

State of Maryland 

State Board of Elections – January 27, 2022 Meeting

Attendees (via conference call):

William G. Voelp, Chair
Malcolm L. Funn, Vice Chair
Severn Miller, Member
Justin Williams, Member
T. Sky Woodward, Member
Linda Lamone, Administrator
Nikki Charlson, Deputy Administrator
Andrea Trento, Assistant Attorney General
Donna Duncan, Assistant Deputy, Election Policy
Mary C. Wagner, Director of Voter Registration
Jennifer McLaughlin, Senior Policy Advisor
Jared DeMarinis, Director, Candidacy and Campaign Finance
Melissia Dorsey, Director of Election Reform and Management
Keith Ross, Director of Project Management

Also Present: Stephanie Taylor, Director, Harford County Board of Elections
Suchitra Balachandran, Committee to Restore Prince George's Term Limits & Our
Revolution Prince Georges
Linda Dorsey-Walker, Resident, Baltimore County

DECLARATION OF QUORUM PRESENT

Mr. Voelp called the meeting to order at 2:03 pm and declared that a quorum was present.

ADDITIONS TO THE AGENDA

There were no additions to the agenda.

APPROVAL OF MEETING MINUTES: DECEMBER 16, 2021

Mr. Funn made a motion to approve the minutes from the December 16, 2021 open and closed meetings. Mr. Miller seconded the motion. The motion passed unanimously.

ADMINISTRATOR'S REPORT

Mr. Voelp requested that only highlights of the Administrator's Report be presented verbally.

Announcements & Important Meetings

Ways and Means Committee Briefing

Ms. Charlson reported that on January 20, 2022, we were asked to provide the House of Delegates' Ways and Means Committee with an update on implementing 2021 legislation and election preparation activities. The briefing is available [here](#). There were several questions requiring follow up information, and we provided that information.

Election Directors' Meeting

Our monthly meeting with local election directors and deputy directors was held January 13. The meetings generally cover implementation of legislative mandates, voter registration topics and preparation for the 2022 elections. A meeting summary will be distributed via the County Bulletin when finalized.

Special Election for the Prince George's County Council District 8

Ms. Charlson reported that the Prince George's County Council ordered a vote-by-mail special election to fill a vacancy in Council District 8. The ballots cast in the special primary election were audited, and the audit results confirmed the accuracy of the election results. The election results and audit reports are posted on the Prince George's County [Special Election webpage](#). The Prince George's County Board of Elections certified the election on January 18, 2022.

The special general election will be held on February 1, 2022, with early voting from January 26 - 31, 2022. Early voting and election day voting will be held at the Southern Regional Tech and Recreation Center. The special general ballot has one Democratic candidate and the option to write-in the name of a candidate. Over 68,000 ballot packets were mailed to all voters in Council District 8 on January 18, 2022. The Prince George's County Board of Elections expects to certify the results of the special general election on February 11, 2022.

Election Reform and Management

Mail-In Voting Forms and Information: Usability Review

Ms. McLaughlin reported that the University of Baltimore (UB) and the Center for Civic Design (CCD) submitted their draft usability review report. This report is required by [Chapter 56](#) (Senate Bill 683) and Chapter 514 ([House Bill 1048](#)) of the 2021 Legislative Session. SBE staff are working with UB and CCD to finalize the document and will submit to the General Assembly the final report and status of the report's recommendations by February 1, 2022.

Mail-In Ballot Request Form Mailer

Runbeck Election Services will mail the first phase of mail-in ballot request forms from January 28 - February 1, 2022. The first mailing phase will be sent to registered Democrats and Republicans. The second phase will be mailed to unaffiliated voters and voters affiliated with other political parties who can participate in the primary election if there is a contested board of education election, but this will not be known until after the candidate filing deadline. The final phase of the mailing - all other voters - will be sent after the June primary election. This mailing is required by [Chapter 56](#) (Senate Bill 683) and [Chapter 514](#) (House Bill 1048) of the 2021 Legislative Session.

Permanent Absentee Ballot List - Pre-Election Confirmation Mailing

Ms. McLaughlin also reported that SBE staff are working to produce and distribute this pre-election communication in-house. This voter communication is also required by Chapter 56 (Senate Bill 683) and Chapter 514 (House Bill 1048) of the 2021 Legislative Session.

