

**1. Announcements & Important Meetings**

National Association of State Election Directors' Meeting

Linda is attending the National Association of State Election Directors' summer meeting in Anaheim, California. While there, she will be attending the board meeting for the Electronic Registration Information Center (ERIC).

Election Directors' Meeting

On August 24th, we hosted an Election Directors' meeting. Some local boards attended the meeting in person, while others attended by conference call. A summary of this meeting will be shared when it is complete.

**2. Election Reform and Management**

Spanish Translation Committee

The first meeting of the Spanish Translation Committee is scheduled for August 29th at 1:30 pm. Initial members include Erin Perrone and Natasha Walker from SBE, Joice Hourihan and Gilberto Zelaya from the Montgomery County Board of Elections, and Frances Nunez and Jaime Vazquez from the Prince George's County Board of Elections. This meeting will be an opportunity to discuss the objectives and goals, other possible members, an effective time frame, and the work to be accomplished.

Election Judge Workgroup

Chapters 1 through 4 of the *Election Judge Manual* have been revised and submitted to the Attorney General's Office for approval. Revisions have begun on chapters 5 through 8. The next meeting is scheduled for September 7th and revisions to chapters 9 and 11 through 13 will begin. Also, the workgroup discussed how to ensure a voter's privacy at the scanning unit. This is a "work in progress" in order to discuss different circumstances.

Usability Testing – Election Judge Manual and Forms

The University of Baltimore has agreed to test and offer recommendations to improve the *Election Judge Manual* and forms used by election judges during early voting and election day. Erin Perrone will be working with Kathryn Summers to make election judge documentation understandable to reduce the likelihood of election judges experiencing problems or confusion.

**3. Voter Registration**

Electronic Registration Information Center (ERIC)

On July 24th, the most recent ERIC report was distributed to the local boards for processing. The deadline to process this report was August 14th. The counts for these reports are:

- Cross State Report (another member state has newer information than MD): 6,109
- Potential Duplicates: 64
- In-State Updates (more recent information at MVA): 4,489
- Deceased (according to the Social Security Administration): 3
- NCOA (USPS' National Change of Address program): 82,880

MDVOTERS

The yearly Joint Application Design (JAD) sessions were held at SBE on August 8-10. This is a committee of SBE and LBE members that meet with the software development team to

plan for enhancements that will be implemented in 2018. The 2018 plan includes three software releases scheduled for April, July and December. These releases will include enhancements in Candidacy, Absentee, Reports and Labels, electronic voter registration applications, and other areas of MDVOTERS.

#### **4. Candidacy and Campaign Finance (CCF) Division**

##### Candidacy

As of August 21, 2017, 170 candidates have filed a certificate of candidacy at SBE for the 2018 General Election.

##### Campaign Finance

On August 10th, a committee named Grassroots Supporters of Hans Riemer qualified for public matching funds under the new Montgomery County public finance program. The committee submitted 366 individual qualifying contributions with a monetary aggregate of \$25,437.00 on August 1, 2017. The committee is eligible to receive \$86,136.00 in public matching funds.

On August 15th, a committee named Friends of Reggie Oldak filed an initial request of public matching funds. The committee submitted 144 qualifying contributions with a monetary aggregate of \$15,235 and is eligible to receive \$48,185.00 in public matching. A committee for George Leventhal for Montgomery County submitted an additional request for public matching funds. The committee submitted 32 qualifying contributions with a monetary aggregate of \$2,912.00 and is eligible to receive \$12,930.00 in public matching. Both reports are being reviewed.

Committees may file matching fund requests on the first and third Tuesday of every month.

##### Enforcement

On August 21, Progressive Prince George's Slate agreed to pay a \$500 civil penalty for collecting, receiving, or disbursing money while there is a vacancy of a responsible officer. On July 18, 2017, Committee to Elect Catherine Pugh remitted \$18,000 to the Fair Campaign Financing Fund for the anonymous contributions received during the 2016 mayoral election. This action was in response to Gary Brown's verdict. The committee must amend the campaign finance report to reflect the anonymous contributions.

##### Title 14 – Requests to Waive Late Fees

Four business entities doing public business, Norair Engineering Corp., Plano-Coudon, LLC, En-Net Services, LLC, and Pinnacle Communications Resources Co., sought a waiver of late filing fees. Since these requests were denied, no Board action is required. The requests and agency determination are in the meeting folder.

#### **5. Project Management Office (PMO)**

##### Inventory: Excess Equipment Disposal

During this reporting period, SBE continued the TS-R6 voting system disposal planning work with the DGS and the State's contract recycler. The recycler's first of several weekly pickups will take place on September 5th. There are approximately 17,000 - 18,000 black cases remaining at the warehouse. If we are unable to sell them, they will be recycled or trashed.

### FY 2017 Annual Inventory

The FY 2017 annual inventory reconciliation continues for the equipment and supply inventory. There are approximately 50 reconciliation tasks to be completed. We continue to scan the legacy equipment at SBE's Central Warehouse in preparation for its disposal.

### New Inventory System

SBE continues to work with the inventory system vendor to resolve issues identified during the inventory audit visits and preparing for the full implementation of the system.

## 6. **Voting Systems**

### Electronic Pollbooks

Development of updated software for the pollbooks has continued with enhancements as requested by SBE. Limited testing with some local boards will start next week and will expand if initial testing is successful. The plan is for a final software release in November.

All pollbooks are scheduled to have CMOS batteries replaced prior to the 2018 Primary Election. These are small coin-like batteries that are responsible for maintaining the time and various settings when the units are powered down. The first shipment of batteries has been received by the local boards, and a second shipment is expected in September.

ES&S is working on the expected final prototype of the pollbook to be used for a pilot in 2018. This pollbook will have updated hardware, but the software will be identical.

### Pre-Election Testing

ES&S and SBE have been working on pre-primary election training for the local boards. The training will include best practices from other jurisdictions as well as lessons learned from the 2016 elections. Training will include all aspects of the election and is scheduled for January 2018.

Prior to this training, a separate volume test and training will take place for those local boards that use the DS850 high speed scanners. This will involve one day for each local board, including ballot preparation, ballot scanning, ballot image export and review. This activity will take place in late November and early December.

### Upcoming Server Updates

We anticipate two updates to the voting system servers in each local board. The first update is an update to the network driver, to enable increased upload speed of data from the voting units. This second change is hard drive re-allocation to enable more space availability. The first change has been approved by the EAC, and the second is undergoing the approval process.

