

Attendees (via conference call):

William G. Voelp, Chair  
Justin Williams, Member  
T. Sky Woodward, Member  
Severn Miller, Member  
Linda Lamone, Administrator  
Nikki Charlson, Deputy Administrator  
Dan Kobrin, Assistant Attorney General  
Donna Duncan, Assistant Deputy, Constituent Relations  
Melissia Dorsey, Assistant Deputy, Election Policy

Also present: Armstead Jones, Election Director, Baltimore City  
Anthony Gutierrez, Deputy Director, Frederick County  
Ruie LaVoie, Election Director, Baltimore County

**DECLARATION OF QUORUM PRESENT**

Mr. Voelp called the meeting to order at 2:34 pm and stated that a quorum of four board members was present, still with one vacancy.

**ADDITIONS TO THE AGENDA**

There were no additions to the agenda.

**APPROVAL OF PROPOSED BALLOT-RELATED DEADLINES**

Mr. Kobrin proposed the following ballot-related changes:

Deadline to Certify Content and Arrangement of 2022 General Election Ballots and Deadline to Display 2022 General Election Ballots on SBE Website: § 9-207(a)(2) of the Election Law Article requires the general election ballot to be certified and publicly displayed on the 64<sup>th</sup> day before general election, which is today September 6, 2022. Mr. Kobrin explained that because of the late primary election and ongoing election matters in the circuit courts for Baltimore City and Montgomery County, the general election ballot is not ready yet for certification. Both election matters in the circuit courts have hearings tomorrow, September 7, 2022. Because both circuit court matters must be resolved before those general election ballots can be certified and displayed, Mr. Kobrin proposed that the deadline to certify and publicly display the ballots be pushed back to the 66<sup>th</sup> day before the general election, which is Thursday, September 8, 2022.

Deadline for Requesting Judicial Review: Mr. Kobrin explained that, as required in § 9-209(a) of the Election Law Article, the deadline for an individual to request judicial review of the certified and displayed ballots is within two days of the date the ballots are certified. Currently, that date is Thursday, September 8, 2022. By pushing the deadline to certify and display the ballots back to September 8, the deadline for requesting judicial review of the ballots would then automatically become September 10, 2022. There is no required action that the Board must take.

Deadline for Judicial Review of Ballot Errors: § 9-209(c) of the Election Law Article states that if an administrative error is discovered after the ballots have been publicly displayed and the State Administrator fails to correct the administrative error, a registered voter may seek judicial review not later than the 62<sup>nd</sup> day preceding the election, which currently is Thursday, September 8, 2022. Mr. Kobrin proposed that this deadline be pushed back two days to September 10, 2022 to align with the proposed deadline to request judicial review of the ballots.

Mr. Williams made a motion to move the deadline to certify the content and arrangement of ballots for the 2022 General Election from September 6, 2022 to September 8, 2022. Mr. Miller seconded the motion. The motion passed unanimously.

Ms. Woodward made a motion to move the deadline to publicly display the ballots for the 2022 General Election on the SBE website from September 6, 2022 to September 8, 2022. Mr. Miller seconded the motion. The motion passed unanimously.

Mr. Williams made a motion to move the deadline for judicial review of ballot errors to two within two days of certifying the ballots. Mr. Miller seconded the motion. The motion passed unanimously.

### **APPROVAL OF EARLY VOTING AND ELECTION DAY VOTING LOCATIONS**

Ms. Duncan proposed the following changes to election day polling places:

1. Allegany County: Ms. Duncan presented one polling place change in precinct 06-006. The local board is requesting to move the polling place used in for the primary election at the Bowling Green Volunteer Fire Department back to the Allegany County Multi-Purpose Building, 11400 Moss Avenue, SW, Cumberland, which was the original polling place for precinct 06-006. The Allegany County Multi-Purpose Building was unavailable for the primary election changed date.

Mr. Williams made a motion to approve the polling place change for Allegany County as presented by Ms. Duncan. Ms. Woodward seconded the motion. It passed unanimously.