Early Voting Center and Drop Box locations

SBE staff are working with the local boards to review proposed locations for ballot drop boxes for the 2022 elections. We hope to finalize the locations in the next several weeks.

Voter Registration

MDVOTERS

Ms. Wagner reported that testing of the MDVOTERS release 8.3 is taking place. This release includes the automation of permanent absentee letters, reports and export processes related to the curing of unsigned mail-in ballot envelopes, and updated street files and reports (which are needed for redistricting). This release is scheduled for February 2022.

MDVOTERS Audits

Monthly audits of voter registration data continue to verify compliance with federal and State laws governing voter registration. The monthly audits include review of the local boards of

elections' processing of Electronic Registration Information Center (ERIC) reports, Department of Health and Mental Hygiene (DHMH) death records, Administrative Office of the Courts (AOC) felony records, and the processing of overall voter registration records. Follow up is conducted with the local boards to ensure all corrections are completed and to address any training issues. On a monthly basis, a minimum of 144 audits are conducted.

Electronic Registration Information Center (ERIC) - Membership

ERIC's membership now has 31 states plus the District of Columbia. For more information on ERIC, please visit <https://ericstates.org/>.

ERIC Files

We are now receiving ERIC data on a monthly basis. On even months (February, April, etc), we receive the In-State Updates, Cross-State, and NCOA (National Change of Address) reports for processing. Odd months bring us the In-State Duplicate and Social Security Administration Death files for processing. As we approach an election and are prohibited from list maintenance mailings (90 days prior to an election), we will receive the In-State Duplicate and SSA Death files on a monthly basis.

Motor Vehicle Administration (MVA) Transactions

During December, MVA collected the following voter registration transactions:

New Registration - 8,066	Residential Address Changes - 17,725
Last Name Changes - 2,226	Political Party Changes - 4,304

Non-Citizen Registration and Voting

From 12/13/2021 a total of 56 voters have been canceled due to these voters not being U.S. citizens. Zero voters have voting history.

Candidacy and Campaign Finance (CCF) Division

Candidacy

The candidacy filings are currently scheduled by appointment, and as of January 12, 268 candidates have filed at SBE.

Campaign Finance

2022 Annual Report

Mr. DeMarinis reported that the 2022 Annual Report was due on January 19, 2022 by 11:59 pm. Almost 89% of the committee filed on time. We sent to those committees that have not yet filed a notice about late fee assessments. The maximum late fee penalty for a failure to file is \$1,000.

The Pre-General Campaign Finance Report for the Prince George's Special Election was due on January 21, 2022.

State Public Financing Program

In order to qualify for a public contribution, the candidate must raise \$120,000 from 1,500 Maryland residents. One candidate has filed a notice of intent to participate in the program. The next reporting period to seek certification is February 1, 2022.

County Public Financing Programs

Montgomery County: There are nine certified candidates in the program. Twelve more candidates have filed a notice of intent to participate. The program has made a total of \$885,581 disbursements.

Howard County: Three candidates have filed a notice of intent to participate in the program. There is one certified candidate in the program. Another candidate has sought certification with the Annual Report. No disbursements have been made in the program.

Website Activity

In December 2021, the MD Campaign Reporting Information System (MD CRIS) website was visited by 249,973 individuals for an average of 8,063 per day. Additionally, it had 1,933,719 hits. Each viewer looked at an average of approximately 6.5 page views per day. The Business Contribution Disclosure System (BCDS) website had 854,746 hits, with 55,422 visitors with an average of nearly 15 page views per day.

Enforcement

1. Twenty Third District Team Slate committee paid \$1,500.00 on January 6, 2022, for failure to record all contributions and expenditures and failure to maintain bank records.
2. Friends of Muri Dueppen committee paid \$100.00 on January 24, 2022, for cash disbursement greater than \$25.00.

Voting Systems

Electronic Pollbook

Ms. Charlson reported that at the January 5, 2022, meeting of the Board of Public Works, SBE presented for approval a contract related to the current electronic pollbooks. The contract provides licensing for the software and software and hardware maintenance and support. The contract was approved, and the local boards of elections have begun installing the software on the electronic pollbooks in preparation for the 2022 elections.

