



SPONSOR: Rep. Jaques & Sen. Henry  
Reps. Baumbach, Longhurst, Schwartzkopf, M. Smith,  
Viola, Walker; Sens. Blevins, McBride, Townsend

HOUSE OF REPRESENTATIVES  
147th GENERAL ASSEMBLY

HOUSE BILL NO. 302

AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ELECTIONS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

1 Section 1. Amend Chapter 2, Title 15 of the Delaware Code by making deletions as shown by strike through and  
2 insertions as shown by underline as follows:

3 CHAPTER 2. DEPARTMENT OF ELECTIONS AND STATE BOARD OF ELECTIONS

4 § 201 Department of Elections.

5 There shall be a Department of Elections for New Castle County, Kent County and Sussex County, each of which  
6 shall be subject to the policies and directives of the State Board of Elections.

7 § 202 State Board of Elections ~~for New Castle County~~; composition; appointment; term.

8 (a) The State Board of Elections ~~for New Castle County~~ shall consist of ~~40~~ 11 members, including 2 members  
9 from Sussex County; 2 members from Kent County; 2 members from New Castle County; 2 members from the City of  
10 Wilmington; 2 at-large members; and the State Election Commissioner, who shall serve as an *ex officio* member. ~~and each~~  
11 Each of the 2 principal political parties shall be represented at all times by not fewer than 5 members and at all times both  
12 principal political parties shall have equal representation in each county, in the City of Wilmington, and among the at-large  
13 members.

14 (b) In carrying out this section, the Governor shall appoint 10 members. The Governor shall appoint 5 members,  
15 with at least 2 from each of the 2 principal political parties, for a term of 2 years each, and 5 members, with at least 2 from  
16 each of the 2 principal political parties, for a term of 4 years each.

17 (c) Upon the expiration of the term of any member of the Board, such member's successor shall be appointed by  
18 the Governor for a period of 4 years; provided, however, that such member shall hold office until that member's successor  
19 shall be duly qualified and provided, further, that the term of such successor shall commence on the date the successor is  
20 duly qualified. In the event a vacancy occurs in the Board from any cause, other than expiration of the term of a member,  
21 the Governor shall fill the vacancy for the residue of the term.

22 (d) The 10 members required to be appointed by the Governor from the 2 principal political parties under  
23 subsections (b) and (c) of this section shall be appointed from a list of not fewer than 3 nominees for each member to be  
24 appointed, which list shall be submitted by the state chair of the political party from which the appointment must be made.  
25 ~~Seven of the members to be appointed must reside in a different senatorial district in rural New Castle County and 3 of the~~  
26 ~~members to be appointed must reside in a separate senatorial district of the City of Wilmington.~~ Such lists shall be  
27 submitted to the Governor within 30 days of the expiration or vacancy of any term herein when such expiration or vacancy  
28 leaves fewer than 5 members of the principal political party. The Governor shall submit the Governor's own appointments  
29 from the names on the lists within 30 days of the date the Governor receives the lists. If a state chair does not submit a list  
30 to the Governor as provided in this subsection, then the Governor shall submit the Governor's own appointments for any  
31 vacancy.

32 (e) All members shall be appointed by and with the consent of the majority of the members elected to the Senate.

33 (f) In the event that a vacancy exists on the State Board of Elections, the State Board of Elections can still meet to  
34 canvass any election it shall be prescribed to canvass provided that a quorum of its members are present and § 209 of this  
35 title shall be met.

36 Section 2. Amend § 203, Title 15 of the Delaware Code by making deletions as shown by strike through and  
37 insertions as shown by underline as follows:

38 ~~§ 203 Boards of Elections for Kent and Sussex Counties; composition; appointment; term.~~

39 (a) ~~The Board of Elections for Kent County and the Board of Elections for Sussex County shall each consist of 6~~  
40 ~~members appointed as provided in this section. Each of the 2 principal political parties shall at all times be represented by~~  
41 ~~not fewer than 3 members of each board.~~

42 (b) ~~In carrying out this section, the Governor shall initially appoint for the Board of Elections of Kent County 2~~  
43 ~~members for a term of 2 years each and 2 members for a term of 4 years each, and for the Board of Elections of Sussex~~  
44 ~~County, 3 members for a term of 2 years each and 3 members for a term of 4 years each.~~

