

1. Announcements & Important Meetings

Welcome to SBE

Zeeshan Khan joined SBE's team last month. Zeeshan is part of the information security team and will be working on categorizing various systems and documenting the applicable technical and operational controls applicable to each system in accordance with standards established by the National Institute of Standards and Technology and the State's Department of Information Technology. Zeeshan is currently working with the Voter Registration Division to categorize MDVOTERS, and we are pleased to have him as part of our team.

Renee Crumlin joined our team on December 2nd. Renee is tasked with handling the front desk receptionist area. This is always a busy area with switchboard duties, coordinating visitor arrival and identifying how best to accommodate the needs of each person coming through our doors.

Charneice Fox joined SBE on November 10th. Charneice will be primarily assisting the Candidacy and Campaign Finance Division but also providing extra help to other Divisions with tasks to prepare for and conduct the upcoming elections. We are glad to have them as members of the team.

Election Directors' Meeting

We hosted an Election Directors' conference call on November 14th and will host an in-person meeting on December 19th. A summary of the November 14th call will be included in the meeting folder, and we will provide a summary of the December meeting in the January meeting folder.

Center for Internet Security's Verifying Non-Voting Election Technology Workshop

On November 14th, Nikki Charlson attended a workshop to discuss a future process of certifying non-voting election systems (*e.g.*, voter registration databases, election night reporting systems). At this workshop, invited participants discussed a white paper drafted by The Center of Internet Security (CIS) on a possible process of certifying these election systems. The proposed process would include an intensive, initial architectural and process review of an election system and incremental, quicker reviews of updates. Discussions included identifying the entity or entities to perform this certification, the role of accessibility and usability in the certification process, and whether the proposed architectural and process reviews were sufficient to establish confidence in the certification process.

Special Election for the 7th Congressional District - Updates

We have been working hard to prepare for the upcoming special elections for the 7th Congressional District.

- Thirty-three candidates filed for the special primary election for the 7th Congressional District, U.S. House of Representatives.
- The ballots have been designed, posted, and are being printed.
- With one exception, the voting locations for the special primary election will be the same as for the combined presidential primary and special general election. One voting location in Baltimore County was not available on February 4th, so voters in that precinct will be moved to another location just for the special primary election.
- The voter look-up website has been updated to reflect the special election and the one precinct in Baltimore County where the voting location is different than other elections.

- The online voter registration and absentee request system is being updated to allow users to select an absentee ballot for the special elections.
- The deadline to transmit absentee ballots to requesting military and overseas voters is December 21st. The mail house and the online ballot delivery system will be ready to transmit before that date.
- The call center to support SBE and the Baltimore City and Baltimore County Boards of Elections will begin on January 13th and run through February 7th. The call center representatives will handle questions from voters about where to vote, when to vote, etc. and allow SBE to handle the more complex questions.
- Weekly meetings are held to identify unique needs and requirements for the conduct of a special primary and a combined special general and presidential primary.
- An identified issue is the qualification of 17 year olds to vote in the special elections. If a 17 year old will be 18 by April 28th, the voter qualifies to vote in both the special primary and special general and the presidential primary. However, if the 17 year old will be 18 after April 28th, that voter would only qualify to vote in the presidential primary - but not the special elections. This issue requires development of specific instructions, election judge training and notation in the poll books.

SBE Data Centers

The current data center contract with Sidus Group ends on December 31, 2019. At its November 20th meeting, the Board of Public Works (BPW) approved a new data center contract between SBE and Koniag Services, starting January 1, 2020 and extending for up to approximately six years. Koniag Services' technical proposal was very strong, as they are currently one of a handful of data centers with a "high" data center certification from the federal government.

While we look forward to transitioning our primary and back-up data centers to Koniag, the ability to make this transition is impacted by the special primary election for the 7th Congressional District. Transitioning data centers will require downtime, and it is not feasible to prepare for the special primary election on February 4th and have downtime for MDVOTERS, the online voter registration and ballot request system, and the online ballot delivery system in the weeks leading up to this election. Additionally, it is expected to take between 3-6 months to obtain the necessary connections at the new data center to the State's network. As a result, SBE requested and BPW approved an extension of the current contract with Sidus for at least six months with the option to extend through December 31, 2020.

2. Election Reform and Management

New Social Media Campaign - #TrustedInfo2020

Cortnee Bryant is working with the National Association of Secretaries of State (NASS) to promote #TrustedInfo2020. This campaign is a nationwide effort to help combat the spread of wrong election related information by reminding the public that election officials are the trusted source for election related information. The campaign also aims to drive people directly to their election office's website to get accurate election information, encourages people to "think before you link," and to be careful what they believe, share or post on social media.

Election Judges' Manual for the 2020 Elections

All chapters submitted by the local boards have been reviewed, approved and sent back to the local boards so printing and training can begin. The first training classes will begin January 6th.

State Employee Administrative Leave for Election Judges

Prior to each election cycle, we ask the Department of Budget and Management (DBM) to grant administrative leave to State employees who serve as election judges. DBM approved the administrative leave for the 2020 elections, including the Special Primary Election for the 7th Congressional District.

"I Voted" Sticker Contest

The public voting period to decide the design of the "I Voted" stickers ended on November 15th. During the ten day public voting period, over 27,000 votes were cast. The winners of the contest will be announced live on Facebook on December 16th at 9 am. Erin Perrone will attend the announcement at the offices of the Maryland State Department of Education.

3. Voter Registration

MDVOTERS

Currently, the Voter Registration Division is conducting a mock election for the 7th Congressional District special election. Almost all modules of MDVOTERS, including candidacy, absentee, list maintenance, election workers, provisional voters, and ballot processing, are being tested.

MVA Transactions

During the month of November, MVA collected the following voter registration transactions:

New Registration - 8,812	Residential Address Changes - 19,755
Last name changes - 2,835	Political Party Changes - 4,378

Non-Citizens

The following summarizes relevant activity from November:

Submitted to the Office of the State Prosecutor - 7
Removal of non-citizens - 7
Removal of non-citizens who voted - 1
Removal of non-citizens who voted multiple times - 2
Non-citizens reported by Immigration & Customs Enforcement - 0
Change in status from Office of the State Prosecutor - 0

4. Candidacy and Campaign Finance (CCF) Division

Candidacy

Currently, 72 candidates have filed at SBE for the 2020 presidential election cycle.

Enforcement Actions

The CCF Division received the payments for the following civil penalties:

1. Friends for Alonzo Washington paid a civil penalty of \$100.00 on November 1, 2019 for failing to record all contributions and expenditures.
2. Friends of Delaneo Miller, 24th District paid a civil penalty of \$50.00 on November 6, 2019 for failing to record all contributions and expenditures.
3. F. O.P Political Action Committee paid a civil penalty of \$300.00 on November 8, 2019 for failing to record all contributions and expenditures.
4. Friends of Phil Kauffman paid a civil penalty of \$25.00 on November 25, 2019 for making a cash disbursement of greater than \$25.00.

5. Team 41 for the People Slate paid a civil penalty of \$50.00 on November 27, 2019 for failing to include an authority line.
6. Friends of Joe Hooe paid a civil penalty of \$25.00 on November 25, 2019 for making a cash disbursement of greater than \$25.00.

5. Project Management Office (PMO)

Inventory Management

SBE continues to dispose of equipment via the State's disposal process that includes auctioning, recycling, transferring, or trashing of the items.

The PMO and other inventory stakeholders from the local boards of elections are in the process of testing an upgrade to the inventory system. This upgrade is expected to be installed in the production environment the first week of January.

Procurements

The PMO continued to work on several procurements. All the additional privacy sleeves for the 2020 election cycle were delivered to the local boards. The black precinct carts are now in production at the Maryland Correctional Enterprise (MCE) facilities, and the deliveries have started and will continue through early February. The additional precinct voting booth procurement was completed and awarded. The booths are scheduled to be delivered in February 2020.

The PMO is preparing for the start of the contract management requirements for the Election Resource and Other Support Task Order Request for Proposal agreement.

Other

The BPW approved a new lease for SBE's Central Warehouse facility in Glen Burnie. The new lease starts on February 2, 2020. The PMO is working with the IT Division and the State's Department of Information Technology to complete the network and internet connectivity to the Central Warehouse facility.

6. Voting System

Electronic Pollbooks

SBE received from ES&S the final build of EZRoster (pollbook software) on November 15, 2019. The final build has been provided to the local boards of elections to complete the software upgrades on all pollbooks in preparation for the upcoming 2020 elections. SBE has requested that all local boards complete pollbook software upgrades by January 2020.

SBE continues to work on implementing wide area network on election day in six local jurisdictions. A second connectivity test was conducted on November 12, 2019, at three local boards (Anne Arundel, Howard and Montgomery) and was successful.

At the December 4th meeting of the BPW, SBE presented for approval the procurement of 1,355 Cradlepoint routers. The routers will be utilized to establish connectivity between the polling places on election day in the six jurisdictions and SBE headquarters. The procurement for the Cradlepoint routers was approved.

Voting System

SBE continues to work with ES&S to offer training to the local boards of election on Electionware, voting equipment and associated applications for the voting system. Training will cover several election related activities including creating media, conducting logic and accuracy testing, and uploading election results. Training is expected to begin in January 2020. To date, over 35 training requests have been received. SBE is currently working with ES&S to define a training schedule to ensure all requested training is delivered.

SBE received BPW approval to remove from the contract with ES&S upgrade-related services. In August, we received approval to amend the contract to include services to upgrade the voting system. When we decided not to upgrade the voting system, we were required to remove from the contract those services. The removal of these services was approved at the December 4th BPW meeting.

Michael R. Cogan, Chairman
Patrick J. Hogan, Vice Chairman
Malcolm L. Funn
Kelley Howells
William G. Voelp



Linda H. Lamone
Administrator

Nikki Charlson
Deputy Administrator

Memorandum

To: State Board Members
From: Erin Perrone
Date: November 13, 2019
Re: Final Adoption of Regulations

At the December board meeting, I will present for final adoption the regulations approved for publication at the August 2019 meeting. The memorandum and proposed regulations from the August meeting are attached.

These proposed regulations were published in the October 11, 2019, issue of the *Maryland Register* (Vol. 46, Issue 21). The public comment period closed on November 12, 2019. We received one public comment in regards to Subtitle 02 - Meetings and Training.

The regulations ready for final adoption at the December 2019 meeting are:

1. **33.02.04 - Election Day Page Program:** Comments were received from the Montgomery County Public Schools (MCPS), and a copy of the letter is attached. The MCPS supports the implementation of the program and encourages all counties to participate. MCPS encourages lowering the minimum age of participants. *Recommend adopting as published.*
2. **33.11.01 - Definitions; General Provisions:** No comments were received. *Recommend adopting as published.*
3. **33.11.03 - Issuance and Return:** No comments were received. *Recommend adopting as published.*

If you have any questions about the published regulations or comments before the meeting, please do not hesitate to contact me. I will, of course, be at the next meeting to answer any questions.

STATE BOARD OF ELECTIONS

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Deputy Administrator

Memorandum

To: State Board Members
From: Erin Perrone
Date: July 31, 2019
Re: Proposed Regulations – Subtitle 02

At the next board meeting, I will propose new regulations to Subtitle 02 – Meetings and Training. The proposed new regulations reflect a law enacted by the 2019 General Assembly under Election Law Article §10-401 through 405 under a new subtitle, “Subtitle 4. Election Day Page Program.” The program allows 14 and 15 year-old persons to work in a polling place on election day and earn service learning credits for their service.