The contract for the new electronic pollbook solution is pending approval by the Board of Public Works. The agenda item was withdrawn before the January 5, 2022, meeting and was deferred at the January 26, 2022, meeting. It is scheduled for the February 16, 2022, meeting, and before that meeting, we will comply with the Comptroller's request to facilitate a meeting.

Voting Equipment

At the January 5, 2022, meeting of the Board of Public Works, SBE presented for approval a modification to the voting system contract. The modification means we can acquire additional voting equipment for the 2022 elections. The contract modification was approved, and the additional voting equipment has already started to arrive at the local boards of elections.

Project Management

Inventory Management

Mr. Ross stated that preparations are now taking place to start the FY2022 Inventory Audit on February 1. The expected start date for inventory audits for the State's department and agencies is April 1 of each year. However, to lessen the impact for the local boards and their preparation for the 2022 Primary Election, SBE requested from the Department of General Services the approval to start SBE's inventory audit on February 1. The permission was granted.

Work continues on the additional equipment and supplies requested by the local boards for the 2022 election cycle. The procurements are nearly complete. We and the local boards are now beginning to receive the equipment and supplies ordered. This phase includes properly recording the equipment into SBE's inventory system.

Document Management

Efforts are underway to improve the handling of SBE's documentation. This project will include digitizing numerous hardcopy documents and many other functions that will help improve the agency's documentation management capabilities.

Baltimore City Relocation

SBE is assisting Baltimore City with searching for a new facility to relocate their currently separate office and warehouse facilities.

Legislation

Ms. Duncan reported that we are currently tracking about 75 pieces of legislation. A copy of our current list of bills is included. We track many types of legislation including changes to Election Law Article, including campaign finance, and constitutional amendments that lead to a statewide ballot question in a general election, local ballot questions for counties, changes to the offices that appear on the ballot, including Board of Education. Requirements or changes to the operation of State government are sometimes included (*e.g.*, PIA mandates.) Regular updates of this report will be forwarded to the Board.

ASSISTANT ATTORNEY GENERAL'S REPORT

Mr. Trento gave the following updates:

1. *Fusaro v. Davitt et al., No. 20-1879* (U.S.C.A. for the 4th Cir.). 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 parties then conducted discovery and briefed dispositive summary judgment motions. On July 14, 2020, the Court awarded Summary Judgment to the defendants on the issue of whether the "electoral process" requirement was unconstitutionally vague and declined to reach the issue of whether Maryland's registered voter requirement violates the First Amendment. Plaintiff appealed to the United States Court of Appeals for the Fourth Circuit. Oral argument took place on September 23, 2021, and on November 19, 2021, the Court issued an opinion affirming the award of summary judgment to the defendants. On December 3, 2021, Plaintiff petitioned for en banc rehearing of his appeal. On December 17, 2021, the Court denied Plaintiff's petition.
2. *WinRed, Inc. v. Ellison, et al., No. 21-cv-1575* (D. Minn.). On July 7, 2021, WinRed, Inc. – a federal PAC created to assist Republican Party candidates – filed a lawsuit against the Attorneys General of Connecticut, New York, Maryland, and Minnesota (the "State AGs"), seeking a declaration that State consumer protection statutes and regulations are preempted by federal law, to the extent that these State laws are being enforced to regulate the use of pre-checked recurring contribution boxes for solicitations for federal offices. WinRed had received letters from the defendants requesting information and documents regarding its use of pre-checked boxes in that context. (It is now public that ActBlue – the PAC formed to assist Democratic Party candidates – has received a similar request from the same State AGs, but has not joined this lawsuit.) On July 16, 2021, each of the State AGs served formal subpoenas seeking the information and documents previously requested by letter from WinRed.

On July 27, 2021, WinRed filed a motion for preliminary injunction against enforcement of the subpoenas served by the State AGs. On July 29, 2021, the State AGs moved to dismiss the complaint. Oral argument on both motions took place on November 2, 2021. On January 26, 2022, the Court issued an order denying Plaintiff's motion for preliminary injunction and granting the defendants' motion to dismiss, and dismissed the Complaint.