45 (c) ~~Upon the expiration of the term of any member from either board such member's successor shall be appointed~~  
46 ~~by the Governor for a term of 4 years; provided, however, that such member shall hold office until that member's successor~~  
47 ~~shall be duly qualified and provided, further, that the term of such successor shall commence on the date the successor is~~  
48 ~~duly qualified. In the event that a vacancy occurs in either board from any cause, other than expiration of the term of a~~  
49 ~~member, the Governor shall fill the vacancy for the residue of the term.~~

50 (d) ~~The members to be appointed by the Governor under subsections (c) and (d) of this section shall be appointed~~  
51 ~~from a list of not fewer than 3 nominees for each member to be appointed, which list shall be submitted by the state chair of~~

52 the political party from which the appointment must be made. Each senatorial district in Kent and Sussex Counties must be  
53 represented by 1 member and no senatorial district may be represented by more than 2 members. Such lists shall be  
54 submitted to the Governor within 30 days of June 25, 1969, and within 30 days of the expiration or vacancy of any term  
55 herein when such expiration or vacancy leaves fewer than 3 members of the principal political party. The Governor shall  
56 submit the Governor's own appointments from the names on the lists within 30 days of the date the Governor receives the  
57 lists.

58 (e) All members shall be appointed by and with the consent of the majority of the members elected to the Senate.

59 (f) In the event that a vacancy exists on the Board of Elections, the Board of Elections can still meet to canvass  
60 any election it shall be prescribed to canvass provided that a quorum of its members are present and § 209 of this title shall  
61 be met.

62 § 203 State Board of Elections; powers and duties.

63 The State Board of Elections shall assume all of the powers and duties previously vested in the Board of Elections  
64 for New Castle County, the Board of Elections for Kent County, and the Board of Elections for Sussex County, as well as  
65 the following additional powers and duties:

66 (a) To hear and decide appeals pursuant to Sections 8043(i) and 8044 of this Title;

67 (b) To determine whether reasonable grounds exist to recommend that possible violations of this Title, or other  
68 state and federal laws, be referred by the State Election Commissioner to the Attorney General or the United States  
69 Attorney for investigation and prosecution;

70 (c) To follow the procedural rules specified in § 203A of this chapter and to establish such other procedural rules  
71 as shall not be inconsistent with the rules prescribed therein; and

72 (d) To perform such other responsibilities as may be assigned to it by law.

73 Section 3. Amend Chapter 2, Title 15 of the Delaware Code by making deletions as shown by strike through and  
74 insertions as shown by underline as follows:

75 § 203A State Board of Elections — Hearings; procedures; dispositions.

76 In any proceeding before the State Board of Elections pursuant to §§ 203(a) and 203(b) of this Title:

77 (a) A participant shall be given an opportunity to be heard after notice, to be advised and assisted by legal counsel,  
78 to produce witnesses and offer evidence, and to cross-examine witnesses. A transcript of any such proceeding shall be made  
79 and retained, subject to the confidentiality requirements of subsection (h) of this section.

80           (b) A member of the Board may disqualify himself or herself from participating in any investigation of the  
81 conduct of any person upon submission in writing and under oath of an affidavit of disqualification stating that the member  
82 cannot render an impartial and unbiased decision in the case in which the member seeks to disqualify himself or herself.

83           (c) The Board shall have the authority to subpoena witnesses, compel their attendance and testimony, administer  
84 oaths and affirmations, take evidence and require by subpoena the production of books, papers, records or other evidence  
85 needed for the performance of the Board's duties or exercise of its powers.

86           (d) Any party to a proceeding hereunder may apply to the Board for the issuance of subpoenas for the appearance  
87 of witnesses and for the production of documents on the person's behalf. The application shall be granted upon a concise  
88 showing by such person that the proposed testimony or evidence is relevant (or is reasonably calculated to lead to the  
89 discovery of relevant evidence) and is not otherwise available. The application shall be denied if not made at a reasonable  
90 time or if the testimony or evidence would be merely cumulative.

91           (e) Any party to a proceeding hereunder shall be permitted to inspect, copy or photograph books, papers,  
92 documents, photographs or other tangible objects which will be used as evidence against that person in a proceeding by the  
93 Board hereunder and which are material to the preparation of a defense.