## 7. **Information Technology**

SBE has procured and installed a new telephone network. The system is running parallel to the existing telephone system to ensure operation continuity and allowing staff to familiarize themselves with the new system.

## STATE BOARD OF ELECTIONS

P.O. BOX 6486, ANNAPOLIS, MD 21401-0486 PHONE (410) 269-2840

David J. McManus, Chairman  
Patrick J. Hogan, Vice Chairman  
Michael R. Cogan  
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Gloria Lawlah



Linda H. Lamone  
Administrator  
  
Nikki Charlson  
Deputy Administrator

## Memorandum

**TO:** State Board Members

**FROM:** Jared DeMarinis, Director  
Division of Candidacy and Campaign Finance

**DATE:** August 24, 2017

**SUBJECT:** Waiver of late filing fees – Persons Doing Public Business, Title 14 of the Election Law Article

Enclosed are the waiver requests, which were submitted by businesses that have been assessed late filing fees. The attached Waiver Request Information Page contains an overview of each entity as well as the Agency's recommendation to the Board.

The Board should consider the following factors in determining whether just cause exists to grant a waiver.

1. Administrative error of any kind on the part of the Division.
2. The lateness is due to extenuating circumstances, i.e. physical illness or death in the family; or
3. Computer problems occurred which made timely filing impossible. However, the filer still must have demonstrated a good faith effort to timely file.

Prior to the meeting please review each waiver request. Note the recommendations that you may disagree with or have questions on that you would like to discuss.

## § 14-107(c) Late Filing Fees

- (1) As provided in this subsection, the State Board may impose fees for late filing of:
  - (i) a statement required under § 14-104 of this title; or
  - (ii) an amended statement required under subsection (b) of this section.
- (2) The State Board may impose late filing fees in the same amounts and in the same manner as provided under § 13-331(a) and (b) of this article for late filing of campaign finance reports.
- (3) Late filing fees imposed under this subsection shall be distributed to the Fair Campaign Financing Fund.

Pursuant to COMAR 33.20.07.01C, the State Administrator has denied 4 late fee waiver request. No Board action is required on the denials.

SBE has collected \$ 19,160.00 in late fees from 7/01/17 – 7/31/17 under this provision of law.

Please feel free to contact me at 410-269-2853 if you have any questions.

**Business Contribution Disclosure System  
Waiver Request– Late Fees**

Grant/Reduced

- 1.

Denials

1. Norair Engineering Corp.
2. Plano-Coudon, LLC
3. En-Net Services, LLC
4. Pinnacle Communications Resources Co.



**Business Contribution Disclosure System  
Waiver Request Information Page – Late Fees**

**General**

<b>Account Name</b>	Norair Engineering Corp.
<b>BID ID:</b>	14000759
<b>Date Established</b>	11/18/16
<b>Date Waiver Requested</b>	8/10/17
<b>Account Type</b>	Title 14 – Persons Doing Public Business

**Officers**

<b>Current Filer</b>	Richard Henry Norair	Start Date: 11/18/2016
<b>Principal Officer</b>	Richard Henry Norair	Start Date: 11/18/2016

**Waiver Request Dates**

<b>Late Report</b>	<b>Date Received</b>	<b>Fees</b>	<b>Total Fees</b>
5/31/2017	8/10/2017	\$500	\$500
		\$	\$
		Total	\$500

**Prior Waiver and Fees**

n/a

**Reason for Waiver**

They did not make any contribution, he believes the system is not very good and site does not provide a receipt as far as he can tell. Mr. Norair feels like he did what he needed to do.

**Agency Comments**

Mr. Norair filed an Affidavit as his Initial report on 11/23/16 with no issues. SBE sends out an email Pre Report Notice and a Fee Running Notice. We have instructions on the Reminders page on how a business that made no contributions can file an affidavit. Once a report/affidavit is filed the BCDS does send an email confirmation that it was filed.

Deny

# NORAIR ENGINEERING CORP.



337 Brightseat Road, Suite 200  
Landover, Maryland 20785  
USA  
(301) 499-2202  
Fax (301) 499-1342

August 7, 2017

Maryland State Board of Elections  
PO Box 6486  
Annapolis, MD 21401-0486

Attn: Jared DeMarinis

RECEIVED

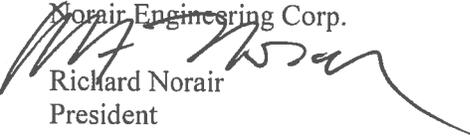
AUG 10 2017

STATE BOARD OF ELECTIONS

Regarding your notice, copy attached:

1. Neither I nor any company that I am affiliated with made any political contributions in 2016 or 2017.
2. I did go to the website prior to May upon receipt of a reminder email and I did enter the information.
3. The website as far as I can tell does not provide a receipt. (and I might add it is not a very good site.)
4. I did what I was supposed to do, I made no contributions and therefore there is no cause for penalty. Please correct the record.

Norair Engineering Corp.

  
Richard Norair  
President

## Business Contribution Disclosure System Waiver Request Information Page – Late Fees

### General

<b>Account Name</b>	Plano-Coudon, LLC
<b>BID ID:</b>	14000591
<b>Date Established</b>	08/01/15
<b>Date Waiver Requested</b>	8/14/17
<b>Account Type</b>	Title 14 – Persons Doing Public Business

### Officers

<b>Current Filer</b>	Janet Delaney	Start Date: 08/09/2017
<b>Principal Officer</b>	Christopher Coudon	Start Date: 08/01/2015

### Waiver Request Dates

Late Report	Date Received	Fees	Total Fees
5/31/2017	8/09/2017	\$500	\$500
		\$	\$
		Total	\$500

### Prior Waiver and Fees

11/30/2015 received 12/01/2015 - \$500 late fee. Referred to OSP and reduced to \$375  
 05/31/2016 received 11/11/2016 - \$500 late fee. Referred to OSP and reduced to \$375

### Reason for Waiver

He is claiming that the system has changed and they should be able to stay current now website has been improved.

### Agency Comments

The business has previously filed reports for 11/30/15, 5/31/16, 11/30/16 by the Principal Officer Mr. Coudon. SBE sends out an email Pre Report Notice and a Fee Running Notice. We have instructions on the Reminders page on how a business that made no contributions can file an affidavit. Once a report/affidavit is filed the BCDS does send an email confirmation that it was filed.

Deny



2101 Washington Blvd.  
Baltimore, MD 21230  
410-837-2570 *phone*  
410-837-2571 *fax*

**SERVING**  
MD, NOVA, DC, PA & DE

[www.plano-coudon.com](http://www.plano-coudon.com)

August 9, 2017

State Board of Elections  
P.O. Box 6486  
Annapolis, MD 21401-0486

We received the attached notice that our return was not received.