3. *Conners v. State of Maryland, et al.*, No. C-02-CV-21-001282 (Cir. Ct. A.A. Cnty.). On September 23, 2021, the Plaintiff filed a lawsuit challenging the SBE's disclosure of personalized voter information on lists of registered voters without obtaining voters' consent. She alleges that SBE's practices of (i) disclosing information beyond just the names of voters on the voter list, (ii) disclosing the voter list to non-Maryland registered voters, (iii) transmitting the voter list to individuals or organizations who do not swear the oath that the list will only be used for electoral purposes, (iv) failing to ensure that the purpose for which the list is intended to be used by the applicant comports with that requirement, and (v) allowing only some voters to participate in the voter confidentiality program, violates various State and federal laws and constitutional provisions. The plaintiff is seeking, among other things, damages in the amount of \$400,000 for each instance her voter information was disclosed on a voter list transmitted to an applicant and seeks injunctive relief in the form of an order forbidding SBE from disclosing voter information without the affirmative consent of the voter and requiring SBE to issue new voter ID numbers to every Maryland registered voter. The State of Maryland, the State Administrator, and the Governor are named as defendants in the case.

On November 4, 2021, the Plaintiff filed a Motion for Preliminary Injunction seeking to enjoin the Board of Elections from referring to her by name – including by reference to the case caption – during its open elections. On November 16, 2021, the Defendants filed an opposition to this motion. This motion is scheduled to be heard by the Court on January 5, 2022.

Meanwhile, on November 8, 2021, the Defendants filed a motion to dismiss the Complaint. On November 23, 2021, Plaintiff filed an opposition to the motion to dismiss. The motion to dismiss is scheduled to be heard on February 14, 2022.

4. *Baltimore Cnty. Branch of the NAACP, et al. v. Baltimore Cnty., Md., et al.*, No. 1:21-cv-03232 (D. Md.). On December 21, 2021, the Baltimore County Branch of the NAACP, the League of Women Voters, Common Cause of Maryland, and several individual plaintiffs filed a lawsuit challenging the Baltimore County redistricting map for county council districts, on the ground that it violated section 2 of the Voting Rights Act. Baltimore County, the individual members of the Baltimore County Council, and the Baltimore County Board of Elections were named as defendants. On January 19, 2022, the plaintiffs filed a motion for preliminary injunction, and the court entered an order setting a hearing for February 15, 2022 on the plaintiffs' motion.
5. *Parrott, et al. v. Lamone, et al.*, No. C-02-CV-21-001773 (Cir. Ct. A.A. Cnty.). On December 21, 2021, twelve individual plaintiffs filed a lawsuit challenging the State's Congressional redistricting map under various provisions of the Maryland Constitution. Specifically, plaintiffs allege that the map is an unlawful partisan gerrymander under Article 7 of the Declaration of Rights and Article III, § 4 of the Maryland Constitution. The defendants named in this lawsuit are Ms. Lamone, Mr. Voelp, and the State of Maryland. A response to the Complaint is due February 20, 2022.

On January 21, 2022, the Democratic Congressional Campaign Committee filed a motion to intervene as a defendant in this case, along with a proposed motion to dismiss the complaint. The current defendants' response to this motion is due February 20, 2022.

6. *Szeliga, et al. v. Lamone, et al.*, No. C-02-CV-21-001816 (Cir. Ct. A.A. Cnty.). On December 23, 2022, nine individual plaintiffs filed a lawsuit challenging the State's Congressional redistricting map under various provisions of the Maryland Constitution. Specifically, plaintiffs allege that the map is an unlawful partisan gerrymander under Articles 7, 24 and 40 of the Declaration of Rights and Article I, § 7 of the Maryland Constitution. The defendants named in this lawsuit are Ms. Lamone, Mr. Voelp, and the State of Maryland. A response to the Complaint is due January 28, 2022.

On January 21, 2022, the Democratic Congressional Campaign Committee filed a motion to intervene as a defendant in this case, along with a proposed motion to dismiss the complaint. The current parties' response to this motion is due February 7, 2022.