94           (f) If the Elections Counsel or the Board at any time receives any exculpatory information respecting an alleged  
95 violation against any person, it shall forthwith make such information available to such person.

96           (g) Except as otherwise specified in § 301A(a)(3) of this Title, any decision of the Board hereunder shall require  
97 the affirmative vote of at least 6 members of the Board.

98           (h)(1) All proceedings of the Board pursuant to § 203(b) of this Title shall be maintained confidential by the  
99 Board unless public disclosure is requested in writing by the person who is the subject of such hearing.

100           (2) Notwithstanding the confidentiality requirements of paragraph (1) of this subsection, the Board shall make  
101 available for public inspection the record of all proceedings relating to any decision of the Board which is appealed to  
102 Superior Court and the Board shall report to appropriate federal or state authorities any substantial evidence of a violation  
103 of any criminal law which comes to its attention in connection with any proceeding under this chapter.

104           (3) The Board may establish such procedures as in its judgment may be necessary to prevent the disclosure of any  
105 record of any proceedings or other information received by the Board or its staff except as permitted by this chapter.

106           § 203B Judicial review.

107           Any party to a proceeding of the Board hereunder may appeal an adverse decision to the Superior Court by filing a  
108 notice of appeal therewith within 30 days of the decision by the Board. The appeal shall be on the record without a trial *de*  
109 *novo*. If the Court determines that the record is insufficient for its review, it shall remand the case to the Board for further

110 proceedings on the record. The Court's review, in the absence of actual fraud, shall be limited to a determination of whether  
111 the Board's decision was supported by substantial evidence on the record. The burden of proof in any such appeal shall be  
112 on the appellant.

113 Section 4. Amend Chapter 2, Title 15 of the Delaware Code by making deletions as shown by strike through and  
114 insertions as shown by underline as follows:

115 § 204 Qualifications of members ~~of all boards.~~

116 No person shall be appointed as a member of ~~any board of elections~~ the State Board of Elections who is not a  
117 citizen of the United States and a resident of the county for which that person is appointed (or a resident of this State for at-  
118 large members) and who has not resided therein for 1 year next preceding that person's appointment. No member ~~of any~~  
119 ~~board~~ shall hold or be a candidate for any:

120 (1) Federal, state, county, city or incorporated municipality elective office;

121 (2) Elective office or appointed position of a political party, nor shall a member be an appointed official to any  
122 federal, state, county, city or incorporated municipality commission or administrative body.

123 § 205 Confirmation or rejection of appointments.

124 The Senate shall either confirm or reject any appointment under § 202 ~~or 203~~ of this title within 10 legislative days  
125 of its receipt or said appointment is deemed confirmed.

126 § 206 Oath.

127 Each member of ~~each board~~ the State Board of Elections, before entering upon that member's duties and within 10  
128 days from the time of that member's appointment, shall take and subscribe to the oath or affirmation prescribed by the  
129 Constitution and shall record the same in the office of the recorder of the county of the member's residence.

130 § 207 Compensation of members.

131 The compensation of board members shall be as provided in the Budget Act; provided, however, that no board  
132 member shall receive compensation for any board meeting for which such member was not in attendance. In addition, the  
133 State Election Commissioner shall not be entitled to any additional compensation by virtue of his or her service as an ex  
134 officio member of the State Board of Elections.

135 § 208 Organization meeting; officers.

136 (a) The ~~board of elections for each county~~ State Board of Elections shall establish a schedule of meetings for the  
137 following calendar year at a regularly scheduled meeting of the board held between October 1 and December 31. Once  
138 established, the aforesaid schedule shall be subject to change by the ~~respective board~~ State Board of Elections.

139 (b) The schedule shall include an organizational meeting that shall be held between February 1 and June 30 of  
140 each year at which time the members of the ~~board of elections for a county~~ State Board of Elections shall meet and organize  
141 by electing 1 member to be president and 1 member to be secretary, whose function other than that of a member shall be to  
142 record the minutes of the meetings of the board. The terms of office for each officer shall be until the organizational  
143 meeting held in the following year or until a successor is elected.

144 § 209 ~~Necessary votes for transaction of business.~~ Quorum.

145 (a) ~~The affirmative vote~~ A quorum of 6 members shall be required for the transaction of any business for the State  
146 Board of Elections for New Castle County.