In collaboration with the Election Judge Workgroup and Dr. Gilberto Zelaya from Montgomery County, the proposed new regulations were drafted. The proposed new regulations will be addressed in a new chapter (04) called *Election Day Page Program* in Subtitle 02 – Meetings and Training.

The proposed new regulations to 33.02 are attached, and this memo summarizes the new regulations.

.01 Definitions (33.02.04.01)

This new regulation defines the term “page” and “program” as described in Election Law Article §10-401.

.02 Purpose (33.02.04.02)

This new regulation describes the purpose of the program as described in Election Law Article §10-402.

.03 Administrator to Develop and Issue (33.02.04.03)

This new regulation details that the State Administrator shall develop and issue a training manual, instruction sheets, curriculum, and an oath and commission for the local boards to implement the program as described in Election Law Article §10-402.

.04 Local Board Participation (33.02.04.04)

This new regulation explains that a local board has the option to participate in the program, notification requirements, and a waiver process as described in Election Law Article §10-403.

.05 Program Requirements (33.02.04.05)

This new regulation describes the steps that a local board shall take to implement the program as described in Election Law Article §10-403

.06 Qualifications (33.02.04.06)

This new regulation explains the qualifications an individual shall meet to qualify as a page in the program as described in Election Law Article §10-404.

.07 Responsibilities (33.02.04.07)

This new regulation lists some responsibilities as described in Election Law Article §10-404 and §10-505.

.08 Prohibitions (33.02.04.08)

This new regulation lists some of activities that are prohibited as described in Election Law Article §10-404.

If you have any questions about this proposed text before the board meeting, please do not hesitate to contact me. I will, of course, be available at the board meeting to answer any questions.

Enclosures: Proposed Regulations

Title 33
STATE BOARD OF ELECTIONS
Subtitle 02 MEETINGS AND TRAINING
Chapter 04 Election Day Page Program

Authority: Election Law Article, §§ 2-102(b)(4) and 2-202(b), and 10-401(c), Annotated Code of Maryland

.01 Definitions.

A. In this subtitle, the following terms have the meanings indicated.

B. Terms Defined.

(1) "Page" means a student selected by a local board participating in the program to assist the local board and election judges in performing duties in a polling place on election day.

(2) "Program" means the election day page program.

.02 Purpose.

The purpose of the program is to provide assistance to election judges in the polling places on election day.

.03 Administrator to Develop and Issue.

The State Administrator shall develop and issue for local boards:

A. A page's training manual;

B. Instruction sheets summarizing certain procedures relating to the program;

C. The curriculum for training pages; and

D. A combined oath and commission.

.04 Local Board Participation.

A. Participation. A local board is not required to participate in the program.

B. Notice of Participation. If a local board decides to participate in the program, the local board shall:

(1) At least four months prior to election day, notify the State Administrator of its participation in the program; and

(2) Except as provided in §C of this regulation, implement the page training program developed by the State Administrator under COMAR 33.02.04.03.

C. Waiver. A local board may request from the State Administrator a waiver of a program requirement. The State Administrator shall respond to a request for a waiver within 5 days of receipt of the waiver.

.05 Program Requirements.

A. Local Board Requirement. A local board participating in the program shall:

(1) Ensure each page received the required training before election day;

(2) Encourage individuals at least 16 years old who apply to the program to serve as an election judge in accordance with Election Law Article, § 10-202, Annotated Code of Maryland;

(3) Certify community service hours for those participants that complete their service;

(4) Use the combined oath and commission required by Regulation .03 of this chapter; and

(5) Remove any individual who is unfit or incompetent for the program, at the discretion of the local board, and the individual may not receive community service hours.

B. Collaboration with School Boards. The local board:

(1) Shall work with the local board of education to obtain appropriate access to the local schools to present the program;

(2) Shall inform the local board of education that a student may obtain community service hours for participating in the program, and that any form used by the local board of education or local schools to certify community service hours should include space for the collection of the following information:

- (a) Name of page;*
- (b) Signature of page's parent or guardian;*
- (c) Signature of local school system representative;*
- (d) Number of hours worked;*
- (e) Signature of a chief judge assigned to the same polling place as the page; and*
- (f) Signature of Election Director or designee.*

C. Allow the State Administrator or designee and/or a representative from the local school system to observe the training program.

.06 Qualifications.

To qualify as a page, an individual shall:

- A. Apply to the local board in the individual's county of residence;*
- B. Be at least 14 years old by election day;*
- C. Be able to speak, read, and write the English language;*
- D. Be available to work at least one full 4-hour shift on election day;*
- E. Complete the required training provided by the local board before election day;*
- F. Take and subscribe to a written oath; and*
- G. Be enrolled in a public, private, independent, or religious school or home-schooled.*

.07 Responsibilities.

A page:

- A. May work up to two 4-hour shifts at a polling place on election day;*
- B. Shall serve under the direct supervision of the chief election judges for the assigned polling place; and*
- C. Shall assist election judges with election day duties as directed.*

.08 Prohibitions.

During service on election day, a page may not:

- A. Engage in any partisan activity while serving as a page at a polling place;*
- B. Handle or touch a marked ballot or voting equipment at any time;*
- C. Use electronic devices inside the polling room; and*
- D. Work on election day unless the individual has completed the training provided by the local board.*



**Comments from Dr. Maria V. Navarro, Chief Academic Officer
Office of the Chief Academic Officer
Montgomery County Public Schools
Rockville, Maryland**

The State Board of Elections proposes to adopt new Regulations **.01—.08** under a new chapter, **COMAR 33.02.04 Election Day Page Program**. This action was considered by the State Board of Elections at its August 22, 2019, meeting. Montgomery County Public Schools (MCPS) wishes to express support and comment on the proposed regulation.

Comment from the MCPS Office of Student and Family Support and Engagement

MCPS agrees with the proposed regulation, as the *Election Day Page Program* is modeled after a program that already is in existence in Montgomery County. In 2004, the Montgomery County Board of Elections established a Future Vote Initiative to recruit students from Grades 6–12 to participate in the election process as a student election aide and, when age appropriate, serve as an election judge. Since the inception of this initiative, the robust program has recruited over 43,000 students including over 10,000 students who have served as an election judge.

The students, families, and community members of Montgomery County have benefitted greatly by this program as will other counties across the state. The proposed regulation only will strengthen student understanding of the election process, increase youth civic engagement, and allow students to earn student service learning hours towards graduation. MCPS students have earned over 93,000 student service learning hours saving the county over 2 million dollars using a volunteer workforce.

MCPS encourages local boards to consider lowering the age limit to students in sixth grade. With appropriate training and planning, Grade 6 students are capable to serve as an Election Day Page with the duties as outlined in the regulation. Maryland students may earn student service learning hours beginning in Grade 6. Should the *Election Day Page Program* be extended to this age group, the program would be in alignment with the state student service learning graduation requirement, thus increasing access and opportunity for students to complete their service learning graduation requirement prior to leaving middle school.

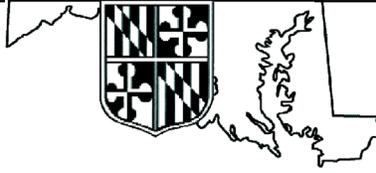
Submitted November 8, 2019.

Office of the Chief Academic Officer

STATE BOARD OF ELECTIONS

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Memorandum

To: State Board Members
From: Erin Perrone
Date: July 9, 2019
Re: Proposed Regulations – Subtitle 11

At the next board meeting, I will propose changes to Subtitle 11 – Absentee Ballots. During the 2019 Legislative Session, a bill was drafted to allow absentee voters to put their voted absentee ballots into a ballot “mailbox” at a designated location. It was determined that allowing absentee voters to submit their voted absentee ballots at an early voting center or a polling place could be written into the regulations that govern absentee ballots.

In collaboration with the Election Judge Workgroup, which is composed of several local board of elections’ Directors, Deputy Directors, and staff members, the process for election judges and voters was determined. The proposed changes to 33.11 are attached, and this memo summarizes the proposed changes.

Absentee Ballots – Definitions; General Provisions (33.11.01.01(8))

This new regulation defines the absentee ballot bag that will be used by each local board at early voting centers and polling places. The bag will be similar to the provisional ballot bag that is currently used, except it will be a different color. A bag is easier for local board staff and election judges to transport back to the local board of elections instead of a type of “mailbox.”

Absentee Ballots – Issuance and Return (33.11.03.06E)

These new regulations outline the process that an absentee voter and an election judge should follow at an early voting center or a polling place. This process was considered by comparing an absentee voter putting the voted absentee ballot into a “mailbox” and is similar to the provisional voting process.

Absentee Ballots – Issuance and Return (33.11.03.08)

This new regulation further defines timely absentee ballots to include absentee ballots that were submitted by 8 pm on election day. When discussing the process with the Election Judge Workgroup, they preferred that the cutoff for voters submit an absentee ballot in-person be at 8 pm. The voted ballot that absentee voters return their ballot via the USPS must be postmarked by 8 pm on election night to be considered timely. In addition, if a voter drops off an absentee ballot at the local election office, it has to be dropped off by 8 pm. The plan is that

Memo to State Board members

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an election judge will ask anyone standing in line at 8 pm if they have a voted absentee ballot they want to drop off. After that, no more absentee ballots will be accepted. Absentee ballots submitted during early voting are also included in this regulation since early voting occurs prior to election day.

If you have any questions about these new regulations before the board meeting, please do not hesitate to contact me. I will, of course, be available at the board meeting to answer any questions.

Enclosures: Proposed Regulations

Title 33
STATE BOARD OF ELECTIONS
Subtitle 11 ABSENTEE BALLOTS
Chapter 01 Definitions; General Provisions

Authority: Election Law Article, §§2-102(b)(4), 2-202(b), 9-303, 9-305, 9-306, 11-301, 11-302, and 11-304,
Annotated Code of Maryland

.01 Definitions.

A. – B. (text unchanged)

(1) – (7) (text unchanged)

(8) *“Absentee ballot bag” means the bag designated by the State Administrator for the collection of absentee ballots at an early voting center or polling place.*

Title 33
STATE BOARD OF ELECTIONS
Subtitle 11 ABSENTEE BALLOTS
Chapter 03 Issuance and Return

Authority: Election Law Article, §§2-102(b)(4), 2-202(b), 9-303, 9-305, 9-306, 9-310, 11-301,
11-302, and 11-304, Annotated Code of Maryland

.06 Return of Ballot.

A. –D. (text unchanged)

E. Ballots Returned at an Early Voting Center or Polling Place. Whenever an absentee ballot is received at an early voting center or polling place, a chief judge or designee shall:

(1) Instruct the voter to put the voted absentee ballot into the absentee ballot bag;

(2) Ensure the security of the absentee ballot bag; and

(3) Return the absentee ballot bag to the local board of elections at the end of voting hours each day of early voting and on election day.

.08 When Ballots Are Timely.