7. *In the Matter of Seth Wilson*, No. C-02-CV-22-000078 (Cir. Ct. A.A. Cnty.). On January 14, 2022, Seth Wilson, the Chairman of the Washington County Republican Party Central Committee, filed a petition for judicial review of the determination and approval, respectively, by the Washington County Board of Elections and SBE, of the locations for early voting centers in Washington County for the 2022 elections. On January 19, 2022, the agencies were provided notice of the petition for judicial review by the Clerk of the court. The agencies must compile and submit the administrative record to the Court by March 21, 2022.
8. *Thurston, et al. v. Prince George's County*, No. CAL22-01728 (Cir. Ct. P.G. Cnty.). On January 23, 2022, four individual plaintiffs filed a lawsuit challenging the Prince George's County redistricting map for county council districts, on the ground that the map was promulgated by resolution, and not law, and therefore is invalid. Neither SBE nor the PG County local board of elections is party to the case.

In response to a question from Mr. Voelp, Mr. Trento stated that no requests for emergency relief have been filed in the two lawsuits regarding redistricting (*Szeliga, et al. v. Lamone, et al.* and *Thurston, et al. v. Prince George's County*), and therefore the lawsuits were proceeding in the normal court order. Mr. Trento explained that the difference between lawsuits over congressional or county legislative boundaries and state legislative boundaries is that the Maryland Court of Appeals has original jurisdiction in suits regarding redistricting of state legislative boundaries, who will want to know the proper schedule, in accordance with election deadlines, for any such lawsuits.

APPROVAL OF FINAL REGULATIONS- COMAR 33.05.04.04B(3) & B(5) –VOTER REGISTRATION – PROCESSING APPLICATIONS

Ms. Charlson presented proposed amendments to COMAR 33.05.04.04B(3) and 33.05.04.04B(5) for final adoption. These proposed regulations were approved by the Board at its September 9, 2021 meeting and published in the November 5, 2021, issue of the *Maryland Register* (Vol. 48, Issue 23). The public comment period closed on December 5, 2021. Ms. Charlson stated that no public comments were received.

There was no discussion on the final adoption of the proposed regulations. Mr. Miller made a motion to adopt the proposed amendments to COMAR 33.05.04.04B(3) and 33.05.04.04B(5) for

final adoption and publication, as presented by Ms. Charlson. Mr. Funn seconded the motion. The motion passed unanimously.

APPROVAL OF TITLE 14 LATE FEE WAIVER REQUESTS

Mr. DeMarinis presented requests from five businesses to waive or reduce late fees incurred by the committee. One business was denied waivers of late fees and was presented to the board for informational purposes.

The businesses requesting a waiver or reduction of late filing fees are:

1. Advanta Medical Solutions, LLC
2. Maryland Society of Eye Physicians and Surgeons
3. M&E Sales, Inc.
4. Southern Management Corporation

Mr. Funn made a motion to approve the Title 14 late fee waiver and reduction requests as presented, and Mr. Miller seconded the motion. The motion passed unanimously.

APPROVAL OF CONFIDENTIALITY REQUESTS

Mr. DeMarinis presented requests from three voters (all sitting judges) to keep their address and phone numbers confidential and stated that the Candidacy and Campaign Finance Division verified that the requesting individuals were eligible to have their residential address and telephone numbers be confidential. Mr. DeMarinis stated that all requests for confidentiality have met all conditions.

In response to a question from Ms. Woodward regarding the signature on one of the requests, Mr. DeMarinis stated that the correct signature could be obtained with the Board's approval.

Mr. Williams made a motion to fully approve two of the waiver requests, and conditionally approve the third waiver request on the condition that the proper signature is obtained before the next meeting. Mr. Funn seconded the motion. The motion passed unanimously.

APPROVAL OF ADMINISTRATIVE CLOSURE OF CAMPAIGN ACCOUNTS

Mr. DeMarinis presented a request to administratively close two campaign committees. Pursuant to §13-313 of the Election Law Article, the State Board has the authority to administratively close a political committee upon determination that good cause exists and when other criteria are met.

The committees Mr. DeMarinis requested to administratively close were:

1. Nathaniel Oaks, Friends of
2. Chris Boardman, Friends of

Mr. DeMarinis stated, regarding Friends of Nathaniel Oaks, the candidate is currently incarcerated and the committee account has a zero balance. The State Prosecutor has stated his intention to no longer investigate this matter.