However, we filed it electronically when it was due. I have since re-submitted and saw that the online system has changed. Please confirm you have received this second one and consider waiving the \$500 fine. We should be able to stay current now that the website has been improved.

thanks

Sincerely,  
Plano-Coudon, LLC

A handwritten signature in black ink, appearing to read 'Janet F. Delaney', written in a cursive style.

Janet F. Delaney  
CFO  
[idelaney@plano-coudon.com](mailto:idelaney@plano-coudon.com)

**RECEIVED**  
**AUG 14 2017**  
STATE BOARD OF ELECTIONS

**Your Vision. Our Mission.**

**Business Contribution Disclosure System  
Waiver Request Information Page – Late Fees**

**General**

<b>Account Name</b>	En-Net Services, LLC
<b>BID ID:</b>	14000537
<b>Date Established</b>	08/01/15
<b>Date Waiver Requested</b>	8/14/17
<b>Account Type</b>	Title 14 – Persons Doing Public Business

**Officers**

<b>Current Filer</b>	Brian Sheffer	Start Date: 08/01/2015
<b>Principal Officer</b>	Brian Sheffer	Start Date: 08/01/2015

**Waiver Request Dates**

Late Report	Date Received	Fees	Total Fees
5/31/2017	8/09/2017	\$500	\$500
		\$	\$
		Total	\$500

**Prior Waiver and Fees**

n/a

**Reason for Waiver**

They did not receive emails from SBE due to their firewall. They have now made [info.sbe@maryland.gov](mailto:info.sbe@maryland.gov) as a “global clear” of the email address and they should get them now.

**Agency Comments**

On the Reminders page when the business logs in there is a Message from Administrator that was posted early 2015 about the new report dates of 5/31 and 11/30. The business has filed the 11/30/15, 5/31/16, 11/30/16 reports timely. SBE sends out an email Pre Report Notice and a Fee Running Notice. We have instructions on the Reminders page on how a business that made no contributions can file an affidavit. Once a report/affidavit is filed the BCDS does send an email confirmation that it was filed.

Deny



Hardware  
Software  
Networking  
Cabling  
Supplies

**En-Net**  
712 N. East Street  
Frederick, MD 21701

PH: 301.846.9901  
FX: 301.846.9902  
www.en-netservices.com

State Board of Elections  
P.O. Box 6486  
Annapolis, Md. 21401-0486

RECEIVED

AUG 14 2017

STATE BOARD OF ELECTIONS

RE: Delinquent Report and Fees Due notice

Dear Mr. Jared DeMarinis,

My company is in receipt of a letter from your office dated August 1, 2017 pertaining to a \$500 fine for our lack of filing a 6 month compliance report (Contribution Disclosure Report). That report was due May 31, 2017 and we agree we failed to file the report. As a small business in Maryland, we are finding the \$500 penalty to be particularly burdensome.

As a matter of explanation, we have done some research into our email system and due to recent email attacks, we are aware that we are not receiving certain inbound emails. The En-Net Technical team is working diligently to fix this problem. In particular, after speaking to your help desk, we researched the two supposed notification emails we were sent from your organization and these emails did get flagged by our firewall. I have been told we have executed a "global clear" of the sending address ([info.sbe@maryland.gov](mailto:info.sbe@maryland.gov)) and all future emails should be processed correctly.

As a related note, we have NOT made any contributions in the past, current and future reports will report as such. I am including a copy of the last two filings as evidence.

Immediately after receiving this letter, I filed the past due report which was due on May 31, 2017. Going forward, we are going to take a much more proactive approach to tracking the completion of these reports due.

We are asking that the \$500 fine be waived for this 1<sup>st</sup> infraction.

We appreciate your attention to this issue and look forward to hearing your response

Brian Sheffer/CEO  
En-Net Services  
712 North East Street  
Frederick, Maryland 21701

**Business Contribution Disclosure System  
Waiver Request Information Page – Late Fees**

**General**

<b>Account Name</b>	PINNACLE COMMUNICATIONS RESOURCE CO.
<b>BID ID:</b>	14000570
<b>Date Established</b>	08/01/15
<b>Date Waiver Requested</b>	8/07/17
<b>Account Type</b>	Title 14 – Persons Doing Public Business

**Officers**

<b>Current Filer</b>	Shelly Archer	Start Date: 08/01/2015
<b>Principal Officer</b>	Tracey Haldeman	Start Date: 08/01/2015

**Waiver Request Dates**

<b>Late Report</b>	<b>Date Received</b>	<b>Fees</b>	<b>Total Fees</b>
5/31/2017	8/03/2017	\$500	\$500
		\$	\$
		Total	\$500

**Prior Waiver and Fees**

n/a

**Reason for Waiver**

They thought report was filed because they data entered information.

**Agency Comments**

The business did not click on the Red “File All to State” button. They had filed the 11/30/15, 5/31/16, 11/30/16 reports timely. SBE sends out an email Pre Report Notice and a Fee Running Notice. We have instructions on the Reminders page on how a business that made no contributions can file an affidavit. Once a report/affidavit is filed the BCDS does send an email confirmation that it was filed.

Deny





RECEIVED  
AUG 07 2017  
STATE BOARD OF ELECTIONS

State Board of Elections  
Attn: Jared DeMarinis  
151 West Street, Ste. 200  
Annapolis, MD 21401

Re: Notice to Show Cause May 31, 2017

BID ID: 14000570

May 23, 2017

Dear Mr. DeMarinis:

On August 3, our office received a notice that the State Board of Elections had not received our statement of contribution that was due May 31, 2017. Our office thought that this had been taken care of on May 16, 2017. I have enclosed a screenshot showing that we filed a report on May 16; neither the company nor the owner had made any contributions.

After receiving the letter and logging into the system today, I see that there is a record of a letter dated June 7, 2017. We did not receive this letter. If we had, I assure you that we would have addressed the issue sooner.

We were confused and thought that the report was filed in a timely manner. Being fined \$500 under the circumstances seems extreme. We would like to request that the fee be waived.

Sincerely,

A handwritten signature in cursive script, appearing to read "Tracey Haldeman".

Tracey Haldeman

President



Anyone registered to vote in Maryland can use an absentee ballot, which lets you vote in an election without going to a polling place.

You can register to vote in Maryland at [www.elections.maryland.gov](http://www.elections.maryland.gov) or your local county board of elections office (see attached list).