147 (b) ~~The affirmative vote of 4 members shall be required for the transaction of any business for the Board of~~  
148 ~~Elections for Kent and Sussex Counties respectively.~~

149 § 210 Rules.

150 ~~Each board~~ The State Board of Elections may make rules for its government not inconsistent with the Constitution  
151 or any law of this State and subject to the approval of the State Election Commissioner.

152 § 211 Director; deputy director; powers, duties, qualifications, compensation.

153 (a) ~~The board of elections of each county~~ For each department of elections, the State Board of Elections shall  
154 appoint:

155 (1) ~~An~~ A director who shall be a member of the same political party as the State Election Commissioner and who  
156 shall serve at the pleasure of the board;

157 (2) A deputy director who shall be nominated and elected by the members of the ~~board of elections~~ State Board  
158 of Elections of the opposite political party of the State Election Commissioner and who shall serve at the pleasure of ~~same~~  
159 the board. In the nomination and election of a deputy director, § 209 of this title shall not be applicable.

160 (b) The director shall assist the department of elections of the director's county in carrying out its duties and  
161 responsibilities and, subject to the policies and directives of the ~~board~~ State Board of Elections, shall have general  
162 supervision over the employees of the department and shall see to it that the work of the department is performed in a  
163 proper and nonpartisan manner.

164 (c) The deputy director for each department of elections shall assist the director of such department.

165 (d) The director and the deputy director of each department of elections shall be citizens of the United States and  
166 qualified electors of the county employing them.

167 (e) The ~~salary~~ salaries of the directors and deputy directors in each department shall be as provided in the Budget  
168 Act.

169 (f) The director and deputy director of a department, if in agreement, may authorize a person to vote whose  
170 application to register to vote at the Division of Motor Vehicles was never completed as required elsewhere in this title. The  
171 person shall follow the procedures set forth by the State Election Commissioner prior to being permitted to vote.

172 § 212 Office; equipment and supplies.

173 ~~Each department~~ Subject to the prior written approval of the Director of the Office of Management and Budget,  
174 the State Board of Elections shall occupy a suitable and convenient office in the ~~courthouse or public building of the~~  
175 ~~county, or elsewhere in the county seat~~ City of Dover, preferably in a building owned by the State and occupied by the  
176 State Election Commissioner, and shall obtain whatever furniture, equipment and supplies that may be necessary to  
177 properly carry out its duties.

178 § 213 Employees; duties and compensation.

179 (a) ~~Each~~ Subject to the approval of the State Board of Elections and the Director of the Office of Management and  
180 Budget, each department may hire such employees as it may deem necessary for the performance by the department of its  
181 duties.

182 (b) The duties of such employees shall be prescribed and the compensation fixed by the Director of the Office of  
183 Management and Budget.

184 (c) The employees of each department shall be placed under the state merit system but subject to all provisions of  
185 this title.

186 Section 5. Amend § 219, Title 15 of the Delaware Code by making deletions as shown by strike through and  
187 insertions as shown by underline as follows:

188 § 219 Political activity limited; penalty.

189 (a) No person, member, director or deputy director or employee of ~~the~~ any department or the State Board of  
190 Elections shall directly or indirectly use or seek to use his or her authority or official influence to control or modify the  
191 political action of another person or at any time actively participate in any political activities or campaigns.

192 (b) Any person who shall violate this section shall be fined not more than \$500 and shall forfeit that person's  
193 position or employment.

194 Section 6. Amend Chapter 3, Title 15 of the Delaware Code by making deletions as shown by strike through and  
195 insertions as shown by underline as follows:

196 § 301A Elections Counsel; powers and duties.

197 (a) There shall be an Elections Counsel who shall be the legal representative of the State Election Commissioner  
198 and shall have the following powers and duties:

- 199                   (1) To assist the Commissioner in preparing and publishing manuals and guides explaining the duties of  
200                   individuals covered by this Title (including, without limitation, Chapter 80 hereof) and in other activities;  
201                   (2) To provide legal counsel to the Commissioner concerning any matter arising in connection with the  
202                   exercise of his or her official powers or duties;  
203                   (3) To investigate information coming to the attention of the Commissioner that, if true, would constitute  
204                   a violation of any provision of this Title and/or to recommend that possible violations of these, or other  
205                   state and federal laws, be referred by the Commissioner to the Attorney General or the United States  
206                   Attorney for investigation and prosecution. Matters may be so referred to the Attorney General or the  
207                   United States Attorney only upon a determination by at least 5 members of the State Board of Election  
208                   that there are reasonable grounds to believe that a violation may have occurred;  
209                   (4) To represent the Commissioner in connection with appeals before the State Board of Elections  
210                   pursuant to 15 Del.C. §§ 8043(i) and 8044;  
211                   (5) To assist the Commissioner in drafting advisory opinions;  
212                   (6) To maintain permanent records of all advisory, waiver, investigatory and prosecutorial matters; and  
213                   (7) To perform any other tasks requested by the Commissioner concerning any matter arising in  
214                   connection with the exercise of his or her official powers or duties.

215                   (b) The Elections Counsel may recuse from a matter when, in the view of the Elections Counsel or of the  
216                   Commissioner, such recusal is deemed necessary or appropriate. In situations where the Elections Counsel recuses, the  
217                   duties of the Elections Counsel may be exercised by the Attorney General or by outside counsel chosen by the  
218                   Commissioner.

219                   § 301B Elections Counsel appointment contingent upon appropriations.

220                   The Elections Counsel established by § 301A of this title shall not be appointed by the Commissioner until  
221                   adequate funds have been appropriated for such purpose. In the absence of such appointment, the Attorney General shall  
222                   provide legal assistance to the Commissioner and shall exercise any duties assigned to the Elections Counsel by this  
223                   chapter. Such duties may also be exercised by outside counsel chosen by the Commissioner, if adequate funds are  
224                   appropriated for such purpose.

225                   Section 7. Amend § 302, Title 15 of the Delaware Code by making deletions as shown by strike through and  
226                   insertions as shown by underline as follows:

227                   § 302 General powers and duties of Commissioner.

228                   The Commissioner shall have the following powers and duties:

- 229 (9) To be an *ex officio* member of ~~each county department of elections~~ the State Board of Elections;
- 230 (10) To attend each ~~county department of elections~~ State Board of Elections meeting at which time the
- 231 Commissioner may do the following:
- 232 a. Participate in any and all discussions; and
- 233 b. Cast a vote only in the event of a tie; provided, however, that the Commissioner shall recuse himself
- 234 or herself in any hearing pursuant to §§ 203(a) and 203(b) of this Title; and
- 235 (11) To collect unofficial results for each primary, special and general election for each election district used in
- 236 the said election and to tabulate, report and disseminate the results of the election as soon as possible to the public;:
- 237 (12) To assist each county department of elections in carrying out its respective duties and responsibilities and,
- 238 subject to the policies and directives of the State Board of Elections, to have general supervision over the employees of
- 239 each department and shall see to it that the work of each department is performed in a proper and nonpartisan manner;
- 240 (13) To establish procedures to allow citizens to report possible violations of this Title, which shall include
- 241 procedures for anonymous reporting of possible violations;
- 242 (14) To appoint a lawyer admitted to practice in the State to serve as Elections Counsel;
- 243 (15) To refer to Elections Counsel to investigate any possible violation of this Title that may come to his or her
- 244 attention; and
- 245 (16) To subpoena witnesses, compel their attendance and testimony, administer oaths and affirmations, take
- 246 evidence and require by subpoena the production of books, papers, records or other evidence needed for the performance of
- 247 the Commissioner's duties or exercise of its powers; and
- 248 (17) To prepare and publish manuals and guides explaining the duties of individuals covered by this Title,
- 249 including without limitation chapter 80 hereof, and to promulgate instructions and public information materials to facilitate
- 250 compliance with, and enforcement of this Title.

251 Section 8. Amend Title 15, § 8042 of the Delaware Code by making deletions as shown by strike through and

252 insertions as shown by underline as follows:

253 § 8042 Civil remedies.

254 ~~For~~Except as otherwise set forth herein, for purposes of any civil remedy on behalf of any injured person, the

255 Court of Chancery shall have jurisdiction.

256 Section 9. Amend § 8043, Title 15 of the Delaware Code by making deletions as shown by strike through and

257 insertions as shown by underline as follows:

258 § 8043 Violations; penalties; jurisdiction in Superior Court.

259 (f) ~~The~~ Except as otherwise set forth herein, the Superior Court shall have jurisdiction over all offenses under this  
260 chapter.