Regarding the Friends of Chris Boardman, the treasurer passed away in 2018 and the candidate has moved out of state.

In response to a question from Mr. Miller, Mr. DeMarinis confirmed that the zero bank balance for the Friends of Chris Boardman account is an administrative zero balance due to the extenuating

circumstances. In response to a follow-up question from Mr. Williams regarding if there was precedent for liability of the treasurer when applicable, Mr. DeMarinis stated that theoretically yes, but in the instance of both accounts presented for closure, all options have been exhausted.

Mr. Miller made a motion to approve the administrative closure requests, and Mr. Funn seconded the motion. The motion passed unanimously.

APPROVAL OF EARLY VOTING CENTERS

Ms. Dorsey presented requests for approval of new or changed early voting centers from the Anne Arundel, Harford, Montgomery, and Queen Anne's County Boards of Elections. The presentation can be viewed in full at:

https://elections.maryland.gov/about/meeting_materials/EVC_Presentation_1272022.pdf.

1. Anne Arundel County- Ms. Dorsey presented a request from the Anne Arundel County Board of Elections to approve two new early voting centers at the Deale Elks Lodge and the Laurel Park Race Track, and move the early voting center at the Glen Burnie Library to the Gladys D. Green Banquet Hall. SBE recommends approving these requests.

Mr. Williams made a motion to approve the request for the two new early voting centers and the replacement early voting center location for Anne Arundel County. Mr. Miller seconded the motion. The motion passed unanimously.

2. Harford County- Ms. Dorsey presented a request from the Harford County Board of Elections to approve one replacement early voting center at the Havre de Grace Activity Center and the use the optional additional early voting center at the Jarrettsville Fire Hall. SBE recommends approving these requests.

In response to a question from Mr. Funn regarding a letter received by the Board regarding the proposed move of the early voting center from Aberdeen to Havre de Grace, Ms. Taylor explained that the area surrounding the prior early voting center in Aberdeen is a municipal park that does not allow political signage, which limits amount of electioneering at that location. Ms. Taylor also explained the previous site is small and required voting to take place in two rooms, which she stated made supervision difficult.

Ms. Woodward made a motion to approve the request for two new early voting center locations for Harford County. Mr. Funn seconded the motion. The motion passed unanimously.

3. Montgomery County- Ms. Dorsey presented a request from the Montgomery County Board of Elections to approve the use of the optional voting center at the Bauer Drive Community Recreation Center, noting that the Montgomery County Council has approved this request. SBE recommends approving this request.

Mr. Miller made a motion to approve the request for an optional early voting center in Montgomery County. Mr. Funn seconded the motion. The motion passed unanimously.

4. Queen Anne's County- Ms. Dorsey presented a request from the Queen Anne's County Board of Elections to approve the use of the optional early voting center at the Kent Island Fire Department. SBE recommends approving this request.

Mr. Miller made a motion to approve the request for an optional early voting center in Queen Anne's County. Mr. Funn seconded the motion. The motion passed unanimously.

OLD BUSINESS

Electronic Signatures on Petitions

Speaker: Suchitra Balachandran,

Committee to Restore Prince George's Term Limits and Our Revolution Prince Georges

Ms. Balachandran requested that the Board reinstate its prior approval of electronic petition signatures until the deadline to file petitions for the 2022 General Election, which the Board allowed temporarily from March 2020 until May 2021. She cited the following reasons for her request:

1. That Prince George's County has been under a continual county-wide State of Emergency since March 2020;
2. That the Delta and Omicron variants lead to surges in the case load of COVID in Prince George's County; and
3. Because of the increase in case load, conditions have not been conducive for obtaining signatures as it was not reasonable to expect activists to canvass in public or to expect members of the public to stop and speak to strangers.

She explained that her organizations have brainstormed how to obtain signatures without person-to-person contact, but there are no solutions that allow the petitioner to explain their cause to the voter, or to ensure the voter fills the petition out completely.