2. Baltimore City: Ms. Duncan presented seven polling place changes for Baltimore City. Those changes are:
  - a. For precincts 27-028, 27-029, 27-033, and 27-035, the Baltimore City Board of Elections is requesting to change the polling place from the Chinquapin School to School 134, because the Chinquapin School is currently being used as a warehouse for school supplies.
  - b. For precinct 28-015, the Baltimore City Board of Elections is requesting to change the polling place from School 80 to School 81, at the request of the Board of Education due to PS 81 being a newer school.
  - c. For precincts 27-036 and 27-037, the Baltimore City Board of Elections is requesting to change the polling place from School 214 to School 134 because the Department of General Services can no longer secure the building safely anymore due to School 214 being a vacant school.
  - d. For precincts 16-009 and 20-004, the Baltimore City Board of Elections is requesting to change the polling place from School 145 to the Katherine Johnson Global Academy, because the Department of General Services can no longer secure the building safely anymore due to School 145 being a vacant school.
  - e. For precinct 28-014, the Baltimore City Board of Elections is requesting to change the polling place from School 246- Annex to School 246. This polling place for the primary election was in a school annex, which is no longer present. The new polling place will be in the main school building.
  - f. For precincts 27-013 and 27-068, the location of the polling place is not moving, but the name of the building has changed. The Baltimore City Board of Elections is requesting to change the name of the polling place from School 375 Baltimore

Collegiate School for Boys to the Professional Development Center, in accordance with the change in building name.

- g. For precinct 28-002, the Baltimore City Board of Elections is requesting to change the polling place from Firehouse #46 to School 406, due to objections from the community with the firehouse location.

In response to a question from Mr. Voelp, Ms. Duncan confirmed that Baltimore City Board of Elections approved these changes at its meeting on August 18, 2022.

In response to a question from Ms. Woodward, Mr. Jones explained that the building of the previous polling place for precinct 28-002 (prior to 2022) no longer belonged to the City, which necessitated the move to Firehouse #46. The community took issue with the traffic and lack of adequate parking at the firehouse. After meeting with the neighborhood association and the city council representative, the Board decided it was best to relocate the polling place for precinct 28-002.

Mr. Williams made a motion to approve the polling place changes for Baltimore City as presented by Ms. Duncan. Ms. Woodward seconded the motion. It passed unanimously.

3. Dorchester County: Ms. Duncan presented three polling place changes for Dorchester County. Those changes are:
  - a. For precincts 12-01 and 12-02, the Dorchester County Board of Elections is requesting to change the polling place from the Hurlock Community Center to the Hurlock Fire Hall, due to the school being under construction.
  - b. For precincts 15-01, 15-02, 15-003, and 15-04, the Dorchester County Board of Elections is requesting to change the polling place from the Hurlock Fire Hall to the Hurlock Elementary School to accommodate the need for more space.
  - c. For precinct 7-02, the Dorchester County Board of Elections is requesting to change the polling place from St. Luke's UMC Hall to Choptank Elementary School. The school was under construction for the primary election and the Board is requesting to move the polling place back to its original location.

Mr. Williams made a motion to approve the polling place changes for Dorchester County as presented by Ms. Duncan. Mr. Miller seconded the motion. It passed unanimously.

4. Frederick County: Ms. Duncan presented two polling place changes for Frederick County. Those changes are:
  - a. For precincts 02-008, 02-013, and 02-017, the Frederick County Board of Elections is requesting to change the polling place from the Independent Hose Company No. 1 to Waverly Elementary School, due to the school being under construction during the primary election.
  - b. For precinct 09-004, the Frederick County Board of Elections is requesting to change the polling place from the Damascus Road Community Church to Kemptown Elementary School, which is the original polling place but was unavailable during the primary election.

Mr. Voelp noted that the proposed changes have not yet been approved by the Frederick County Board of Elections and therefore any motion by the State Board approving the changes should be dependent on approval by the local board.

Mr. Williams made a motion to approve the polling place changes for Frederick County, as presented by Ms. Duncan and pending approval of the changes by the Frederick County Board of Elections. Ms. Woodward seconded the motion. It passed unanimously.

Mr. Gutierrez stated that the Frederick County Board of Elections met earlier in the day and approved the two polling place changes. In response, Mr. Voelp noted that the motion was now fully passed by the Board.

5. Howard County: Ms. Duncan presented one polling place change for Howard County. For precinct 06-004, the Howard County Board of Elections is requesting to move the polling place from Clemmens Crossing Elementary School Gym to Atholoton Elementary School Cafeteria, which was the original polling place for the precinct.

