

Department of Legislative Services  
Maryland General Assembly  
2016 Session

FISCAL AND POLICY NOTE  
First Reader

House Bill 129  
Ways and Means

(Delegate Carr, *et al.*)

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Staggered Election Terms - Charter County Councils

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This constitutional amendment allows for a charter county to enact legislation to stagger the terms of members of the county council in the county, with some members elected at the gubernatorial general election and some members elected at the presidential general election.

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Fiscal Summary

**State Effect:** If the constitutional amendment is approved in the November 2016 general election and one or more charter counties enact legislation to stagger the terms of county council members, general fund expenditures for ballot printing and ballot programming may increase. The extent of the increase cannot be reliably estimated but is not expected to significantly impact overall ballot printing and programming expenditures.

**Local Effect:** If the constitutional amendment is approved in the November 2016 general election and county legislation is enacted, expenditures for affected counties increase for ballot and specimen (sample) ballot printing.

**Small Business Effect:** None.

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Analysis

**Current Law/Background:** Under Article XVII of the Maryland Constitution (which applies to all counties except Cecil County since 2000), all charter county council members and any elected executives serve four-year terms and are elected at the same time that the Governor and members of the General Assembly are elected. In Cecil County, council members and the county executive are elected to four-year terms; however, two council

members and the county executive are elected in presidential election years and three council members are elected in gubernatorial election years. In 1996, the constitution was amended to allow council vacancies to be filled by special election as authorized by the General Assembly. Similar changes were made to the constitution in 2014 to authorize filling vacancies in the office of the county executive or chief executive officer by special election.

### **State Fiscal Effect:**

#### *Staggered Terms for County Council Members*

If the constitutional amendment is approved in the November 2016 general election and one or more charter counties (other than Cecil County) enact legislation to stagger the terms of county council members, general fund expenditures for ballot printing and ballot programming may increase during presidential election years due to longer ballots and the number of ballot styles (ballot arrangements of specific races and questions voters are eligible to vote on based on their residence address) in the affected counties. Pursuant to Chapter 564 of 2001, the State Board of Elections (SBE) shares the costs of printing paper ballots with the local boards of elections. The extent of the increase in general fund expenditures will depend in part on the number and size of the charter counties that enact such legislation. Any increase in costs is not expected to significantly affect overall ballot printing and programming expenditures.

#### *Inclusion of Constitutional Amendment on 2016 General Election Ballot*

State costs of printing ballots may increase to the extent inclusion of the proposed constitutional amendment on the ballot at the next general election would result in a need for a larger ballot card size or an additional ballot card for a given ballot (the content of ballots varies across the State, depending on the offices, candidates, and questions being voted on). However, it is assumed that the potential for such increased costs will have been anticipated in SBE's budget.

### **Local Fiscal Effect:**

#### *Staggered Terms for County Council Members*

If the constitutional amendment is approved in the November 2016 general election and one or more charter counties enact legislation to stagger the terms of county council members, local government expenditures increase for the affected counties due to an increase in the length of ballots and specimen ballots (mailed to voters), as well as the number of ballot styles. Prince George's County, for example, indicates its costs will increase by \$12,500 in each fiscal year that a presidential primary or general election occurs

for specimen ballot printing due to additional ballot styles. Frederick County indicates its printing costs for ballots and specimen ballots increase by \$5,000 in each fiscal year in which a presidential primary or general election occurs due to a longer ballot.

*Inclusion of Constitutional Amendment on 2016 General Election Ballot*

Local boards of elections' printing and mailing costs may increase to include information on the proposed constitutional amendment with specimen ballots mailed to voters prior to the next general election and to include the proposed amendment on ballots. It is assumed, however, that the potential for such increased costs will have been anticipated in local boards of elections' budgets.

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**Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** State Board of Elections; Frederick, Harford, Howard, Montgomery, and Prince George's counties; Department of Legislative Services

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