A. (text unchanged)

B. In General. An absentee ballot is considered to have been timely received only if:

(1) The ballot is received by the local board office before the polls close on election day;

(2) *The ballot is received by a polling place before the polls close at that polling place on election day; or*

[(2)] (3) (text unchanged)

(a) – (b) (text unchanged)

(i) - (ii) (text unchanged)

C. (text unchanged)

Michael R. Cogan, Chairman
Patrick J. Hogan, Vice Chairman
Malcolm L. Funn
Kelley A. Howells
William G. Voelp



Linda H. Lamone
Administrator

Nikki Charlson
Deputy Administrator

Memorandum

To: State Board Members
From: Nikki Charlson
Date: November 20, 2019
Re: Final Adoption of Regulations – Post Election Verification & Audit

At the upcoming board meeting, I will present for final adoption the regulations approved for publication at the November 29, 2018, meeting.¹ Attached to this memo are the proposed regulations as published in the *Maryland Register* and my November 2018 memo explaining the proposed changes.

These proposed regulations were published in the October 11, 2019, edition of the *Maryland Register* (Vol. 46, Issue 21). The public comment period closed on November 12, 2019, and we received no comments.

The specific regulations ready for final adoption at the upcoming meeting are:

1. 33.08.05.01 – Definitions
2. 33.08.05.09 – Post-Election Audit – Ballot Tabulation Audit – Manual Audit
3. 33.08.05.10 – Post-Election Audit – Ballot Tabulation Audit – Automated Audit

At the upcoming meeting, I will I recommend that the board provide final approval of these regulations.

If you have any questions about these regulations before the meeting, please do not hesitate to contact me. I will, of course, be at the next meeting to answer any questions.

¹ These adoption process for these regulations were dependent on the final approval and adoption of another set of regulations related to post-election audits and verifications. Once the prior set of regulations (approved for publication at the October 2018 meeting) were effective, the promulgation process for these proposed regulations could start.

Title 33 STATE BOARD OF ELECTIONS

Subtitle 08 Canvassing

Chapter 05 Post Election Verification and Audit

Authority Line: Election Law Article, §§2-102(b)(4), 2-202(b), 9-403, 11-201, and 11-309(f), Annotated Code of Maryland

.01 Definition.

A. (text unchanged)

B. Terms Defined.

(1) *“Automated software audit” is a software audit performed by an entity other than the vendor of the certified voting system.*

[(1)] (2) – [(2)] (3) (text unchanged)

[(3)] (4) *“Precinct” includes an early voting center in Regulations .02 through .06.*

[(4)] (5) – [(5)] (6) (text unchanged)

.09 Post-Election Audit – Ballot Tabulation Audit – Manual Audit.

A. In General.

(1) A local board shall:

(a) At least 10 days before the manual audit starts, provide notice of the manual audit by:

(i) Sending via mail notice to the chairman of the county central committee for each political party, each candidate for the contest to be audited who is not a candidate of a political party, and the State Administrator;

(ii) *Posting on its website the notice; and*

(iii) *Posting in a prominent and publicly accessible location at its office the notice; and*

(b) *Allow [allow], to the extent practicable, for public observation of each part of the manual audit process.*

(2) (text unchanged)

B. (text unchanged)

C. General Election Audit.

(1) (text unchanged)

(2) The State Board shall select the contest to be manually audited and randomly select the *early voting center* and precincts to be manually audited.

(a) *Within 3 days before the start of early voting, the Chair of the State Board or designee shall randomly select 1 early voting center in each county from which a scanner with voted ballots will be manually audited.*

(b) *After 7 pm on the first day of early voting or at the end of the day when the minimum number of ballots to audit is met, a representative of the local board and the chief judges shall select the scanner with the ballots that will be audited.*

[(a)] (c) (text unchanged)

[(b)] (d) (text unchanged)

(3) [A] *The local [board] boards shall conduct a manual audit of voter-verifiable paper records cast during the election as follows:*

(a) For voter-verifiable paper records cast during early voting, [the] *each* local board shall manually audit a number equal to at least 1% of *the total of early votes* cast in the local board’s jurisdiction in the previous comparable general election.

(b) For voter-verifiable paper records cast on election day, [the] *each* local board shall manually audit at least one randomly chosen precinct in the county and any other *precinct* selected by the State Board.

(c) For voter-verifiable paper records canvassed during the absentee canvasses, [the] *each* local board shall audit a number equal to at least 1% of the [statewide] total of absentee ballots *cast in the local board’s jurisdiction* from the previous comparable general election.

(d) For voter-verifiable paper records canvassed during the provisional canvasses, [the] *each* local board shall audit a number equal to at least 1% of the [statewide] total of provisional ballots *cast in the local board’s jurisdiction* from the previous comparable general election.

(4) A local board shall keep the ballots to be audited in secure but separate containers than all other ballots.

[(4)] (5) (text unchanged)

D. *Conducting the Manual Audit – In General.*

(1) *The election director shall determine the appropriate audit method.*

(a) *If the contest to be audited is a “Vote for One” contest, the election director shall use the sort method as specified in §E of this Regulation.*

(b) *For all other contests, the election director shall use the tally method as specified in §F of this Regulation.*

(2) *To prepare for the manual audit, the election director shall:*

(a) *Assemble all materials to conduct the audit;*

(b) *Create batches of a controllable number of ballots (for example, 25); and*

(c) *Appoint the teams to conduct the audit, assigning a team identifier to each team (for example, “Team A,” “Team B,” etc.).*

(3) *To conduct the manual audit, the election director shall:*

- (a) Issue the teams batches of ballots;
- (b) Record in the audit log:
 - (i) The team identifier;
 - (ii) The ballots issued to the team; and
 - (iii) Later, the ballots returned by the team.
- (4) If ballots from more than one precinct are being audited, each team may be issued the ballots of only one precinct at a time.
- (5) If team members do not agree on how a vote should be counted:
 - (a) The team shall refer the ballot to the election director; and
 - (b) The election director shall determine how the vote shall be counted.
- E. Conducting the Manual Audit – Sort Method.
 - (1) One team member shall sort and the other team member shall watch to ensure accuracy.
 - (2) The ballots shall be sorted as follows:
 - (a) A batch for each candidate or ballot question response selected by the voter;
 - (b) A batch for ballots without a vote for a contest being tabulated;
 - (c) A batch for ballots for each officially filed write-in candidates; and
 - (d) A batch for all other write-in votes.
 - (3) Once all of the ballots have been sorted, each team member shall independently count the ballots in each batch.
 - (4) If the team members' results are not identical, they shall retabulate the ballots until they obtain identical results.
 - (5) When the team members' results are identical, they shall:
 - (a) Record the vote totals on the batch tally sheet;
 - (b) Sign the batch tally sheet; and
 - (c) Give the batch tally sheet and the ballots to the election director.
 - (6) The election director shall:
 - (a) Enter the vote totals on the consolidated tally sheets;
 - (b) Compare the results of the manual audit against the voting system results for that precinct; and
 - (c) If there are any unexplainable discrepancies, retabulate the ballots where the discrepancy exists.
- F. Conducting the Manual Audit – Tally Method.
 - (1) Each team shall include one caller, two tally clerks, and one watcher.
 - (2) When practicable, the caller and watcher shall be of different party affiliations.
 - (3) For each ballot:
 - (a) The caller shall call the votes cast in the contest being recounted;
 - (b) The watcher shall ensure the accuracy of the calling; and
 - (c) The two tally clerks shall each independently record the votes as they are called.
 - (4) Periodically, the tally clerks shall compare their results to make sure they are identical.
 - (5) If the results are not identical, the team shall retabulate the ballots, beginning with the point of the last successful comparison check, until the two tally clerks obtain identical results.
 - (6) When all votes in the precinct have been tallied, the tally clerks shall:
 - (a) Record the vote totals on the batch tally sheet;
 - (b) Sign the batch tally sheet; and
 - (c) Give the batch tally sheet and the ballots to the election director.
 - (7) The election director shall:
 - (a) Enter the vote totals on the consolidated tally sheets;
 - (b) Compare the results of the manual audit against the voting system results for that precinct; and
 - (c) If there are any unexplainable discrepancies, retabulate the ballots where the discrepancy exists.
- G. Post-Manual Audit Activities. After all ballots have been manually audited, the election director shall:
 - (1) Complete and sign the contest tally sheet;
 - (2) With 2 days of completing the audit, submit to the State Administrator the results of the manual audit and any suggestions to improve the voting system and voting process; and
 - (3) Present at the next meeting of the local board of elections the results of the manual audit.

.10 Post-Election Audit – Ballot Tabulation Audit – Automated Audit.

- A. The State Administrator shall complete the automated audit of:
 - [A.] (1) (text unchanged)
 - [B.] (2) (text unchanged)
- B. The State Administrator shall not provide the entity performing the automated audit software with detailed results from the voting system until the entity provides the State Administrator with the results generated by the audit.

David J. McManus, Chairman
Patrick J. Hogan, Vice Chairman
Michael R. Cogan
Malcolm L. Funn
Kelley Howells



Linda H. Lamone
Administrator

Nikki Charlson
Deputy Administrator

Memorandum

To: Members of the State Board of Elections
From: Nikki Charlson
Date: November 15, 2018
Re: Proposed Regulations for November 29th Meeting

At the October meeting, I presented proposed regulations for the new post-election ballot tabulation audit. During the discussion related to these regulations, I stated that additional proposed regulations would be forthcoming to address some of the questions and these future regulations could address some of the discussions. Accompanying this memo are additional proposed regulations related to the post-election ballot tabulation audit and other proposed changes required because of voting system or legislative changes. This memo summarizes the proposed regulations and identifies the proposed changes based on the discussion at the October meeting.

1. 33.08.05.01 – Definitions (page 1): In response to the discussion at the October meeting, I defined “automated software audit” and clarified when the term “precinct” includes an early voting center (Regulations .02 – .06) and when it does not (Regulations .07 – .10). Defining “automated software audit” caused the remaining terms to be renumbered.
2. 33.08.05.09 – Post-Election Audit – Ballot Tabulation Audit – Manual Audit
 - a. § A – In General (page 1): This new language requires the local boards of elections to provide notice of the post-election manual ballot tabulation audit. The notice proposed for this audit mirrors the notice required for the absentee and provisional canvasses.
 - b. § C – General Election Audit (pages 1-2): This new language defines the process for selecting the early voting center and the scanner from that early voting center whose ballots will be manually audited and how the selected ballots shall be stored. Based on suggestions by staff of the Department of Legislative Services and edited by the Office of the Attorney General, clarifying text was added to (3)(a) – (d).
 - c. § D – Conducting the Manual Audit – In General (page 2): The subsection explains how the manual tabulation will be conducted and generally how to prepare for and conduct the audit. This language parallels regulations relating to conducting a recount. *See* 33.12.05.03 and .04.