Ms. Woodward made a motion to approve the polling place change for Howard County as presented by Ms. Duncan. Mr. Miller seconded the motion. It passed unanimously.

6. Montgomery County: Ms. Duncan presented 18 polling place changes for Montgomery County. Of those 18 changes, seven removed a precinct from a consolidated polling place and kept the polling place the same for the remaining precinct(s). Those seven polling places removing a consolidation and the remaining precincts are:
  - a. Precinct 04-16: Thomas Wooton High School
  - b. Precincts 06-03 and 06-17: Ridgeview Middle School
  - c. Precinct 08-02: Longwood Recreation Center
  - d. Precincts 09-05 and 09-46: Montgomery Village Middle School
  - e. Precinct 12-05: Damascus High School
  - f. Precinct 13-58: Flora Singer Elementary School
  - g. Precinct 13-19: Schweinhaut Recreation Center

The remaining 11 proposed polling changes for Montgomery County are:

- a. For precinct 04-21, the Montgomery County Board of Elections is requesting to change the polling place from Thomas Wooton High School to Fallsmead Elementary School, due to summer HVAC work at Fallsmead. The polling place for precinct 04-21 is being unconsolidated from precinct 04-16.
- b. For precinct 05-06, the Montgomery County Board of Elections is requesting to change the polling place from Jackson Rose Elementary School to White Oak Middle School, due to summer HVAC work at White Oak Middle.
- c. For precinct 07-23, the Montgomery County Board of Elections is requesting to change the polling place from Wood Acres Elementary School to Walt Whitman High School, due to summer HVAC work at Walt Whitman.
- d. For precinct 08-16, the Montgomery County Board of Elections is requesting to change the polling place from the Longwood Recreation Center to Greenwood Elementary School, due to summer abatement work at Greenwood. The polling place for precinct 08-16 is being unconsolidated from precinct 08-02.
- e. For precinct 09-13, the Montgomery County Board of Elections is requesting to change the polling place from Ridgeview Middle School to Diamond Elementary School, due to summer HVAC work at Diamond. The polling place for precinct 09-13 is being unconsolidated from precincts 06-03 and 6-17.
- f. For precinct 09-15, the Montgomery County Board of Elections is requesting to change the polling place from Montgomery Village Middle School to Watkins Mill

- Elementary School, due to summer construction Watkins Mill. The polling place for precinct 09-15 is being unconsolidated from precincts 09-05 and 09-46.
- g. For precinct 12-01, the Montgomery County Board of Elections is requesting to change the polling place from Damascus High School to Damascus Elementary School, due to summer abatement work at Damascus Elementary. The polling place for precinct 12-01 is being unconsolidated from precinct 12-05.
  - h. For precinct 13-20, the Montgomery County Board of Elections is requesting to change the polling place from Northwood High School to Shannon Middle School, due to summer construction at Shannon Middle.
  - i. For precinct 13-31, the Montgomery County Board of Elections is requesting to change the polling place from Flora Singer Elementary School to Oakland Terrance Elementary School, due to summer HVAC work at Oakland Terrance. The polling place for precinct 13-31 is being unconsolidated from precinct 13-58.
  - j. For precinct 13-34, the Montgomery County Board of Elections is requesting to change the polling place from Newport Mill Middle School to the Kensington Town Hall, due to summer construction at the Town Hall.
  - k. For precinct 13-53, the Montgomery County Board of Elections is requesting to change the polling place from the Schweinhaut Recreation Center to Sligo Middle School, due to summer HVAC work at Sligo Middle. The polling place for precinct 13-53 is being unconsolidated from precinct 13-13.

Mr. Voelp noted that the meeting materials provided to the Board did not state if the Montgomery County Board of Elections had approved these changes yet. As was the case with Frederick County, Mr. Voelp stated that any motion for approval from the State Board would be contingent upon the local board approving the changes. In response to a question from Mr. Voelp, Ms. Duncan stated that she would follow up with the Montgomery County Board of Elections to determine how Montgomery County notifies affected voters of changed polling places. In response to a question from Mr. Miller, Ms. Duncan explained that SBE has a robust voter education campaign, in addition to official notification from the local board, to notify voters of any changes to polling places.