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## How to ask for an absentee ballot

- Fill out this form and get it to your local board of elections before the deadline, or ask for your absentee ballot online at <http://www.elections.state.md.us/voting/absentee.html>

## How will you receive your absentee ballot?

- On this form, you choose how you want to receive your ballot: through U.S. Mail, fax, or we'll send you an email with a link so you can print your ballot.
- You can also pick it up in person, or have someone pick it up:
  - If you want someone to pick up your ballot for you, you need to provide a Designation of Agent form. Get this form at your election office or at [www.elections.maryland.gov/voting/absentee.html](http://www.elections.maryland.gov/voting/absentee.html).
  - The person who picks up your ballot must be at least 18 years old and not a candidate on your ballot. You can also have this person return your voted ballot to your election office. This person must sign a form to say that he or she handled the ballot properly.

---

## Deadlines for returning this form

Your deadline depends on how you send in this form, and on how you want to receive your ballot.

### Primary Election

- If you want us to mail you a ballot
  - Make sure this form is in our office by 8 pm on Tuesday, June 19, 2018.
  - Or send us this form by email or fax by 11:59 pm.
- If you want to print your ballot from a link:
  - Make sure this form is in our office by 8 pm on Friday, June 22, 2018.
  - Or send us this form by email or fax by 11:59 pm.

### General Election

- If you want us to mail you a ballot
  - Make sure this form is in our office by 8 pm on Tuesday, October 30, 2018.
  - Or send us this form by email or fax by 11:59 pm.
- If you want to print your ballot from a link:
  - Make sure this form is in our office by 8 pm on Friday, November 2, 2018.
  - Or send us this form by email or fax by 11:59 pm.

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## You can ask for this form in large type.

# Maryland Application for an Absentee Ballot

Additional instructions are on the back of this form.

## Register to Vote

1

You must be registered to vote to get an absentee ballot. If you are not registered to vote in Maryland and want to register, go to your local county board of elections office listed on the attached sheet or go to [www.elections.maryland.gov](http://www.elections.maryland.gov).

## Print your name

Use black ink.

2

Last name \_\_\_\_\_ Jr Sr II III IV  
First name \_\_\_\_\_ Middle name or initial (circle if applicable)

## Election

3

I want an absentee ballot for

Primary Election     General Election     Both Elections

## About you

4

Birthdate | M M | / | D D | / | Y Y Y Y |    Phone | | | | - | | | | - | | | |

## Your current address

If you have a new address, we will update your voter registration information.

DO NOT give an address if you are away for school, work, travel or if your address is temporary.

5

Address \_\_\_\_\_ Apt. number \_\_\_\_\_  
City/Town \_\_\_\_\_ State \_\_\_\_\_ Zip Code | | | | | | | | | |  
County \_\_\_\_\_  Check here if you live in Baltimore City  
When did you move here? | M M | / | D D | / | Y Y Y Y |    If you do not remember the exact date, give the month and year.

## Your address where you are registered to vote

6

Same as above  
Address \_\_\_\_\_ Apt. number \_\_\_\_\_  
City/Town \_\_\_\_\_ State \_\_\_\_\_ Zip Code | | | | | | | | | |  
County \_\_\_\_\_  Check here if you live in Baltimore City

## How do you want to receive your ballot?

If you choose email, you will be sent a link to print your ballot about three weeks before the election. If you don't see it, check your spam filter.

You must print your ballot and return it to your elections office. Your printed ballot will be hand copied onto an official ballot so it can be counted.

The State Board of Elections has taken steps to protect the secrecy of the email process, but cannot protect against all risks of using the Internet.

7

Choose one:

U.S. MAIL

I want my ballot for the PRIMARY ELECTION mailed to:

Same as above

Address \_\_\_\_\_ Apt. number \_\_\_\_\_  
City/Town \_\_\_\_\_ State \_\_\_\_\_ Zip Code | | | | | | | | | |

I want my ballot for the GENERAL ELECTION mailed to:

Same as above

Address \_\_\_\_\_ Apt. number \_\_\_\_\_  
City/Town \_\_\_\_\_ State \_\_\_\_\_ Zip Code | | | | | | | | | |

E-MAIL    You will receive a link to print your ballot.

email address \_\_\_\_\_

FAX

fax number \_\_\_\_\_

## Signature

Required.

Anyone can help you fill out this form except

- A candidate on your ballot
- Your employer or an agent of your employer
- An officer or agent from your union

8

Signature (required)

X

Today's Date | M M | / | D D | / | Y Y Y Y |

Assistance Signature (required if you had help)

Under penalty of perjury, I hereby certify that this voter needed help with this form because he or she has a disability or is unable to read or write. The voter authorized me to complete this form. If the voter could not sign this form, I printed the voter's name and wrote my initials.

sign: \_\_\_\_\_  
print: \_\_\_\_\_

# Maryland State Board of Elections

## State Board of Elections

P.O. Box 6486, Annapolis, MD 21401-0486

**800-222-8683**

MD Relay Service 800-735-2258

[www.elections.maryland.gov](http://www.elections.maryland.gov)

## County Boards of Election

### **Allegany County**

701 Kelly Rd., Ste. 213  
Cumberland, MD  
21502-2887  
301-777-5931  
301-777-2430 (fax)  
[elections@alleganygov.org](mailto:elections@alleganygov.org)

### **Anne Arundel County**

P.O. Box 490  
Glen Burnie, MD  
21060-0490  
410-222-6600  
410-222-6824 (fax)  
[elections@aacounty.org](mailto:elections@aacounty.org)

### **Baltimore City**

Benton Office Bldg., Rm. 129  
417 E. Fayette St.  
Baltimore, MD  
21202-3432  
410-396-5550  
410-727-1775 (fax)  
[election.judge@baltimorecity.gov](mailto:election.judge@baltimorecity.gov)

### **Baltimore County**

11112 Gilroy Rd., Ste. 104  
Hunt Valley, MD 21031  
410-887-5700  
410-832-8493 (fax)  
[elections@baltimorecountymd.org](mailto:elections@baltimorecountymd.org)

### **Calvert County**

30 Duke St., Lower Level  
P.O. Box 798  
Prince Frederick, MD  
20678-0798  
410-535-2214 or  
301-855-1376  
410-535-5009 (fax)  
[elections@co.cal.md.us](mailto:elections@co.cal.md.us)

### **Caroline County**

Health & Public Service Bldg.  
403 S. Seventh St., Ste. 247  
Denton, MD 21629-1335  
410-479-8145  
410-479-5736 (fax)  
[elections@carolinemd.org](mailto:elections@carolinemd.org)