November 15, 2018

- d. § E – Conducting the Manual Audit – Sort Method (pages 2-3): A local board would use the “sort” method to audit a “vote for one” contest. The proposed language parallels the “sort” method for a recount. *See* 33.12.05.05.
 - e. § F – Conducting the Manual Audit – Tally Method (page 3): A local board would use the “tally” method to audit a “voter for more than one” contest. The proposed language parallels the “tally” method for a recount. *See* 33.12.05.06.
 - f. §G – Post-Manual Audit Activities (page 3): This language explains the post-audit reporting requirements.
3. 33.08.05.10 – Post-Election Audit – Ballot Tabulation Audit – Automated Audit (page 4): This proposed language would formalize the current practice of not providing the vendor performing the automated audit results until the vendor has provided the results of its tabulation (*i.e.*, the “prisoner exchange”).
 4. 33.10.02 & .03 – AccuVote TS & Model ES-2000 (page 4): Since we no longer use these voting systems, the proposed changes repeal these two chapters.
 5. 33.12.06 – Recount Procedures – Direct Recording Equipment (page 4): Since we no longer use this voting system, the proposed changes repeal the recount procedures for this voting system.
 6. 33.12.07 & .08 – Challenges and Payment of Costs (page 4): Since Chapter 06 will be repealed (see above), Chapters 07 and 08 are renumbered to Chapters 06 and 07, respectively.
 7. 33.17.01.02 – Early Voting – Definitions; General Provisions – Applicability to Elections (pages 4-5): If a local board is conducting a special election by mail, Election Law Article, § 9-503(c)(4) requires a local board to provide at least 1 voting center and the voting center must be open for several days before election day. Because § B of this regulation currently excludes early voting for special elections, the language should be updated to comply with § 9-503(c)(4). The proposed language makes this change.
 8. 33.17.05.02 – Election Judges – Number of Election Judges (page 5): This proposed change removes the reference to the prior voting system and accommodates the new voting system.
 9. 33.17.07.04 – Early Voting – Post-Early Voting Activities (page 5): Chapter 318 of the Laws of Maryland (2015) amended Election Law Article, § 11-301 to allow observation of the process to generate early voting results. The proposed changes to Regulation .04C incorporate the requirements of § 11-301.

If you have any questions before the November 29th meeting, please do not hesitate to ask. Otherwise, I’m happy to answer your questions at the meeting.

Newly Proposed Early Voting Center for the 2020 Elections

State Board of Elections
December 12, 2019 Meeting

Washington County - 1 early voting center

Washington County Board of Elections Office

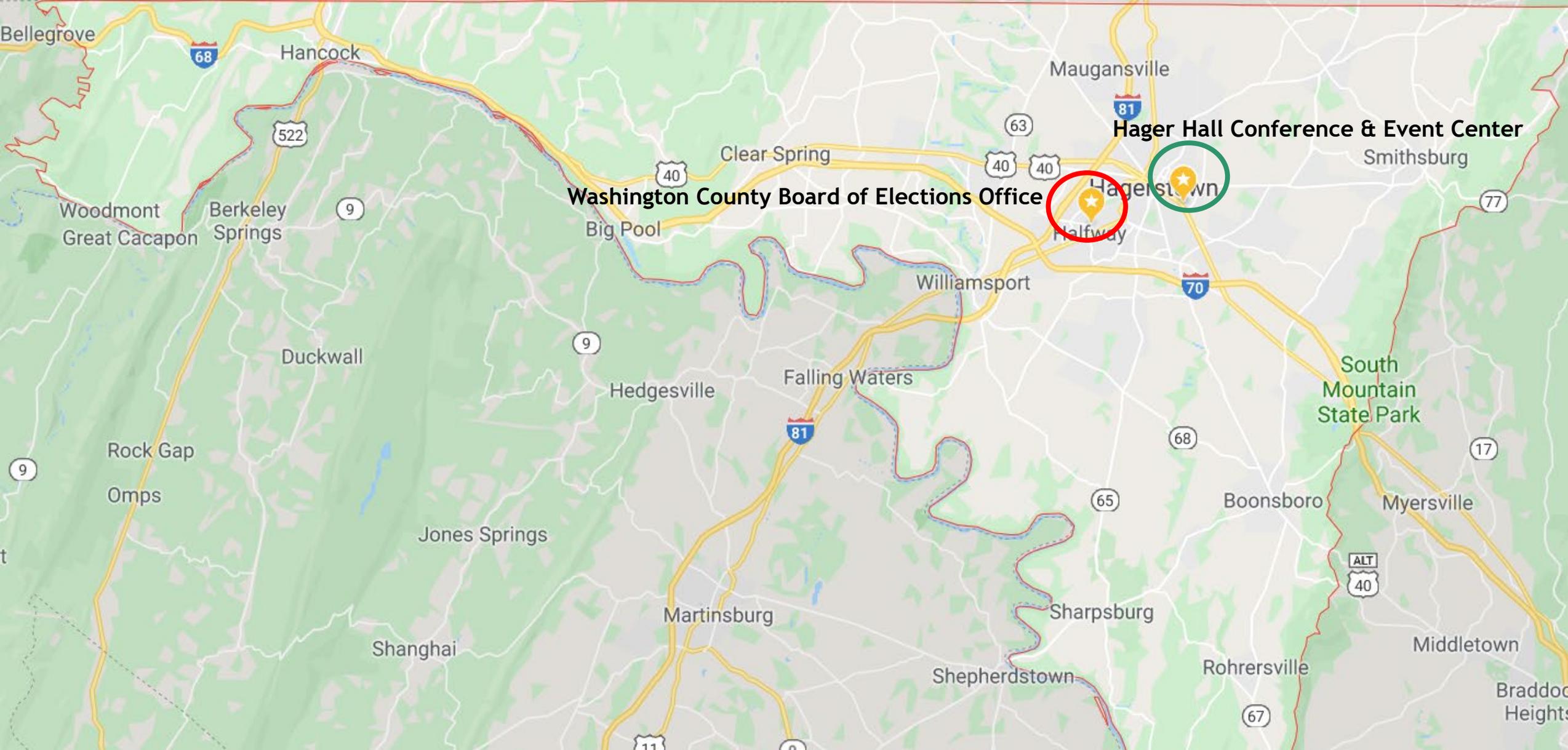
Background Information

- ▶ Late September - Washington County Commissioners approved the purchase
- ▶ Early January to End of March - Renovations set to begin
- ▶ Ready for Early Voting in April

Washington County - 1 early voting center

Washington County Board of Elections Office

- ▶ Replacing the Hager Hall Conference and Event Center
- ▶ 50% of voters live within 10 miles of the center
- ▶ Accessible for 2020 early voting
- ▶ Allows for electioneering
- ▶ Accessible by public transportation
- ▶ Adequate parking
- ▶ Adequate to handle estimated peak voting hour



Location of all Early Voting Centers (RED - proposed new center, GREEN - existing center)

The Washington County Board of Elections is getting a new office building. Their early voting center will be located inside the office building. At least 50% of the registered voters live within 10 miles of one of the early voting center.

Washington County Board of Elections
Front Entrance



Washington County

Washington County Board of Elections

Recommendation: Approve

CLOSE

https://www.heraldmailmedia.com/news/local/early-voting-site-elections-operations-will-get-a-new-home/article_b62e696e-41c7-5a37-8791-e6289e74ecbf.html

Early-voting site, elections operations will get a new home at former grocery store on Virginia Avenue

By Mike Lewis mlewis@herald-mail.com Sep 25, 2019

1 of 2



On Tuesday, the Washington County Board of Commissioners unanimously approved the purchase of the former Shop 'n Save grocery building at 17718 Virginia Ave. for use by the county's Board of Elections.

Buy N

Mike Lewis

A former grocery store will become Washington County's new election headquarters.

The county commissioners Tuesday unanimously approved the purchase of the former Shop 'n Save at 17718 Virginia Ave. as the new Washington County Board of Elections facility. The action also called for what a county document terms a "budget adjustment" of \$1.4 million, which includes \$1.25 million to buy the property and \$150,000 "for limited renovations for functionality."

More than 20 people applauded the commissioners' action. In the audience were members of the election board, staff members, election volunteers and people from the Democratic and Republican parties.

CLOSE

"We are excited about the possibilities that this location has for us," said Kaye Robucci, elections director.

The vote came after a public hearing on the proposed property purchase. No one spoke against the proposal.

Marty Lumm, president of the Board of Elections, spoke in favor. He said the organization has been seeking space for some time.

He called the former grocery store site a "near-perfect solution."

"Our primary concern was a location highly visible to the public (and) near the interstate, main roads and public transportation for easy access for the voters," he said.

The building will allow the Board of Elections to consolidate all of its operations, Lumm said. Currently the elections board office is on West Washington Street, the warehouse is on Tandy Drive, and early-voting sites and election-worker training locations change with every election cycle.

"It also offers a stand-alone site, which should increase security," Lumm said.

The store, which covers about 32,000 square feet, offers "vital space needed for future expansion of the election process," he said.

According to a document prepared by county staff members, the early-voting space could be available for county meetings and scheduled functions when not in use by the Board of Elections.

The former store was listed on the market for \$1.9 million.

“The county has entered into a purchase agreement for \$1,250,000 through negotiations with the seller,” the document states. “The property last sold for \$1,529,277 in September 2016.

CLOSE Funding for the purchase is to come from capital reserves.

The local election board has until Sept. 28 to send state election officials the county’s next site for early voting. Last year, early voting was held at Hager Hall Conference and Event Center in Hagerstown. That venue closed in the spring and is for sale.

Herald-Mail Media reported in November that nearly 9,000 Washington County residents cast ballots during early voting in 2018, soaring past 2014’s total and setting a record for a gubernatorial election.

The county has more than 96,000 registered voters.

Commissioner Wayne Keefer, a former member of the Board of Elections, said Tuesday that changing sites for early voting and poll worker training had caused confusion in the past, and it would be good for the operations to settle into a single site.

“This is a good day, I think, for the Board of Elections and the county as well,” Keefer said.

Voting in favor of the purchase were all five commissioners: President Jeff Cline, Vice President Terry Baker, Commissioner Cort Meinelschmidt, Commissioner Randy Wagner and Keefer.

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Veteran driver appreciates involvement in Wreaths Across America project

By D.M. Bowman





Map data ©2019 Google

Mike Lewis

Mike Lewis covers business and economic issues and the town of Hancock for Herald-Mail Media. He can be reached by email at mlewis@herald-mail.com.

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Each local board of elections must ensure that voting during early voting and on election day continues without interruption if all or some combination of the equipment fails, is inoperable, or is unavailable.

General Contingency Plan Requirements

1. Within 2 hours of the equipment failing or becoming inoperable or unavailable:
 - a. The equipment must be functioning; or
 - b. Replacement equipment must be delivered and functioning.

The appropriate contingency supplies must be used until the deployed or replacement equipment is functioning.

2. Except for electronic pollbook back-up supplies and extended hours voting supplies, a local board can distribute the contingency supplies to an early voting center or a polling place before voting starts (*e.g.*, with other election supplies) **or** if they are needed.
 - a. If a local board distributes contingency supplies before voting starts:
 - 1) The local board must label the supplies and specify when they are to be used; and
 - 2) The election judges must immediately use the contingency supplies and continue using them until the deployed or replacement equipment is functioning.
 - b. If a local board distributes the supplies only if needed, the election judges must use the regular provisional voting process to facilitate voting until one of the conditions in §1 above is met. All contingency supplies must be delivered within 1 hour during early voting and within 2 hours on election day.
 - c. Electronic pollbook back-up supplies and extended hours voting supplies **must** be deployed with the election judges.
3. A chief judge must notify the local board of the need for the contingency plan. A local board can require the chief judges to provide notice before or immediately after implementing the plan.