Mr. Williams made a motion to approve the polling place changes for Montgomery County, as presented by Ms. Duncan, pending approval of the changes by the Montgomery County Board of Elections, and providing Ms. Duncan with missing information. Ms. Woodward seconded the motion. It passed unanimously.

7. Saint Mary's County: Ms. Duncan presented one polling place change for Saint Mary's County. For precincts 08-03 and 08-10, the Saint Mary's County Board of Elections is requesting to move the polling place from Esperanza Middle School to its original location, Greenview Knolls Elementary School.

Ms. Woodward pointed out that the Saint Mary's County Board of Elections stated that the sample ballot is how a voter is notified of a change in polling place, which she felt was inadequate.

Mr. Williams made a motion to approve the polling place change for Saint Mary's County as presented by Ms. Duncan and require additional notification to the affected voters in the form of a Voter Notification Card and signage at the old polling place. Mr. Miller seconded the motion. It passed unanimously.

8. Wicomico County: Ms. Duncan presented four polling place changes for Wicomico County. Those changes are:
- a. For precinct 05-01, the Wicomico County Board of Elections is requesting to change the polling place from the Wicomico Civic Center back to the Wicomico High School Cafeteria, which is the original polling place for the precinct.
  - b. For precinct 09-06, the Wicomico County Board of Elections is requesting to change the polling place from Pemberton Elementary School back to the Cross Pointe Church of Nazarene, which is the original polling place for the precinct.
  - c. For precinct 11-01, the Wicomico County Board of Elections is requesting to change the polling place from New Dimensions Ministries to Delmar Elementary School, due to summer construction at Delmar Elementary, which is the original polling place for the precinct. 11-01 is being reconsolidated at Delmar Elementary School with precincts 11-02, 11-03, 11-04, 11-05, and 11-06.
  - d. For precincts 11-02, 11-03, 11-04, 11-05, and 11-06, the Wicomico County Board of Elections is requesting to change the polling place from Holy Redeemer Catholic Church to Delmar Elementary School, due to summer construction at Delmar Elementary, which is the original polling place for the precincts. Precincts 11-02, 11-03, 11-04, 11-05, and 11-06 are being reconsolidated at Delmar Elementary School with precinct 11-01.

In response to a question from Ms. Woodward, Mr. Voelp confirmed that these changes were approved by the Wicomico County Board of Elections at its August 17 meeting.

Mr. Williams made a motion to approve the polling place changes for Wicomico County as presented by Ms. Duncan. Mr. Miller seconded the motion. It passed unanimously.

9. Worcester County: Ms. Duncan presented one polling place change for Worcester County. For precinct 02-05, the Worcester County Board of Elections is requesting to move the polling place from Berlin Intermediate School to its original location, Stephen Decatur High School, due to summer construction at the high school. Mr. Voelp stated that this change was approved by the Worcester County Board of Elections at its August 19 meeting.

Ms. Woodward made a motion to approve the polling place change for Worcester County as presented by Ms. Duncan. Mr. Miller seconded the motion. It passed unanimously.

10. Baltimore County: Ms. Duncan presented seven polling place changes for Baltimore County. Those changes are:
- a. For precinct 09-29, the Baltimore County Board of Elections is requesting to change the polling place from the Carver Center for Arts and Tech High School back to the South Pavilion at Towson University, which is the original polling place for the precinct.
  - b. For precinct 11-08, the Baltimore County Board of Elections is requesting to change the polling place from the Seven Oaks Elementary School Cafeteria back to the Cub Hill Bible Presbyterian Church, which is the original polling place for the precinct.
  - c. For precinct 11-16, the Baltimore County Board of Elections is requesting to change the polling place from the Parkville High School- Building B Cafeteria back to the Parkville High School Gymnasium, which is the original polling place for the precinct.

- d. For precinct 15-25, the Baltimore County Board of Elections is requesting to change the polling place from the Vincent Farm Elementary School Cafeteria back to the Gunpowder VFW Post 10067, which is the original polling place for the precinct.
- e. For precinct 10-06, the Baltimore County Board of Elections is requesting to change the polling place to Herford Middle School Cafeteria, which is the original polling place for the precinct.
- f. For precinct 11-20, the Baltimore County Board of Elections is requesting to change the polling place to the Seven Oaks Elementary School Gymnasium, which is the original polling place for the precinct.
- g. For precinct 15-27, the Baltimore County Board of Elections is requesting to change the polling place to the Martin Boulevard Elementary School Gymnasium, which is the original polling place for the precinct.

