassing the vote after an election in the respective county. At least one member of the board of canvassers present must be a registered voter of the principal minority party.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): State Board of Elections; Anne Arundel, Baltimore, Charles, Frederick, and Montgomery counties; Department of Legislative Services

Fiscal Note History: First Reader - March 6, 2012
mlm/hlb

Analysis by: Scott D. Kennedy

Direct Inquiries to:
(410) 946-5510
(301) 970-5510