Early Voting Contingency Plans

1. *Electronic Pollbook Back-Up* – Use this contingency plan if **none** of the electronic pollbooks at an early voting center are functioning. Keep the plan in place until the deployed or replacement electronic pollbooks are functioning.
 - a. For counties with one early voting center:
 - 1) To check in voters, use:
 - a) At least one computer with: (1) the pollbook emulator software¹ to check in voters; and (2) a searchable list of registered voters to look up voters (*preferred option*); **or**
 - b) A paper precinct register (the ballot style number is printed in the precinct register); **and**
 - c) Blank voter authority cards.

¹ SBE will provide pollbook emulator software, a searchable list of registered voters, and instructions for loading software and list onto the computer(s). The searchable list is a back-up to the emulator software in case the emulator software has the same issues as the software on the electronic pollbook.



- 2) For voting, use the ballot style written on the voter authority card to issue each voter a privacy sleeve and:
 - a) A pre-printed ballot; or
 - b) A blank ballot activation card if the voter ~~wants~~needs to use the ballot marking device. Write on the back of the ballot activation card the voter's ballot style number, and manually select the voter's ballot style on the ballot marking device.
 - 3) For individuals who want to use the same day registration or address change process, issue a regular provisional ballot application, pre-printed ballot, and orange provisional privacy sleeve.
 - b. For counties with more than one early voting center:
 - 1) To check in voters, use:
 - a) At least one computer with: (1) the pollbook emulator software¹ to check in voters; and (2) a searchable list of registered voters to look up voters; and
 - b) Blank voter authority cards.
 - 2) For voting, use the ballot style written on the voter authority card to issue each voter a privacy sleeve and:
 - a) Pre-printed ballot; or
 - b) Blank ballot activation card if the voter ~~wants~~needs to use the ballot marking device. Write on the back of the ballot activation card the voter's ballot style number and manually select the voter's ballot style on the ballot marking device.
 - 3) For individuals who want to use the same day registration or address change process, issue a regular provisional ballot application, pre-printed ballot, and orange provisional privacy sleeve.
 - c. The following supplies are needed for this contingency plan. The local board must deploy one set of supplies for each early voting center.
 - 1) At least one computer (*preferred*) or one paper precinct register;
 - 2) Blank voter authority cards;
 - 3) Regular provisional ballot applications for the same day registration and address change process;
 - 4) Extra pens; and
 - 5) Instructions for the election judges, including how to select the ballot style on the ballot marking device.
2. *Electronic Pollbook Network* – This contingency plan only applies to counties with more than one early voting center. Use this plan if the network connection for the electronic pollbooks is not functioning. Keep the plan in place until the network connection is restored.
- a. To check in voters, follow the normal process with the electronic pollbooks.²
 - b. For voting, follow the normal process to issue each voter a pre-printed ballot or ballot activation card and privacy sleeve.
 - c. For individuals who want to use the same day registration or address change process, follow the normal check-in and ballot issue process.

² If the network connection is not functioning, electronic pollbooks in the county's other early voting centers will not be updated as voters check in to vote. Once the network connection is restored, these electronic pollbooks will be updated. If any voter voted more than once during this time, election officials will be alerted and will take the appropriate action.



- d. No supplies are needed for this contingency plan.
3. *Ballot Marking Device Back-Up* – Use this contingency plan if **none** of the ballot marking devices at an early voting center are functioning. Keep this plan in place until the deployed or replacement ballot marking devices are functioning.
- a. For all counties:
 - 1) To check in voters, follow the normal process with the electronic pollbooks.
 - 2) For voting, issue each voter a pre-printed ballot and privacy sleeve. After manually marking the ballot, the voter will feed the ballot into the precinct tabulator.
 - b. For counties with one early voting center, also give voters the following options:
 - 1) Go to the local board to vote an absentee ballot;
 - 2) Return to the early voting center later that day or on another early voting day; or
 - 3) Vote on election day.
 - c. For counties with more than one early voting center, also give voters the following options:
 - 1) Go to another early voting center;
 - 2) Go to the local board to vote an absentee ballot;
 - 3) Return to the early voting center later that day or on another early voting day; or
 - 4) Vote on election day.
 - d. The following supplies are needed for this contingency plan. The local board must have one set of supplies for each voting center.
 - 1) Pens; ~~and~~
 - ~~2) Ballot receptacle;~~
 - ~~3) 2) Instructions for the election judges on assisting voters marking ballots; and~~
 - ~~4) Handout with voters' options (as specified in §34(b) or §34(c) above).~~
4. *Voting System Back-Up* – Use this contingency plan if **none** of the ballot scanning units at an early voting center are functioning. Keep the plan in place until the deployed or replacement scanning units are functioning.
- a. For all counties:
 - 1) To check in voters, follow the normal process with the electronic pollbooks.
 - 2) For voting, follow the normal process to issue a pre-printed ballot or ballot activation card and privacy sleeve. After making selections, the voter will put the marked ballot in the emergency compartment. This ballot will be tabulated later.
 - b. For counties with only one early voting center, also give voters the following options:
 - 1) Go to the local board to vote an absentee ballot;
 - 2) Return to the early voting center later that day or on another early voting day; or
 - 3) Vote on election day.
 - c. For counties with more than one early voting center, also give voters the following options:
 - 1) Go to another early voting center;
 - 2) Go to the local board to vote an absentee ballot;
 - 3) Return to the early voting center later that day or on another early voting day; or
 - 4) Vote on election day.
 - d. The following supplies are needed for this contingency plan. The local board must have one set of supplies for each voting center.
 - 1) Ballot receptacle;
 - 2) Instructions for the election judges; and

- 3) Handout with voters' options (as specified in §4(b) or §4(c) above).
- 5. *Extended Voting Hours* – This plan is implemented if a court orders one or more early voting centers to remain open past 8 pm during early voting. Keep the plan in place until the closing time in the court order.
 - a. The local boards must train election judges on extended hours voting and deploy extended hours voting supplies.
 - b. To check in voters, follow the normal process with the electronic pollbooks.
 - c. For voting:
 - 1) For voters who would have voted a regular ballot during normal voting hours, issue a pre-printed paper ballot and extended hours envelope.
 - 2) For voters who would have voted a provisional ballot during normal voting hours, issue a provisional ballot and regular provisional ballot application stamped or marked with an “E.”
 - d. The following supplies are needed for this contingency plan. The local board **must** deploy one set of supplies for each early voting center.
 - 1) Extended hours envelopes in a quantity to be determined by the State Administrator;
 - 2) Regular provisional voting applications (stamped or marked with “E” written on the application) in a quantity to be determined by the State Administrator;
 - 3) Instructions for the election judges; and
 - 4) Forms for election judges to complete at the end of extended voting hours.

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Election Day Contingency Plans

- 1. *Electronic Pollbook Back-Up* – This contingency plan is implemented if **none** of the electronic pollbooks in a precinct are functioning. Keep the plan in place until the deployed or replacement electronic pollbooks are functioning.
 - a. To check in voters, use a paper precinct register and blank voter authority cards.
 - b. For voting, follow the normal process to issue a pre-printed ballot or ballot activation card and privacy sleeve. If a voter ~~wants~~**needs** to use the ballot marking device, write on the back of the ballot activation card the voter's ballot style number and manually select the voter's ballot style on the ballot marking device.
 - c. The following supplies are needed for this contingency plan. The local board must deploy one set of supplies for each precinct.
 - 1) Paper precinct register;
 - 2) Blank voter authority cards; and
 - 3) Instructions for the election judges.
- 2. *Electronic Pollbook Network* – This contingency plan only applies to counties with an election day network³. Use this plan if the network connection for the electronic pollbooks is not functioning. Keep the plan in place until the network connection is restored.
 - a. To check in voters, follow the normal process with the electronic pollbooks.
 - b. For voting, follow the normal process to issue each voter a pre-printed ballot or ballot activation card and privacy sleeve.

³ The counties with an election day network are Baltimore City and Anne Arundel, Baltimore, Howard, Montgomery and Prince George's Counties.

This policy supersedes SBE Policy 2007-01 as revised April 2008 and SBE Policy 2010-02, 2011-01, 2015-01, and 2016-01, 2016-2, and 2017-1, and 2018-1. The changes in 2018-1 are the result of Chapter 524 of the 2018 Laws of Maryland (HB 1331).

- [c. For individuals who want to use the same day registration process, follow the normal check-in and ballot issue process.](#)
 - [d. No supplies are needed for this contingency plan.](#)
3. *Ballot Marking Device Back-Up* – Use this contingency plan if **none** of the ballot marking devices in a precinct are functioning. Keep this plan in place until the deployed or replacement ballot marking devices are functioning.
- a. To check in voters, follow the normal process with the electronic pollbooks.
 - b. For voting, follow the normal process to issue a pre-printed ballot and privacy sleeve.
 - c. The only supplies needed for this contingency plan are instructions for the election judges. The instructions must include how election judges can provide assistance to voters with disabilities. The local board must have one set of instructions for each precinct.
4. *Voting System Back-Up* – This contingency plan is implemented if the ballot scanning unit in the precinct is not functioning. Keep the plan in place until the deployed or replacement ballot scanning unit is functioning.
- a. To check in voters, follow the normal process with the electronic pollbooks.
 - b. For voting, follow the normal process to issue a pre-printed ballot or ballot activation card and privacy sleeve. After marking the ballot, the voter will put the marked ballot in the emergency compartment. This ballot will be tabulated later.
 - c. The only supplies needed for this contingency plan are instructions for the election judges. The local board must provide one set of instructions for each precinct.
5. *Extended Voting Hours* – This plan is implemented if a court orders one or more precincts to remain open past 8 pm on election day. Keep the plan in place until the closing time in the court order.
- a. The local boards must train election judges on extended hours voting and deploy extended hours voting supplies with the election judges.
 - b. To check in voters, follow the normal process with the electronic pollbooks.
 - c. For voting:
 - 1) For voters who would have voted a regular ballot during normal voting hours, issue a pre-printed paper ballot and extended hours envelope.
 - 2) For voters who would have voted a provisional ballot during normal voting hours, issue a provisional ballot and regular provisional ballot application stamped or marked with an “E.”
 - d. The following supplies are needed for this contingency plan. The local board must deploy one set of supplies for each precinct.
 - 1) Extended hours envelopes in a quantity to be determined by the State Administrator;
 - 2) Regular provisional voting applications (stamped or marked with “E” written on the application) in a quantity to be determined by the State Administrator;
 - 3) Instructions for the election judges; and
 - 4) Forms for election judges to complete at the end of extended voting hours.

ASSISTANT ATTORNEY GENERAL'S REPORT
December 12, 2019

1. *Fusaro v. Davitt et al.*, No: 1:17-cv-03582 (U.S. District Court, D. Md.). Plaintiff Dennis Fusaro brought a complaint in federal court alleging that Maryland violates the First and Fourteenth Amendments by limiting access to the voter list to Maryland voters and only for purposes related to the electoral process. On September 4, 2018, the State defendants' motion to dismiss the complaint was granted, and the plaintiff appealed. On July 12, 2019, the Fourth Circuit vacated the dismissal order, and remanded the case for further proceedings. The Fourth Circuit concluded that Mr. Fusaro had pled a cognizable claim under the First Amendment, but that the State would be entitled to a relaxed level of scrutiny as to whether the limitations violate Mr. Fusaro's rights on remand. On September 12, 2019, plaintiff moved to supplement his complaint. After consultation with the Court, the parties agreed to proceed to a limited discovery period, which closed on November 22, 2019. Mr. Fusaro's motion for summary judgment is due December 20, 2019, and the Defendants' opposition and cross-motion for summary judgment will be due January 17, 2019.