Mr. Voelp stated that these changes were approved by the Baltimore County Board of Elections at its August 24 meeting, and that all affected voters will receive a voter notification card.

Mr. Miller made a motion to approve the polling place changes for Baltimore County as presented by Ms. Duncan, as well as requiring additional notification to the affected voters, in the form of signage at the old polling places. Mr. Williams seconded the motion. It passed unanimously.

Ms. Dorsey presented the following changes to early voting centers:

1. Carroll County: Ms. Dorsey presented a request for approval from the Carroll County Board of Elections to replace one of its three early voting centers – the North Carroll Senior Center with the North Carroll High School Library Complex. The senior center is no longer available for early voting. SBE recommended approving the request.

Mr. Miller made a motion to approve the request for the replacement early voting center, as presented by Ms. Dorsey, for Carroll County. Ms. Woodward seconded the motion. The motion passed unanimously.

2. Frederick County: Ms. Dorsey presented a request for approval from the Frederick County Board of Elections to replace one of its four early voting centers – the Middletown VFW with the Myersville Town Hall Community Center. The VFW is not available for early voting. SBE recommended approving the request.

In response to a question from Ms. Dorsey, Mr. Gutierrez confirmed that the Frederick County Board of Elections approved this change earlier in the day.

Ms. Woodward made a motion to approve the request for a replacement early voting center, as presented by Ms. Dorsey, for Frederick County. Mr. Miller seconded the motion. The motion passed unanimously.

## **ADJOURNMENT**

Mr. Voelp stated that the Board did not need to meet for closed session, and the next meeting is already set for September 28. Mr. Miller made a motion to adjourn the meeting. Ms. Woodward seconded the motion, and it passed unanimously. The meeting adjourned at 3:17 pm.

**State of Maryland** 

**State Board of Elections – September 28, 2022 Meeting**

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Attendees (via conference call):

William G. Voelp, Chair  
Severn Miller, Member  
Justin Williams, Member  
T. Sky Woodward, Member  
Linda Lamone, Administrator  
Nikki Charlson, Deputy Administrator  
Dan Kobrin, Assistant Attorney General  
Donna Duncan, Assistant Deputy, Constituent Relations  
Jared DeMarinis, Director, Candidacy and Campaign Finance  
Melissia Dorsey, Assistant Deputy, Election Policy  
Keith Ross, Assistant Deputy, Project Management  
Mary Ann Mogavero, Director, Election Reform and Management  
Jennifer McLaughlin, Senior Policy Advisor

Also Present: Allison Murphy, Election Director, Caroline County Board of Elections

**DECLARATION OF QUORUM PRESENT**

Mr. Voelp called the meeting to order at 1:10 pm and declared that a quorum was present.

**ADDITIONS TO THE AGENDA**

There were no additions to the agenda.

**APPROVAL OF MEETING MINUTES: OPEN MEETING ON AUGUST 1, 2022 AND OPEN AND CLOSED MEETING ON AUGUST 15, 2022**

Mr. Miller noted that in the open meeting minutes from the August 15 meeting, he was recorded as both making a motion and seconding it. He requested that be corrected.

Mr. Miller made a motion to approve the open meeting minutes from the August 1, 2022 meeting and the closed meeting minutes from the August 15, 2022 meeting. Mr. Williams seconded the motion. The motion passed unanimously.

Mr. Williams made a motion to approve the open meeting minutes from the August 15, 2022 meeting pending the correction that Mr. Miller noted. Mr. Miller seconded the motion. The motion passed unanimously.

**ADMINISTRATOR'S REPORT**

**Announcements & Important Meetings**

New Election Management and Reform Director

Ms. Dorsey announced that Mary Ann Mogavero is now the Director of Election Management and Reform. Mary Ann joined the Election Reform and Management Division just over one year ago, as an Administrator II. She previously spent 18 years with the Prince George's County Board of Elections, where she last served as the Elections Operations Manager.