### **Carroll County**

300 S. Center St., Rm. 212  
Westminster, MD  
21157-5248  
410-386-2080  
410-876-3925 (fax)  
[ccboe@ccg.carr.org](mailto:ccboe@ccg.carr.org)

### **Cecil County**

200 Chesapeake Blvd.  
Ste. 1900  
Elkton, MD 21921-6395  
410-996-5310  
888-979-8183 (fax)  
[lwalters@ccgov.org](mailto:lwalters@ccgov.org)  
[tdaniels@ccgov.org](mailto:tdaniels@ccgov.org)

### **Charles County**

P.O. Box 908  
La Plata, MD 20646-0908  
301-934-8972  
301-870-3167  
301-934-6487 (fax)  
[elections@charlescounty.org](mailto:elections@charlescounty.org)

### **Dorchester County**

501 Court Lane, Rm. 105  
P.O. Box 414  
Cambridge, MD  
21613-0414  
410-228-2560  
410-228-9635 (fax)  
[kjones@docogonet.com](mailto:kjones@docogonet.com)

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### **Talbot County**

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## CALVERT COUNTY BOARD OF ELECTIONS

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### VIA ELECTRONIC MAIL

August 17, 2017

Nikki Charlson, Deputy Administrator  
State Board of Elections  
P O Box 6486  
Annapolis, MD 21401-0486

Dear Nikki:

This is in response to your inquiry via electronic mail about the use of the ballot marking devices (BMD's) in the 2018 gubernatorial elections. I support the expanded use of BMD's and feel the local boards should have flexibility in deploying additional voting equipment as needed in polling places and early voting centers, since they know best where the need exists. Specifically in Calvert, I would like the option to deploy two additional BMD's during early voting, as that always seemed to be where the lines were.

Don't hesitate to let me know if additional information is needed. Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Gail L. Hatfield".

Gail L. Hatfield  
Elections Administrator

shc.50

Use of Ballot Marking Devices in 2018 Elections  
Feedback from the Local Boards of Elections  
Comments Submitted via Email

**Washington County Board of Elections** (submitted 8/23/17)  
Submitted by Kaye Robucci, Election Director

I am not able to attend the Director's Meeting on August 24 but wanted to let you know that Washington County is "generally fine with the 2016 policy but would like flexibility to deploy additional ballot marking devices where there is a greater need". In our county it would be District 3-1 which is located in a Senior Living Facility and the option to add an additional BMD during early voting if needed (we only have 1 early voting site).

**Howard County Board of Elections** (submitted 8/24/17)  
Submitted by Guy Mickley, Election Director

We would like to see three things:

1. The two voter minimum stays intact.
2. The ability to place more BMDs at large polling places and polling places that are in installations that have a high ratio of older voters. We have polling places that are in Assisted Living and 55+ Living Centers. These places had the highest numbers of usage in the past election.
3. The ability to use 2 BMDs per Early Voting Center. It just makes practical sense to serve the public more efficiently.

**Worcester County Board of Elections** (submitted 8/24/17)  
Submitted by Patricia Jackson, Election Director

Our County uses one BMD at our one early voting precinct, and one BMD per polling place for Election Day, with the exception of two BMDs for Ocean City and Pocomoke City polling places. We have not had any lines at the BMDs either at early voting or on Election Day and we feel we this "formula" works well for Worcester County voters.

**Prince George's County Board of Elections** (submitted 8/24/17)  
Submitted by Alisha Alexander, Election Director

I am requesting that the State Board consider allowing the LBE's to continue to follow the 2016 model of allocating BMD's. As was done in the past, I am planning to send a minimum of three BMD's to my busiest EV sites and a minimum of two to the others. That allocation worked very well for us in the 2016 election cycle as a large number of elderly and disabled individuals opted to vote early and I expect that trend will continue. In addition, I'd like to have the option to send additional BMD's to some of my larger Election Day polling places in 2018.

I do not want to conduct early voting using BMD's as the only source of voting. There are many issues that warrant concern and I don't believe they can be resolved prior to June 2018 (i.e. electrical requirements, procuring/leasing additional BMD's and printers, training Election Judges to select the correct ballot style on the screen if printers aren't available, line management [it takes voters more time to vote], the candidate navigation issue, etc.)

Use of Ballot Marking Devices in 2018 Elections  
Feedback from the Local Boards of Elections  
Comments Submitted via Email

**Montgomery County Board of Elections** (submitted 8/24/17)  
Submitted by Margaret Jurgenson, Election Director

Montgomery County Board of Elections is requesting the use of the Ballot Marking Device in precincts that are combined.

In the 2016 election cycle there were 19 consolidations. The staff had designed the consolidations so only the same congressional districts were consolidated to minimize election judge errors. The upcoming election cycle, this will not be possible. The redistricting left the county board of elections with numerous precincts that have as low as 8 voters to 78 voters and the economics of the election process and equipment requirements are such that these precincts must be combined with larger precincts. Additionally, the Board staff is requesting to us the Ballot Marking device at Early Voting Centers to expedite lines of voters. Staff believes this would eliminate ballot distribution errors.

The Board has not had the opportunity to discuss this with the staff but I am requesting the State Board to keep an open mind on the use of the issue.



# FREDERICK COUNTY BOARD OF ELECTIONS



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Fax 301-600-2344  
TTY: Use MD Relay

FrederickCountyMD.gov/elections  
ElectionBoard@FrederickCountyMD.gov

August 22, 2017

**TO:** Maryland State Board of Elections  
**FROM:** Stuart Harvey, Election Director  
**SUBJECT:** Use of Ballot Marking Devices for 2018 Elections

We have been asked by the state board staff to comment on the ExpressVote ballot marking devices (BMDs) in the 2018 elections prior to any policy for their use being adopted by the Board.

From Frederick County's perspective, I would like to see maximum flexibility in the use of the BMDs. This would mean that any jurisdiction would be allowed to place more than one BMD at any early voting location or polling place, as they see fit. This is consistent with current state flexibility in allowing local election officials to determine whether more than one digital scanner is needed at any early voting center or polling place. This flexibility was critical to the state's success in conducting the 2016 elections.

What I do not favor is to allow only the BMDs to be used at early voting locations. I do not believe that BMDs alone could process the thousands of voters that we expect to take advantage of early voting in 2018. Additionally, due to the length of the gubernatorial ballot, the amount of time that a voter takes to use the BMD, compared to the regular paper ballot, has the potential to make for very long lines at the BMDs if they were to be the only option for voters at early voting.