In response to a question from Mr. Funn, Ms. Balachandran explained that with electronic signatures, the voter would go to an organization's website and read about the issue before signing. With the requirement for original signatures, the ability to explain the issue in person has been hindered by COVID.

In response to a question from Mr. Williams, Ms. Wagner confirmed that the deadline for petitions to be submitted is the first Monday in August. In response to a follow-up question from Mr. Williams, Ms. Balachandran stated that 10,000 signatures are need for a petition to be placed on the ballot, and her organization has about half that number.

Speaker: Linda Dorsey-Walker, Baltimore County Resident

Chair, New Horizons Campaign and 4More! 4BaltimoreCounty

Ms. Dorsey-Walker requested that the Board reinstate its approval of electronic petition signatures. She stated that her organizations, which are seeking to add four additional seats to the Baltimore County Council, are under a tighter time frame than the previous speaker because they had to wait until after the Baltimore County Council legislative districts were redrawn. She explained the lack of diversity in the current county council, and how the representation for each of the seven members has grown from 50,000 when the county charter was approved in 1955 to approximately 125,000 residents per council district. An additional four council members would decrease the representation per council district to approximately 75,000.

Ms. Dorsey-Walker explained that Baltimore County returned to a State of Emergency on December 27, 2021, due to a COVID positivity rate at the time of 18%, which has only risen. She cited the fact of more people having COVID now that a year ago when electronic signatures were permitted as her reasoning for requesting that the SBE policy permitting electronic signatures be reinstated.

Board Discussion

In response to a question from Mr. Voelp to the members of the Board, Mr. Williams cited his concern with possible fraudulent signatures being submitted electronically and knowledge of candidates who have been successfully door knocking as his reasons for not taking any Board action at this time.

Mr. Miller noted that the current emergency order for Baltimore County is mainly focused on requirements for indoor masking and it has a sunset provision. He stated that, like Mr. Williams, he has seen people out in the public either talking as candidates or gathering signatures in public places. With many months still to go before the petition deadline, and with COVID case rates dropping and emergency orders soon to expire, Mr. Miller explained that he does not feel the Board needs to take any action on this issue.

In response to a question from Mr. Williams, Mr. DeMarinis stated that no legislation has been filed in the General Assembly allowing for electronic signatures.

Mr. Funn and Ms. Woodward concurred with the viewpoints of Mr. Williams and Mr. Miller.

NEW BUSINESS

There was no new business.

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

There were no contributions to report.

SCHEDULE NEXT MEETING

The next meeting is scheduled for Thursday, March 10, 2022 at 2 p.m. Mr. Voelp explained that this meeting would be a combination meeting for February and March.

CLOSED SESSION – PERSONNEL

Mr. Voelp requested a motion to close the board meeting under General Provisions Article, §3-305(b) (1), (7) and (8), which permits closing a meeting to discuss compensation of officials over whom the State Board has jurisdiction, receive advice from counsel, and consult with staff about pending or potential litigation. Mr. Funn made a motion to convene in closed session under General Provisions Article, §3-305(b)(1), (7), and (8), and Mr. Miller seconded the motion. The motion passed unanimously.

The motion having passed, the Board met in closed session in accordance with exemptions defined in (b)(1), (7), and (8) of Section 3-305 of the Open Meetings Act to discuss compensation of officials over whom the State Board has jurisdiction, receive advice from counsel, and consult with staff about pending or potential litigation. The closed session began at 3:30 pm. Mr. Voelp, Mr. Funn, Mr. Miller, Ms. Woodward, and Mr. Williams attended the closed meeting. In addition to the board members, Ms. Lamone, Ms. Charlson, and Ms. Duncan. Mr. DeMarinis, Ms. Wagner, and Ms. Malcolm attended part of the closed meeting.

Mr. Trento provided legal advice on an outstanding legal question. Ms. Malcolm provided information on a personnel matter, and Mr. Trento provided advice on how to proceed on the personnel matter. The members agreed with Mr. Trento's recommendation. No actions were taken.

Mr. Funn made a motion to adjourn the closed meeting, and Mr. Williams seconded the motion. The motion passed unanimously.

The closed meeting adjourned at 4:16 pm.

ADJOURNMENT

The open meeting adjourned at 3:19 pm.