2. *Johnson v. Prince George's County Board of Elections*, No. CAL16-42799 (Cir. Ct. Prince Georges Cnty.). No change from the last update. This case involves a challenge under the U.S. Constitution and Maryland Constitution and Declaration of Rights to the SBE's alleged failure to provide information and access to voter registration and voting resources to eligible voters detained by the Prince Georges County Department of Correction during the 2016 election. The case had been originally filed in the Circuit Court for Prince Georges County but was removed on the basis of the federal claims asserted by the Plaintiffs. On February 27, 2018, the U.S. District Court for the District of Maryland granted SBE's motion to dismiss the Plaintiffs' federal claims, declined to exercise jurisdiction over the state claims, and remanded the case to the Circuit Court for further proceedings. The parties are awaiting further direction from the court.

3. *Judicial Watch v. Lamone*, No. 1:17-cv-02006-ELH (U.S. District Court, D. Md.). No change from the last update. This case involves the denial of access to Maryland's voter registration database. Under Maryland law, access to the voter registration list is limited to Maryland registered voters and only for non-commercial, election-related uses. Judicial Watch—an elections watchdog group located in Tennessee—requested Maryland's voter registration "database" and was denied because it was not a Maryland registered voter. Judicial Watch filed suit, arguing that the

database was required to be disclosed under the federal National Voter Registration Act. On April 24, 2019, Judicial Watch filed a reply in support of its motion for summary judgment. On May 8, 2019, the defendants filed a reply in support of their cross-motion for summary judgment. An August 8, 2019, the District Court awarded summary judgment to the plaintiffs, but requested further briefing on the issue of whether the State Board of Elections should be compelled to produce the dates of birth of voters along with the other voter information available on Maryland's voter registration lists. On September 13, 2019, the parties filed simultaneous briefs on that remaining issue, and on September 20, 2019, filed simultaneous response briefs. The issue is fully briefed and awaiting determination by the Court.

4. *The Washington Post, et al. v. McManus, et al.*, No. 1:18-cv-02527 (U.S. District Court, D. Md.), *on appeal at* No. 19-1132 (U.S.C.A., 4th Cir.). This case presents a First Amendment challenge by a coalition of newspaper publishers that maintain an online presence to certain provisions of the recently-passed Online Electioneering Transparency and Accountability Act (the "Act"). On January 4, 2019, the district court granted the plaintiffs' motion for preliminary injunction on the ground that the plaintiffs' "as applied" constitutional challenge to the statute was likely to succeed. On February 2, 2019, the defendants appealed that ruling to the Fourth Circuit. Oral argument was held on October 30, 2019, and on December 6, 2019, the Court issued an opinion affirming the entry of the preliminary injunction. We are reviewing the decision and considering our options.

5. *Johnston, et al., v. Lamone*, No. 18-cv-3988-ADC (U.S. District Court, D. Md.), *on appeal at* No. 19-1783 (U.S.C.A., 4th Cir.). On December 28, 2018, the Libertarian Party of Maryland (the "Party") and its Chairman, Robert Johnston, filed a lawsuit alleging that the statutory scheme governing the official recognition of minor parties in Maryland, as applied to the Party, was unconstitutional in at least two ways. They alleged that the scheme violates their First Amendment speech and association rights by requiring the Party to undertake the petition process to re-obtain formal recognition under State law, when there are already over 22,000 Maryland voters currently registered as Libertarians. They also alleged that the standard by which Maryland verifies petition signatures is unconstitutionally strict, in that it requires the rejection of signatures of known Maryland voters due to technical noncompliance with the statutory standard. On July 11, 2019, the district court dismissed the plaintiffs' claims, and plaintiffs appealed. Oral argument in the Fourth Circuit has been scheduled for January 29, 2020.

6. *Phukan v. Maryland State Board of Elections*, No. C-2-CV-19-000192 (Cir. Ct. Anne Arundel Cnty.). No change from the last update. On January 23, 2019, Anjali Reed Phukan, who was the Republican nominee for Comptroller in the 2018 election, filed a lawsuit against the State Board of Elections seeking a writ of mandamus directing the State Board of Elections to decertify Comptroller Peter Franchot's campaign committee, an injunction requiring Mr. Franchot and his campaign committee to file corrected campaign finance reports, a declaratory judgment that Ms. Phukan is entitled to examine the documentation supporting any corrected campaign finance reports that Mr. Franchot or his committee files, and a declaratory judgment that Ms. Phukan be issued the oath of office as Comptroller and be awarded back pay and the costs of suit, should Mr. Franchot or his committee fail to file corrected campaign finance reports. On April 15, 2019, the court granted the defendant's motion to dismiss and dismissed the complaint with prejudice. On May 22, 2019, the court denied the plaintiff's motion to vacate the judgment and motion for a new trial. On May 29, 2019, the plaintiff filed a notice for in banc review by the circuit court, and filed her memorandum for in banc review on June 21, 2019. The defendant filed its response memorandum on July 19, 2019. The Court has scheduled argument before the in banc panel for December 30, 2019.

7. *National Federation of the Blind, Inc., et al. v. Lamone et al.*, No. 1:19-CV-02228-ELH (U.S. District Court, D. Md.). On August 1, 2019, the National Federation of the Blind ("NFB"), NFB's Maryland chapter, and three individual plaintiffs filed a lawsuit against the State Administrator and the individual members of the State Board of Elections alleging that SBE's BMD policy has, in practice, violated the rights of voters with disabilities "to an equal opportunity vote in person by a secret ballot," in violation of Title II of the Americans with Disabilities Act and Section 504 of the Rehabilitation Act. Plaintiffs seek an order requiring the State Board "in all future elections to offer BMDs to every in-person voter as the default method of voting, with paper ballots offered only to those voters who affirmatively opt out of using the BMD or in cases where there are long lines of people waiting to vote." On September 3, 2019, defendants filed a motion to dismiss the complaint, and on September 20, 2019, plaintiffs filed a motion for a preliminary injunction. On November 13, 2019, the Court set a hearing date of January 13, 2019, for defendants' motion to dismiss and the plaintiffs' motion for preliminary injunction. The Court also granted leave for Plaintiffs to take discovery in advance of the filing of their reply in support of their motion for preliminary injunction. The plaintiffs' reply is due December 18, 2019.

8. *Hewes v. Alabama Sec’y of State et al.*, No. 1:19-cv-09158-JMF (U.S. District Court, S.D.N.Y.). On October 3, 2019, plaintiff Henry F. Hewes, a putative candidate for the Democratic nomination for President for the 2020 election, sued the unnamed Secretaries of State of 43 states, (including Maryland), alleging that state-imposed limitations on ballot access for federal presidential candidates violate the First and Fourteenth Amendments to the U.S. Constitution. Plaintiff seeks an order compelling the defendants to place the name of the plaintiff and any other candidate who has registered with the Federal Election Commission on the primary ballots of the states named as defendants. The Court has entered a scheduling order pursuant to which a joint motion to dismiss asserting common arguments for dismissal among the defendants is due December 19, 2019.

9. *Chong Su Yi v. Hogan*, Nos. 464985-V, 466396-V (Cir. Ct. Montgomery Cty.), *on appeal at* Nos. CSA-REG-1435-2019, CSA-REG-1437-2019 (Md. Ct. Sp. App.). On around March 28, 2019, plaintiff Chong Su Yi filed two complaints in the Circuit Court for Montgomery County challenging the results of Maryland’s 2018 elections, naming Governor Larry Hogan as defendant. Specifically, Mr. Chong appears to be arguing in the first suit that the results are invalid because of the use of religious facilities as polling places, and in the second suit that the results are invalid because, under Maryland law, unvoters are unable to “negotiate” the terms of the ballots when they mark and cast them, and because the “digital format” of the ballot was not permitted by the U.S. Constitution. On August 8, 2019, the Circuit Court denied motions for default judgment in both cases on the ground that service on the defendant was improper. Plaintiff has appealed those rulings. Since that time, Plaintiff has effected proper service on the defendant, and the defendant has moved to dismiss both cases. On December 9, 2019, plaintiff served an amended complaint in one of the cases in which he appears to have consolidated all of the claims asserted in both cases into a single complaint. A status conference in one of the cases has been scheduled in the Circuit Court for December 27, 2019.

Washington County

Section 3.3 Meeting Agenda and Minutes

Subsection D- Minutes

3. Full minutes of open meetings and summaries of closed meetings *shall be presented for approval at the next Board meeting.*
4. Full minutes of closed meetings *shall be presented for approval at the next closed meeting held by the Board.*

Section 4.2- Political Activity

Subsection B- Additional Requirements

3. A member *may attend* campaign fundraisers held by candidates, political parties, or ballot issue committees provided the member discloses this fact to the Board and does not publicly indicate that he or she is a member of the Board.
 4. A member *may make* campaign contributions to candidates or issues on the ballot in an election for which the member will be serving on the local Board of Canvassers provided the member discloses the contributions to the Board.
 5. A member *may publicly display* support or opposition to candidates or issues on the ballot in any election (including yard signs, bumper stickers, etc.) for which the member will be serving on the local Board of Canvassers provided the member discloses the displays to the board.
 6. A member *may wear campaign* paraphernalia showing support or opposition for or against candidates or issues on the ballot in any election for which the member will be serving on the local Board of Canvassers provided:
 - The member discloses this fact to the Board; and
 - Does not wear the campaign paraphernalia while performing Board functions or while wearing a Board name badge.
-
- No differences from Model Bylaws.

Recommendation: Accept

Anne Arundel County

Section 3.3 Meeting Agenda and Minutes

Subsection D- Minutes

3. Full minutes of open meetings and summaries of closed meetings *shall be presented for approval at the next Board meeting.*
4. Full minutes of closed meetings *shall be presented for approval at the next closed Board meeting, or at the next open Board meeting as long as approval at an open meeting does not jeopardize the need to preserve the confidentiality of the matters discussed at the closed meeting.*

Section 4.2- Political Activity

Subsection B- Additional Requirements

3. A member *may attend* campaign fundraisers held by candidates, political parties, or ballot issue committees provided the member discloses this fact to the Board and does not publicly indicate that he or she is a member of the Board.
 4. A member *may make* campaign contributions to candidates or issues on the ballot in an election for which the member will be serving on the local Board of Canvassers provided the member discloses the contributions to the Board.
 5. A member *shall not publicly display* support or opposition to candidates or issues on the ballot in any election (including yard signs, bumper stickers, etc.) for which the member will be serving on the local Board of Canvassers provided the member discloses the displays to the board.
 6. A member *shall not wear campaign* paraphernalia showing support or opposition for or against candidates or issues on the ballot in any election for which the member will be serving on the local Board of Canvassers provided:
 - The member discloses this fact to the Board; and
 - Does not wear the campaign paraphernalia while performing Board functions or while wearing a Board name badge.
- No differences from Model Bylaws.