Thank you for your attention to this matter.



ALLISON M. MURPHY  
ELECTION DIRECTOR

TAMMY L. WILLIS  
ELECTION SUPERVISOR

DEBRA M. BROHAWN  
ELECTION DATA APPLICATION SPECIALIST

## CAROLINE COUNTY BOARD OF ELECTIONS

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WALT PALMER, III  
ATTORNEY

August 23, 2017

Maryland State Board of Elections  
P.O. Box 6486  
Annapolis, Maryland 21401

Dear President and Members of the Board:

I'd like to provide input on the use of the ExpressVote Ballot Marking Devices (BMD) during the 2018 Elections. I would like flexibility to deploy additional ballot marking devices where it's predicted there will be a greater need, whether it be due to the anticipated number of voters that may use it or number of ballot styles.

The ability to increase the number of ballot marking devices used for early voting and election day should be optional for each Local Board of Elections. The LBEs are the subject matter experts that plan early voting and polling place layout diagrams based on the amount of space available to accommodate all of the equipment, supplies and foot traffic. The LBEs adeptly monitor the voting demographic, polling place flow and voter turnout in their county used to determine if the need to increase equipment exists. Therefore, the LBEs should have the ability to request to add BMDs if necessary.

I understand counties with an overwhelming number of ballot styles may be interested in using all BMDs during early voting. However, I do not want to exclusively use BMDs during early voting in Caroline County. We have a manageable number of ballot styles and marking paper ballots seems to be faster for voters than using the BMD. However, I would support an option for those counties that would allow them to exclusively use BMDs during early voting.

Sincerely,

Allison Murphy,  
Election Director

1. Have we received the AG's opinion on removing registered voters whose residences have been condemned or razed? Also (my memory is fuzzy here), I thought you mentioned the existence of an AG opinion on registering homeless voters. Was Mary going to get this for me?

I'm not sure if you, Mary, have spoken to Jeff about this, but based on my notes, the fact that the voter's residence has been razed is not by itself grounds for removing the voter from the statewide voter registration list. A local board's authority to remove a voter from the statewide voter registration list is granted, and regulated, by EL §§ 3-501 through 3-504, which implement requirements set by the National Voter Registration Act for the States' administration of voter registration. See 52 U.S.C. § 20507. The statutory requirements are detailed and do not provide for automatic removal on the basis of the condemnation or razing of one's residence.

Section 3-501 specifies four sets of circumstances under which the director/board staff may remove a voter:

- 1) The voter so requests in the proper form;
- 2) The director determines, after looking at information provided under § 3-504, that the voter is no longer eligible because the voter is disqualified under EL 3-102(b) (*i.e.*, convicted of and currently incarcerated for a felony, under guardianship and adjudged mentally incompetent, or convicted of buying or selling votes) or deceased;
- 3) The voter has moved outside of the State, *if* confirmed through the change-of-address procedures in § 3-502;
- 4) Someone files a § 3-602 administrative complaint to challenge the voter's eligibility and, under the State Board's administrative procedures, it is determined that the person is not a resident of the "election district or precinct" or otherwise is not qualified to register to vote.

The change-of-address procedures in § 3-502 come into play when an election official "receiv[es] any information that a voter currently registered in the State has moved to a different address within the State." § 3-502(b). In that event, the board must "change the voter's record and send the voter a confirmation notice." *Id.* Under § 3-502(e), a voter may not be removed on the grounds of an address change unless: (1) the voter confirms in writing that he/she has moved out of the State, or (2) the voter has not responded to a confirmation notice and "has not voted or appeared to vote (and if necessary, corrected the record of the voter's address) in an election during the period beginning with the date of the notice through the next two general elections." See *also* § 3-503 (requiring that board to place voter on inactive list if he or she fails to respond to a confirmation notice and remove the voter from the rolls if he or she fails to vote "in the period ending with the second general election" after being placed on the list).

In sum, an election board thus may not automatically remove registered voters simply on the grounds that the voter's residences have been condemned or razed. That individual might still be living in the jurisdiction and otherwise entitled to vote. The Attorney General has not issued a formal opinion on the issues you raised, but 69 *Opinions of the Attorney General* 138 (attached, though appearing sideways) addresses the eligibility of homeless persons. In that Opinion, Attorney General Sachs concluded that "a person who is otherwise qualified to vote is entitled to register, notwithstanding the fact that the person is homeless, if (i) the person presents satisfactory evidence that he or she presently maintains a fixed domicile, and (ii) the person specifies his or her mailing address." 69 OAG at 143-44. That opinion recognizes that someone who is rendered homeless by the razing of their residence is still eligible to register under certain conditions.

The board might find it appropriate to take additional actions if the local board were to receive a voter registration application listing a residence that had been razed *before* the application was submitted, assuming that the applicant was not a military or overseas voter who did not know that the building had been razed. Removal from the voter registration list, however, must be done in accordance with EL §§ 3-501 through 504.

I'll ask Jeff to take a look at this when he returns; he may well have a more nuanced view. But I'd be surprised if he reached the opposite conclusion.

## MEMORANDUM

To: Maryland State Board of Elections  
From: Jeffrey L. Darsie, Assistant Attorney General  
Date: May 13, 2016

Re: Using Federal Jury Information on Citizenship Status

I've been asked to advise the members of the State Board on whether the State Board may remove voters from the statewide voter registration list based on information from federal jury commissioners about prospective jurors who self-report that they are not U.S. citizens and are excused from jury service.

### *Summary Conclusion*

In general, I believe the State Board may use such information to maintain the accuracy of the voter registration list, but only under certain conditions. First, the voter removal program would have to be uniform and statewide, as required by the National Voter Registration Act of 1994 ("NVRA"), 52 U.S.C. § 20501 *et. seq.*, at § 20507(b)(1) (requiring voter removal programs to be uniform, non-discriminatory, and in compliance with the Voting Rights Act). Second, before someone is removed from the registration list, he or she must be given notice of the proposed action and an opportunity to be heard. Third, it seems more likely than not that General Assembly authorization would be needed to implement such a program, as well as the willing participation of the federal jury commissioner. I've found no federal law that would prohibit a federal jury commissioner from giving information on jury decliners to the State Board, but I don't know whether resource, staffing or other concerns would prevent the jury commissioner from providing it.