261 Section 10. Amend § 8043, Title 15 of the Delaware Code by making deletions as shown by strike through and  
262 insertions as shown by underline as follows:

263 (i) A reporting party who violates § 8021 of this title shall be assessed a fine by the Commissioner of \$500 or 25%  
264 of the cost of the campaign advertisement subject thereto, whichever is greater. Upon receipt of such fine, the reporting  
265 party shall have 30 days to appeal such fine in writing to the State Board of Elections.

266 Section 11. Amend Title 15, § 8044 of the Delaware Code by making deletions as shown by strike through and  
267 insertions as shown by underline as follows:

268 (b) In the event a report is incomplete or otherwise tardy, the Commissioner shall immediately notify the reporting  
269 party thereof in writing. Such notice shall state that a fine is being assessed for each late day, and to the extent applicable,  
270 shall also specify why such report is incomplete. Upon receipt of such notice, the reporting party shall have 30 days to  
271 appeal such fine in writing to the ~~Commissioner~~ State Board of Elections. In the event of an appeal, the reporting party  
272 shall have the opportunity to show the ~~Commissioner~~ Board that such tardiness is due to reasonable cause and not wilful  
273 neglect. If the ~~Commissioner~~ State Board of Elections determines that such tardiness is not due to reasonable cause, or the  
274 reporting party fails to timely file an appeal, such fine shall constitute a debt due and owing the State, assessable by the  
275 Commissioner and recoverable against the reporting party.

276 (c) If a tardy report is not filed or corrected within 30 days following:

277 (1) A determination by the ~~Commissioner~~ State Board of Elections that such tardiness is not due to  
278 reasonable cause; or

279 (2) The expiration of the appeal period set forth in subsection (b) of this section,

280 then the Commissioner shall notify the Office of the Attorney General that the reporting party has failed to file  
281 such report.

282 Section 12. If any provision of this Act or the application thereof to any person or circumstance is held invalid, the  
283 invalidity does not affect other provisions or applications of the Act which can be given effect without the invalid provision  
284 or application; and, to that end, the provisions of this Act are declared to be severable.

285 Section 13. This Act shall become effective on January 1, 2015.

#### SYNOPSIS

This bill establishes a more efficient structure for the administration of Delaware's campaign finance laws, establishes a mechanism for citizens to report possible violations, and gives the State Election Commissioner the resources necessary to investigate potential violations.

First, as recommended by the Title 15 Task Force established by Senate Concurrent Resolution No. 20, this bill

would improve efficiency by consolidating the 3 existing county Boards of Election into a single State Board of Elections. The State Board would be comprised of 11 members, with 2 members from each county, 2 members from the City of Wilmington, and 2 at-large members. As is the case with the existing county Boards, members (other than the State Election Commissioner) would be appointed by the Governor and confirmed by the Senate, and political balance would be required. The existing county Departments of Elections would remain, but would be subject to the policies and directives of the State Board of Elections.

In addition to assuming all of the powers and duties previously vested in the county Boards of Elections, the State Board of Elections would be authorized: (1) to hear and decide appeals where persons were fined for failing to timely file campaign finance reports or for failing to include "paid for by" statements on campaign ads; and (2) to determine whether reasonable grounds exist to recommend that possible violations of election laws be referred to the Attorney General or the United States Attorney for investigation and prosecution.

Second, the bill gives the State Elections Commissioner the authority to receive citizen reports of possible violations of Delaware's election laws, including campaign finance laws. The bill requires the Commissioner to establish procedures to accept anonymous reports of potential violations. Such potential violations could be referred to the Attorney General or United States Attorney for investigation and prosecution, but only if the State Board of Election determines there are reasonable grounds to believe a violation may have occurred.

Third, the bill expressly authorizes the Commissioner to prepare and publish manuals explaining the duties and responsibilities of individuals, political committees, and others covered by Delaware's campaign finance and other election laws.

Finally, the bill establishes the position of Elections Counsel, who will serve as the legal representative of the State Election Commissioner. The duties of the Elections Counsel include, among other things, (1) investigating possible violations of campaign finance and other election laws; (2) representing the Commissioner in limited proceedings before the State Board of Elections; and (3) assisting the Commissioner in preparing manuals and guides.