Recommendation: Accept

STATE BOARD OF ELECTIONS

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

Michael R. Cogan, Chairman
Patrick J. Hogan, Vice Chairman
Malcolm L. Funn
Kelley Howells
William G. Voelp



Linda H. Lamone
Administrator

Nikki Charlson
Deputy Administrator

Memorandum

TO: State Board Members
FROM: Jared DeMarinis, Director
Division of Candidacy and Campaign Finance
DATE: December 12, 2019
SUBJECT: Waiver of late filing fees standards

Enclosed are the waiver requests, which were submitted by campaign committees that have been assessed late filing fees. The attached Waiver Request Information Page contains an overview of each committee as well as the Administrator's recommendation for Board approval on granting a waiver request.

In the past the Board has considered the following facts in determining whether just cause exists to grant a waiver.

- Administrative error of any kind on the part of the Division.
- The lateness is due to extenuating circumstances, i.e. physical illness or death in the family.
- The late report is the first late report and allows the committee to close, or contains minimal financial activity.
- The fee will cause undue financial hardship, if the liability of the fine is the personal responsibility of the officers.
- 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.

Pursuant to Election Law Article §13-337 (b) (3), the State Administrator has denied two waiver request, for the month of December. No Board action is required on the denials. Late fees collected year to date for Late Fee Waivers are \$37,180.00

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

Waiver Request 12/12/19

1. Ghrist, Jeff Friends of
2. Wilson , Brett Citizens for
3. Bareebe, (Phiona) Quincy Friends of

Waiver Request Information Page

General

Account Name	Ghrist, Jeff Friends of	
CCF ID:	01009488	Status: Active
Date Established	10/23/13	
Date Waiver Requested	11/26/19	
Account Type	Candidate Account	

Officers

Current Treasurer	Michele Ghrist	Start Date: 10/23/13
Responsible Treasurer		
Current Chairman	Jeff Ghrist	10/23/13
Responsible Chairman		

Waiver Request Dates

Late Report	Affidavit	Date Received	Fees	Total Fees	Prior waiver and fees	Referred to OSP
7/22/19 Audit		N/A	\$500	\$500	11/20/18 \$60.00	1/16/19 Referred to OSP \$180.00
			\$	\$	10/26/18 \$370.00	
				Total: \$500		

All required notices were sent to this campaign account for the above listed report(s).

Recent Financial Activity History

Report	Contributions	Expenditures	Cash Balance	Outstanding/ Loans/ Obligations
1/16/19	\$0	\$1000.00	\$842.00	\$
	\$	\$	\$	\$
	\$	\$	\$	\$

Reason for Waiver

The treasurer and candidate are married, because of separation report didn't get filed on time. Still working through details.

Division Comments

Deny report has not been filed.

Administrator's Decision

State of Maryland



Late Fee Waiver Request Form

Instructions: Please print clearly or type. If you assert as the basis for the request that you were personally unable to file the report, please explain why the other responsible parties could not file the report. Please limit your request to this document only. **Requests may only be made by the committee chairman, treasurer or candidate.*

Campaign Account Name: Friends of Jeff Christ Account Number: _____

Date of Request: 11-26-19 Total Amount of late fees: \$ _____

Name of the Requestor(s)*: Jeff Christ

The Requestor is the: Chairman Treasurer Candidate

Waiver of late fees for the following Campaign Finance Report(s): _____

The basis for the request: Between treasurers. Current treasurer is spouse of the candidate. In the process of separation and the report did not get filed in time. Still working through unresolved details.

STATE BOARD OF ELECTIONS

NOV 26 2019

RECEIVED

[Signature]
(Signature)

11-26-19
(Date)

For Board Use Only	
Date Rcvd: _____	Date Heard: _____
Verification: _____	
Bd. Decision. _____	

Maryland State Board of Elections
Division of Candidacy and Campaign Finance

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Waiver Request Information Page

General

Account Name	Wilson, Brett Citizens for	
CCF ID:	01009679	Status: Active
Date Established	1/17/14	
Date Waiver Requested	10/30/19	
Account Type	Candidate Account	

Officers

Current Treasurer	Jami Mullendore	Start Date: 2/20/18
Responsible Treasurer		
Current Chairman	Marvin Weedon	1/07/14
Responsible Chairman		

Waiver Request Dates

Late Report	Affidavit	Date Received	Fees	Total Fees	Prior waiver and fees	Referred to OSP
Pre- Primary 2 Audit		N/A	\$500	\$500	Pre -Primary 1 \$20	N/A
			\$	\$	Post General \$10	
				Total:\$500		

All required notices were sent to this campaign account for the above listed report(s).

Recent Financial Activity History

Report	Contributions	Expenditures	Cash Balance	Outstanding/ Loans/ Obligations
Affidavit	\$	\$	\$	\$
	\$	\$	\$	\$
	\$	\$	\$	\$

Reason for Waiver

The treasurer received the notice and thought she had responded appropriately.

Division Comments

Deny report has not been filed.

Administrator's Decision

To: State Board of Elections

From: Brett R. Wilson

Date: October 30, 2019

Re: Notice AEU-CONC-2019-312 (CCFID: 01009679)

Dear Members of the Board:

On Wednesday, October 30, 2019, I received the above referenced notice that my campaign committee was delinquent for failing to file an amendment to my 6/10/2018 Pre-Preliminary 1 report as requested. When I spoke with Ms. Hanzook this morning, I indicated that there was a notice issue concerning this request. I have since learned that my treasurer did receive the 5/31 and 7/23 mailings from your office, though I did not. In speaking with her, she believed that she had responded appropriately, however, I agree that she had misunderstood the request. I do believe that the initial alleged violation is in error and I ask that the Board dismiss it and the fines that are being assessed.

Below is the link to the Campaign Report for 6/10/18 that is at issue.

As I understand it, the concern is that the Bank Account Balance in Part 2 is substantially more than the cash balance stated in Part 4. The request was to file an addendum to reconcile this difference. My concern is that the information was correct, as explained in the Schedules attached thereto, and that no addendum should have been requested.

In Part 2, the Bank Account Balance is accurately stated at \$13,420.92. This is the amount that showed on the bank statement at that time. As per Part 4, the prior balance was \$13,820.92 as of January 2018. On April 21, 2018, a check was written to Mason Dixon Council BSA for \$400.00 (Schedule 2, sect. V). This check was cashed prior to 6/10/2018 and reduced the balance to \$13,420.92. Checks were then written on 5/18/2018 for \$400.00 to WCRCC, on 6/2/2018 for \$4,000.00 to Hogan Victory Fund, and on 6/3/2018 for \$4,000.00 to Change Annapolis PAC. None of these checks were cashed as of the filing deadline of 6/10/2018, but they had all been issued. This is all reflected in Part 4 of the committee report.

As indicated in the Cash Balance section of Part 4, the Cash Balance is to be the "calculated" cash balance to carry forward for the next reporting period. The cash balance of \$4,474.35 is the correct calculated cash balance on 6/10/2018. As stated above, the 4/18 \$400.00 check had cleared, reducing the bank statement amount to the \$13,420.92 that was reported. The Bank Statement reported and the calculated cash balance reported were different due to the checks that had been issued, but not yet cashed. It would have been incorrect to show a higher cash balance forwarded when those checks had already been issued.

I am requesting that the Board withdraw the initial request for an addendum to the 6/10/2018 Report and that the subsequently issued fine be lifted. Again, for whatever reason, I did not receive the 5/31/19 and 7/23/19 notices concerning the audit and addendum request,

Waiver Request Information Page

General

Account Name	Bareebe, (Phiona) Quincy Friends of	
CCF ID:	01012108	Status: Inactive
Date Established	12/15/17	
Date Waiver Requested	11/19/19	
Account Type	Candidate Account	

Officers

Current Treasurer	Wasswa Sebakijje	Start Date: 12/15/17
Responsible Treasurer		
Current Chairman	Phiona Bareebe	12/15/17
Responsible Chairman		

Waiver Request Dates

Late Report	Affidavit	Date Received	Fees	Total Fees	Prior waiver and fees	Referred to OSP
Pre- Primary 2 Audit		11/19/19	\$500	\$500		11/20/18 Referred to OSP \$20.00
Pre-Primary 1 Audit		11/19/19	\$500	\$500		
				Total:\$1000		

All required notices were sent to this campaign account for the above listed report(s).

Recent Financial Activity History

Report	Contributions	Expenditures	Cash Balance	Outstanding/ Loans/ Obligations
Affidavit	\$	\$	\$	\$
	\$	\$	\$	\$
	\$	\$	\$	\$

Reason for Waiver

I was out of the country because of the loss of my parents.

Division Comments

Grant

Administrator's Decision

RECEIVED
NOV 19 2019
STATE BOARD OF ELECTIONS

State of Maryland



Late Fee Waiver Request Form

Instructions: Please print clearly or type. If you assert as the basis for the request that you were personally unable to file the report, please explain why the other responsible parties could not file the report. Please limit your request to this document only. *Requests may only be made by the committee chairman, treasurer or candidate.

Campaign Account Name: Bareebe, Phiona Quincy ^{Friends of} Account Number: 01012108

Date of Request: 11/19/19 Total Amount of late fees: \$ 1000

Name of the Requestor(s)*: Phiona @ Bareebe

The Requestor is the: Chairman Treasurer Candidate

Waiver of late fees for the following Campaign Finance Report(s): 5/22/18 and 6/15/2018

Amendment Requested by auditor.

The basis for the request: _____

I have admitted and sick and I was out of the country for the loss of my parents. I lost my parents both in a short period of time. Stayed out of the country to attend both Funeral Services.

[Signature]
(Signature)

11/19/19
(Date)

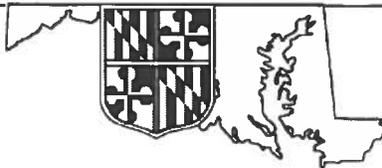
For Board Use Only	
Date Rcvd: _____	Date Heard: _____
Verification: _____	
Bd. Decision. _____	

Maryland State Board of Elections
Division of Candidacy and Campaign Finance
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STATE BOARD OF ELECTIONS

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Michael R. Cogan, Chairman
Patrick J. Hogan, Vice Chairman
Malcolm L. Funn
Kelley Howells
William G. Voelp



Linda H. Lamone
Administrator

Nikki Charlson
Deputy Administrator

Memorandum

TO: State Board Members

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

DATE: December 12, 2019

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 5 late fee waiver request. No Board action is required on the denials.

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. Intertech Security of Maryland, LLC

Denials

1. GTI Maryland, LLC
2. Stewart & Tate, Inc.
3. Veterans Kitchen Maintenance Inc t/a VKM Contracti
4. American Coatings Association, Inc.
5. Schummer Inc.

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

General

Account Name	Intertech Security of Maryland, LLC
BID ID:	14000785
Date Established	12/14/2016
Date Waiver Requested	05/03/2019
Account Type	Title 14 – Persons Doing Public Business

Officers

Current Filer	Ronald Petnuch	Start Date: 12/14/2016
Principal Officer	Ronald Petnuch	Start Date: 12/14/2016

Waiver Request Dates

Late Report	Date Received	Fees	Total Fees
10/26/2018	04/17/2019	\$500	\$500
		\$	\$
		Total	\$500

Prior Waiver and Fees

5/31/2017 rcvd 6/07/2017, late fee \$70, paid

Reason for Waiver

Wife is ill and unfortunately some job duties got neglected.