## DISCUSSION

The NVRA requires that states take certain actions to maintain the accuracy of each state's voter registration list. Among them is the requirement to "conduct a general program that makes a reasonable effort to remove the names of ineligible voters from the official lists" due to the registrant's death or change of residence. *Id.*, § 20507(a)(4). The statute does not refer to removal programs based on non-citizenship, but federal courts have recognized that such programs are permissible under the NVRA.<sup>1</sup> *See, e.g., U.S. v. Florida*, 870 F.Supp.2d 1346, 1349-50 (N.D. Fla. 2012).

Certain requirements or standards apply to "systematic" voter removal programs, but not to "individualized" removals. In my view, courts would most likely decide that a removal program based on jury declinations is a systematic program, such that it must be "uniform" throughout the State and must be completed at least 90 days before an election, giving voters an opportunity to rectify any errors before the election. *See Arcia v. Florida Sec'y of State*, 772 F.3d 1335, 1344 (11<sup>th</sup> Cir. 2014) (interpreting "systematic" program to be one not relying on individualized information or investigation). At issue in *Arcia* was a program to remove ineligible registrants based on data-matching between the State's voter registration list and the Systematic Alien Verification for Entitlements ("SAVE") database of the U.S. Department of Homeland Security. Registered voters who were included in the list of verified aliens were given notice of the proposed removal and a chance to respond. The *Arcia* court considered that program to be "systematic" in part because it was not based on individual investigation. The court also reasoned that because the statute includes specific, narrow exceptions to the 90-day provision in only three situations—at the registrant's request, due to felony conviction, or upon the death of the registrant—no other exceptions should be recognized.

Maryland's removal program using state court data on jury decliners is also not used during the 90 days preceding an election. State law authorizes the State Board to use certain information obtained from prospective jurors in state courts, including on those who have died, moved, or who are not U.S. citizens. Md. Code Ann., Courts & Judicial Proceedings ("CJP") Article, Vol. II, § 8-105(c). State Board regulations outline the process for removing names from the voter registration lists using information provided by the jury commissioners. Code of Maryland Regulations ("COMAR"), § 33.05.06.06. According to those regulations, registrants are sent written notice of the proposed removal and given an opportunity to object. In short, the State Board has

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<sup>1</sup> In fact, interpreting the NVRA in a way that would prevent a state from enforcing its voter eligibility requirements would raise serious constitutional concerns. *See Arizona v. Inter-Tribal Council*, 133 S.Ct. 2247, 2257 (2013); *Kobach v. Election Assistance Comm'n*, 772 F.3d 1183 (10<sup>th</sup> Cir. 2014).

administered the current program as a “systematic” one; expanding the program to include federal jury decliners would not change that.

Another set of issues that should be addressed relates to how the removal program would operate. As above, SBE’s current practice suggests that if the program is expanded to include federal jury information, the program should work in the same way that removals based on state jury information are currently done. Due process requires that a registered voter can be removed from a voter registration list only with notice and an opportunity to be heard. *Bell v. Marinko*, 235 F.Supp.2d 772, 777 (N.D. Ohio 2002) (citing *Doe v. Rowe*, 156 F.Supp.2d 35, 48 (D. Me. 2001) (discussing analysis of sufficiency of procedures used to remove voters who are ineligible due to mental disability)). Given that the procedures for removing a voter based on the voter’s response to a jury questionnaire mirrors that for removals based on reported change-of-address information, it seems likely that the State Board’s current program satisfies due process requirements.

There is also some uncertainty as to the State Board’s existing authority to request federal jury information and to implement a list maintenance program based on that data. State law prescribes in detail what sources of information are to be used in maintaining the state’s voter registration list, so I would be cautious about inferring that the State Board has broader authority to adopt new voter removal programs based on other sources. Also, if the federal jury list were to differ significantly from the state list in the way it’s compiled, that would be another factor weighing against the existence of an implied authority by the State Board to use federal jury information. On the other hand, the program at issue in *Arcia* was not established legislatively, but was implemented under the authority of the Secretary of State. Considering the arguments both for and against, I would lean toward the conclusion that the State Board lacks authority to expand the current program without legislative approval.

Finally, based on my research and on email discussion with HAVA attorneys in other states, it appears that few other jurisdictions receive federal jury information for purposes of maintaining the voter registration list. That conclusion gets further support from the survey results contained in a 2005 report to Congress by the Government Accountability Office. See GAO-05-478, “Additional Data Could Help State and Local Elections Officials Maintain Accurate Voter Registration Lists” (June 2005). According to the survey, the ability or willingness of federal jury commissioners to systematically provide citizenship information to State officials is variable. The Report states that

[F]ederal jury administrators’ opinions on the feasibility of providing . . . [such] feedback were mixed. For example, 7 of the 11 district officials who commented on feasibility

indicated that providing feedback to election officials regarding non-citizens is currently possible while 4 other[s] . . . claimed the responsibility would be difficult due to staffing constraints.

*Id.* at 43. In short, the federal jury commissioner's ability or willingness to provide citizenship information can't be taken for granted, though from the survey it appears that most jury commissioners consider it feasible.

**House Bill 898 (Chapter 852)**

Title: - Election Law- Campaign Finance- Coordinated Expenditures

Effective Date: October 1, 2017

This bill:

1. Prohibits a person from making coordinated expenditures in excess of the contribution limits.
2. Prohibits person from making donations to a person for the purpose of making coordinated expenditures in excess of the contribution limits.
3. Prohibits a candidate or political party from being a beneficiary of the coordinated expenditure in excess of the contribution limits.
4. Clarifies what actions amount to coordination between independent expenditure entities and candidates.
  - a. Prohibits a family member from organizing and controlling an independent expenditure entity that supports the candidate's candidacy.
  - b. Prohibits sharing of key strategic personnel between the candidate and independent expenditure entity including:
    - i. Responsible officers
    - ii. Political, fund-raiser advisors or consultants, campaign managers for 18 months.
5. Creates a safe harbor provision for the use of vendors and consultants and allows for a vendor, candidate, or independent expenditure entity to seek a declaratory ruling regarding coordination from the State Board.
6. Permits vendors or consultants to establish firewalls to restrict the sharing of information if the firewall is established before the vendor or consultant provides services to both the candidate and the person making independent expenditures in support of the candidate.
7. Authorizes the investigation of potential violations of the coordinated spending limits and mandates a public hearing and report before the imposition of a civil penalty or referral to the Office of the State Prosecutor for criminal prosecution.
8. Establishes penalties for a violation.
  - a. Fines
    - i. 100% of the amount in the excess of the contribution limit (civil)
    - ii. 300% of the amount in the excess of the contribution limit (criminal)
  - b. Personal liability
    - i. Candidates are only liable if it is determined that the candidate engaged in coordination.
    - ii. Only if the fines cannot be paid by the political committees or person.