Agency Comments

Grant



INTERTECH[®]
THE SYSTEMS INTEGRATION EXPERTS

May 9, 2019

RECEIVED
MAY 13 2019
STATE BOARD OF ELECTIONS

Maryland State Board of Elections
Mr. Jared DeMarinis
PO Box 6486
Annapolis, MD 21401-0486

Dear Mr. DeMarinis:

I am writing in regards to a notification received for InterTech Security of Maryland, LLC stating that I did not file my disclosure report and am being fined \$500.

First, my apologies for not filing the Contribution Disclosure Report in a timely manner. Unfortunately, since October of 2018, I have been dealing with a very sick wife and many of my duties have been neglected. Beginning in January, I took a leave of absence to attend to her. Once I received notification that I had not filed, I immediately went online and completed the report.

Currently, we are performing one project that is almost completed in Maryland. Since starting that project, I have been diligent in all of my other filings. I ask that you waive the \$500 late fee.

Thank you for this consideration.

Sincerely,

Ronald M. Petnuch
Chief Operating Officer

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

General

Account Name	GTI Maryland, LLC
BID ID:	14001010
Date Established	11/29/2018
Date Waiver Requested	6/20/2019
Account Type	Title 14 – Employing a Lobbyist

Officers

Current Filer	Raymond Schummer	Start Date: 11/29/2018
Principal Officer	Raymond Schummer	Start Date: 11/29/2018

Waiver Request Dates

Late Report	Date Received	Fees	Total Fees
5/31/19	6/17/19	\$170	\$170
		\$	\$
		Total	\$170

Prior Waiver and Fees

--

Reason for Waiver

They had change in staff and person who filed reports is no longer there.

Agency Comments

The Principal Officer and Filer were 2 separate people and each have the ability to log in BCDS and file the reports when they come up due.
Deny



GREEN THUMB INDUSTRIES INC.
325 W. HURON STREET, SUITE 412, CHICAGO, IL 60654
312.471.6720

RECEIVED

JUN 20 2019

STATE BOARD OF ELECTIONS

June 17, 2019

Via U.S. Mail

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

**Re: Account: GTI Maryland, LLC
BID ID: 14001010**

To Whom It May Concern:

I am writing on behalf of GTI Maryland, LLC ("GTI"). On June 11, 2019, GTI received the enclosed notice stating that the State Board of Elections had not received a Contribution Disclosure Report for the 5/31/19 Spring 2019 period from GTI. Previously, the Disclosure Reports were filed by a former employee, Dana Acton. GTI did not receive any notice that the Spring 2019 Report was due, perhaps because it was directed to Ms. Acton.

Once GTI received the enclosed notice we immediately attempted to file the required disclosures, but for several days we experienced technical difficulties that were only resolved on June 17, 2019, the day that we filed the disclosure report. During the period from June 11-17 we were in regular contact with your department to receive assistance. Now that the technical issues have been resolved, we have removed Ms. Acton from the account, we have added myself as an administrative contact, and we have calendared the next deadline, we are confident that we will timely file the next disclosure report. Therefore, given our good faith efforts to file this report, we are respectfully requesting a waiver of the approximately \$170 in late fees that have accumulated.

Thank you very much for your consideration of this request. Should you have any further questions, please do not hesitate to contact me at (917) 576-5189.

Sincerely,

Jennifer M. Swallow

Senior Paralegal/EA to General Counsel

Enclosure



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

General

Account Name	Stewart & Tate, Inc.
BID ID:	14000873
Date Established	5/1/2017
Date Waiver Requested	7/8/2019
Account Type	Title 14 – Persons Doing Public Business

Officers

Current Filer	Mark A. Harrold	Start Date: 5/01/2017
Principal Officer	Timothy R. Tate	Start Date: 5/01/2017

Waiver Request Dates

Late Report	Date Received	Fees	Total Fees
5/31/19	6/11/19	\$110	\$110
		\$	\$
		Total	\$110

Prior Waiver and Fees

--

Reason for Waiver

They data entered their contribution information, but did realize there was a second step they had to do in order to file to SBE.

Agency Comments

They had no issues with filing previous reports in BCDS. Deny



OBERMAYER

Michael F. Eichert, Esquire
Direct Dial 215-665-3274

Centre Square West
1500 Market Street, Suite 3400
Philadelphia, PA 19102
P 215-665-3000
F 215-665-3165

July 2, 2019

Jared DeMarinis
Director, Division of Candidacy and Campaign Finance
Maryland State Board of Elections
151 West Street, Suite 200
Annapolis, MD 21401

RECEIVED

JUL 08 2019

STATE BOARD OF ELECTIONS

Re: Late Fee Bill – Contribution Disclosure Report
Account: Stewart & Tate, Inc.
BID: 14000873
Report Due Date: May 31, 2019

Dear Mr. DeMarinis:

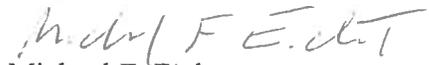
On behalf of Stewart & Tate, Inc., which this office represents, I am writing to request a waiver of the late fee resulting from our inadvertent failure to complete the filing of the Contribution Disclosure Report prior to the due date for the Report. The Report in question relates to the November 1, 2018 to April 30, 2019 reporting period. A copy of the Late Fee Bill is attached for reference. The facts are as follows.

All disclosure information for our client was entered into the Business Contribution Disclosure System (“BCDS”) on May 31, 2019, which is the due date for this reporting period, but the submission was not finalized on that date because of our inexperience and inadvertent error in using the BCDS website. Following receipt of a Fee Running Notice on June 11, 2019, we immediately contacted Ms. Victoria Molina, who confirmed that our disclosure had been entered into the system on May 31. However, Ms. Molina informed us that the submission had not been submitted as final. Ms. Molina advised us on the final step needed to complete the submission through the BCDS website, and this was done the same day.

Because the disclosure information was, in fact, entered into the BCDS system on May 31, we respectfully request that you exercise your discretion and waive the late fee that

has been assessed in the amount of \$110.00. Thank you very much for your consideration in this regard.

Respectfully,

A handwritten signature in cursive script that reads "Michael F. Eichert".

Michael F. Eichert

Attorney for Stewart & Tate, Inc.

w/Enclosure

Business Contribution Disclosure System Waiver Request Information Page – Late Fees

General

Account Name	Veterans Kitchen Maintenance Inc t/a VKM Contracti
BID ID:	14000850
Date Established	8/07/2017
Date Waiver Requested	3/19/2019
Account Type	Title 14 – Persons Doing Public Business

Officers

Current Filer	Blane Phillip Saucier	Start Date: 8/07/2017
Principal Officer	Blane Phillip Saucier	Start Date: 8/07/2017

Waiver Request Dates

Late Report	Date Received	Fees	Total Fees
11/30/2018	3/07/2019	\$500	\$500
		\$	\$
		Total	500

Prior Waiver and Fees

N/A

Reason for Waiver

Says he did not know that after the Initial Report for a contract they were bidding on, he did not know he had to file semi-annual reports.

Agency Comments

Deny

They filed the 11/30/17 and 5/31/2018 timely.



1179 North Van Dorn St. Alexandria, VA 22304

3/12/2019

RECEIVED

MAR 19 2019

STATE BOARD OF ELECTIONS

Jared DeMarinis
Division of Candidacy & Campaign Finance
MD STATE BOARD OF ELECTIONS
P.O. BOX 6486
Annapolis, MD 21401-0486

RE: Letter dated 3/1/19 CONTRIBUTION DISCLOSURE REPORT – NOTICE TO SHOW
CAUSE – DELINQUENT REPORT AND FEE DUE
Bid ID-14000850

Good morning-

We received your letter notifying our company that we owe \$500 in penalty due to not filing the report due 11/30/2018 (11/30/2018 FALL 2018).

I have since receiving notice filed the report online, it was the ALAC, showing zero contributions. We are a small company and cannot afford to make contributions to political candidates. Since we are located in Virginia, I did not know I had to continue filing the report. I only filed the initial one because it was required for a project we were bidding on.

We cannot afford to give to political candidates and cannot afford to pay a penalty for not filing a report basically saying we cannot afford to give to candidates.

We respectfully ask that you rescind the assessment of this penalty.

Sincerely,

Blane P Saucier, President VKM

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

General

Account Name	American Coatings Association, Inc.
BID ID:	14000997
Date Established	11/07/2018
Date Waiver Requested	7/03/2019
Account Type	Title 14 – Employing a Lobbyist

Officers

Current Filer	HEIDI K MCAULIFFE	Start Date: 11/07/2018
Principal Officer	HEIDI K MCAULIFFE	Start Date: 11/07/2018

Waiver Request Dates

Late Report	Date Received	Fees	Total Fees
5/31/19	6/20/19	\$200	\$200
		\$	\$
		Total	\$200

Prior Waiver and Fees

5/31/19 – late fee \$200 - paid

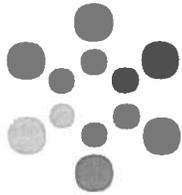
Reason for Waiver

They had staff turnover.

Agency Comments

The new person requesting the waiver is not listed in BCDS as the Principal officer or Filer as of 11/04/19

Deny



AmericanCoatings
ASSOCIATIONSM

July 2, 2019

RECEIVED
JUL 03 2019

STATE BOARD OF ELECTIONS

Maryland State Board of Elections
151 West St., Suite #200
Annapolis, MD 21401

RE: Late Fees

Dear Administrator:

In June of 2019, I took over the duty of managing Ethics Filings for our company. The transition of responsibility experienced a setback causing me to receive the filing notice very late. I see that currently, we have fines totaling \$200.00 and I apologize for our tardiness.

I would like to request a waiver of these fees if possible? Please contact me at 202.719.3698 or with your decision.

Thank you for your consideration.

Sincerely,

Marcus James
Sr. Administrative Assistant, Government Affairs

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

General

Account Name	Schummer Inc.
BID ID:	14001034
Date Established	2/12/2019
Date Waiver Requested	8/19/2019
Account Type	Title 14 – Persons Doing Public Business

Officers

Current Filer	Raymond Schummer	Start Date: 2/12/2019
Principal Officer	Raymond Schummer	Start Date: 2/12/2019

Waiver Request Dates

Late Report	Date Received	Fees	Total Fees
5/31/19	6/19/19	\$190	\$190
		\$	\$
		Total	\$190

Prior Waiver and Fees

--

Reason for Waiver

<p>Couldn't log in to file the report, had an issue with password.</p>

Agency Comments

<p>If they had spoken to staff, we could have manually changed the password for them so they could log in and file.</p> <p>Deny</p>



Vicki Molina -SBE- <vicki.molina@maryland.gov>

Fwd: Late Fee

info sbe -SBE- <info.sbe@maryland.gov> Mon, Aug 19, 2019 at 4:12 PM
To: Vicki Molina -SBE- <vicki.molina@maryland.gov>
Cc: "Ebony R. Parran -SBE-" <ebony.parran@maryland.gov>

----- Forwarded message -----

From: **Donna Schummer**
Date: Mon, Aug 19, 2019 at 1:29 PM
Subject: Late Fee
To: <info.sbe@maryland.gov>

Account: Schummer Inc.

Bid 14001034

I would like to dispute the late fee on this account. I tried to file the report on line, but was not able to do it. I called and spoke to some one in your office, who told me you system was having issues and they were not able to do anything about my password. I called back on another day and was told the correct log on and password. I promptly filed the report.

I would like to have the \$ 190.00 removed from my account. Please confirm receipt of this request.

Regards