**House Bill 1498 (Chapter 851)**

Title: - Campaign Finance- Political Organizations- Compliance and Disclosure

Effective Date: October 1, 2017

This bill:

1. Requires a registered agent for independent expenditure groups and participating organizations spending \$50,000 or more on public communications to influence Maryland elections.

2. Clarifies that the liability for persons making independent expenditures and participating organizations includes joint and several liability for the treasurer and persons exercising control over the entity.
3. Prohibits treasurers or individuals who exercise control or direction of the independent expenditure entity and participating organizations from forming new entities until any late fee or civil penalties have been paid.
4. Requires contribution information on a disclosure report by Super PACs.
5. Clarifies the disclosure reporting obligations for participating organizations
  - a. Requires that disclosure reports by participating organizations be updated within 48 hours of spending an additional \$10,000.
  - b. Alters the reporting requirement on donors from top 5 in the previous 12 months to all donors of \$10,000 or more in the last two years unless the donation was expressly stated it was not for political activity.
6. Increases the civil penalties for a participating organization to same level as the civil penalties for an independent expenditure entity.
7. Requires that the organization retain its records for 2 years after the election cycle for audits.
8. Permits Political Action Committees (PACs) to create compliance accounts to be used exclusively for administrative, accounting, and legal costs related to complying with campaign finance requirements and provides that money or other things of value given to the compliance account may not be used for electoral purposes and will not be treated as campaign contributions subject to campaign finance limits.
9. Changes the definition of contribution to exclude costs associated with the establishment, administration, or solicitation of contributions to a political action committee established by a business entity that only solicits contributions from its employees or employees participating in a payroll deduction program.

August 24, 2017

Dear Chairman McManus and Members of the State Board of Elections,

The Board is currently making a number of decisions about absentee ballots that will greatly impact the security of Maryland elections. The 2016 elections highlighted the vulnerabilities of elections in the digital age. Clearly foreign adversaries have taken an interest in America's election processes, and this has probably not escaped the notice of other criminals as well. Billions of dollars are poured into American elections, making them a ripe target for crime. Security concerns must be paramount in all technology used in our elections.

### **Absentee ballot request form**

The proposed new absentee ballot request form does not ask for any authentication information except name, address, and birthdate. The previous paper form required either the voter's driver's license number or the last four digits of their Social Security number.

- This new form would make it extremely easy for a criminal to fraudulently request absentee ballots for any registered voter and have them sent to email addresses set up for that purpose. In fact, a purportedly leaked NSA documents suggests that Russian hackers were exploring that possibility. If this form is a fillable PDF file it would be simple to automate that fraudulent process by mail-merging a voter registration list with that fillable PDF file.
- By contrast, when a voter uses the online interface to request an absentee ballot, they are required to provide all of the above information plus Social Security number (or at least last four digits of it), driver's license number, and date of issue of the driver's license. While these authenticators are not very strong (a MD driver's license number is derived from the driver's name and birthdate, and Social Security numbers are the most widely stolen type of personal identifying information), they at least provide a little more security in the issuance of absentee ballots.
- Maryland uses no other authenticator, such as the voter's signature, to verify that the person requesting the ballot is actually the registered voter. No authentication is done when the marked ballot is received by the Board of Elections. This places great weight upon the authentication method used at the point of issuance of the ballot.

**Recommendation:** This disparity in authentication methods should be eliminated. A voter who wishes to *receive* their ballot online should be required to *request* their ballot online. This form should remove all mention of ballots delivered online. It should be used solely for requesting paper ballots mailed to a physical address, since fraudulent brick and mortar addresses are more difficult to establish on a large scale than email addresses.

### **Online delivery of absentee ballots**

Maryland allows any absentee voter to receive their ballot online. This practice is not mandated by state law, which merely authorizes it. The decision to extend this option to all absentee voters was made by the State Board's administrative staff without the explicit approval of the Board.

- Combined with uniquely weak authentication of absentee voters' identity, this practice makes Maryland stand out as a potential target for absentee ballot fraud.
- Absentee ballots delivered online have a significantly lower rate of return — about 12% — than ballots mailed to voters.

- Ballots printed and mailed by voters cannot be counted using the scanning equipment with which regular absentee ballots are counted. These ballots must first be transcribed onto real absentee ballot paper to be read by the scanners. This places a huge unfunded mandate on local boards of election. It is a labor-intensive process which must be completed in a very short time frame.
- The percentage of voters who request their ballots to be delivered online is increasing among absentee voters. Most are unaware of the back-end process required to count their ballots, and do not realize that they will never see the ballot that is counted on their behalf.

**Recommendation:** Maryland should restrict online delivery of absentee ballots -- as most states do -- to those categories of voters for whom it is mandated by federal law: military and overseas voters and voters with disabilities that would prevent them from marking a traditional paper ballot. Official paper ballots are more secure, have a greater rate of return, and expedite the processing and counting of absentee ballots. They should be used by all absentee voters who are able to use them.

### **Absentee ballot duplication**

The burden of duplicating huge quantities of voter-printed ballots before they can be counted is causing Maryland to seek a technological solution to the problem. The RFP for this technology is written in language so vague that it raises more questions than it answers.

- Maryland election law §1–101(xx) defines a voting system as "a method of casting and tabulating ballots or votes." Under that definition, this system of reproducing ballots and tabulating votes qualifies as a voting system.
- Maryland voting systems require certification by a federally accredited laboratory:
  - §9–102(d) The State Board may not certify a voting system unless the State Board determines that:
    - (2) the voting system has been:
      - (i) examined by an independent testing laboratory that is approved by the U.S. Election Assistance Commission; and
      - (ii) shown by the testing laboratory to meet the performance and test standards for electronic voting systems established by the Federal Election Commission or the U.S. Election Assistance Commission;
- No technology that performs this ballot duplication function has ever been certified by the USEAC.

**Recommendation:** This essential part of the voting equipment should require the same type of rigorous inspection, testing, and certification that all other parts of the voting system require, and should be certified to federal voting system standards.

We appreciate your consideration of these comments in weighing the important decisions you are making about absentee voting. The security and integrity of Maryland's elections are at stake in these choices.

With greatest respect and appreciation for all you do for the voters of Maryland,

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***SAVE our Votes is a nonpartisan grassroots organization working for Secure, Accessible, Verifiable Elections in Maryland.***