Maryland Association of Election Officials (MAEO) Annual Conference

On September 22, MAEO hosted its annual conference at the Anne Arundel County Board of Elections. (Because of this year's election calendar, this conference was a one-day local conference rather than the usual multi-day conference in Ocean City.) Topics included updates in

litigation and emergency regulations, the upcoming legislative session, a presentation from the FBI's Election Crimes Coordinators for Maryland, and how to improve your situational awareness and lessons in "self care." In addition to the sharing of useful information, it was helpful to reconnect and network with our local board colleagues.

### Election Directors' Meetings

We hosted election directors' meetings on August 18 and September 15. During these meetings, we discussed tasks related to wrapping up the 2022 Primary Election and preparing for the 2022 General Election. Summaries of these meetings will be distributed with a County Bulletin. Two meetings are scheduled in October.

### National Disability Voting Rights Week & National Voter Registration Day

National Disability Voting Rights Week was the week of September 12. During this week, we used our social media platforms to promote and share information about registering to vote and voting options. We planned to share voting information and demonstrate the accessible ballot marking device at an event hosted by the ARC of Maryland, but the event was canceled.

September 20 was National Voter Registration Day. Almost 4,400 individuals used one of our online systems to register to vote, update their registration, or request a ballot that day. This was a significant increase from the day before when just over 1,000 voters used the systems and the day after when over 1,300 voters used the same systems. These efforts help spread out when individuals register or update their information, rather than everyone waiting until the advance registration deadline.

### Ways and Means Briefing

Ms. Charlson reported that the House Ways and Means Committee scheduled a virtual briefing for September 29 and requested that we and several local boards present specific information from the 2022 Primary Election. We were asked to provide information about the popularity of the permanent mail-in list, the timing of return of mail-in ballots, polling place consolidations, and the usage of ballot marking devices.

### Status of Emergence Regulations

On September 12, the General Assembly's Administrative, Executive, and Legislative Review (AELR) Committee approved the State Board's emergency changes to COMAR 33.11.04.04. This change removes the requirement to hold back five mail-in ballots of each ballot style for mail-in ballot canvasses. This change was effective once the committee approved it and will be in effect for the 2022 General Election. The AELR Committee requested a briefing on recent regulation changes, and this briefing is scheduled for October 11.

### ID Badges

State Board members should have received ID badges last week.

### **2022 Primary Election**

Ms. Charlson stated that this week, we will release a written report of the 2022 Primary Election. It includes highlights and data from the primary election and considerations for future elections.

### **2022 General Election Preparation** Election Judge Recruitment

Ms. Mogavero reported that we continue to work with non-profit organizations that work with large coalitions of businesses, organizations, and individuals to promote election judge recruitment. These include Power the Polls, Vet the Vote, the University of Maryland's Civic Innovation Center (CiVIC), and the University System of Maryland. Power the Polls provided substantial lists of interested individuals to larger jurisdictions that reported significant need (*i.e.*, Baltimore City and Baltimore and Prince George's Counties) and a sizeable list of applicants from around the State.

We were pleased that the State Department of Budget and Management decided to extend the incentive of 16 hours of administrative leave for permanent and contractual State employees for the general election. Some local jurisdictions also offer similar leave incentives for their employees, but for those that do not, we encouraged the local boards to request their local governments to offer administrative leave to their employees that perform this important service.

We have also encouraged local boards to continue recruiting and utilizing election pages (14- and 15-year-olds) and older students as election judges for additional sources of election assistance.

#### Election Judge Training

Ms. Mogavero reported that we continue to expand the statewide Election Judge Online Training program. We developed a new "refresher" training developed to assist counties with training returning judges. The original learning module developed during the Primary for new judges is also still available. A video reference library was also created for judges to support their understanding of voting equipment processes.

#### Voter Education

Ms. Charlson reported stated that this week, we kicked off the statewide voter education campaign. Digital ads included information about registering to vote, updating voter registration, and the ways to vote in the election. The images should look familiar as they are substantially similar to the images used in the primary election. The campaign will continue through election day, and the campaign will soon expand to include TV, radio, and print.

#### Mail-in Voting

Ms. McLaughlin reported that under the federal Military and Overseas Voter Empowerment Act, we were required to transmit ballots to requesting military and overseas voters on or before September 24. We met this deadline. Ballots were mailed to requesting voters on September 24, and emails were sent on September 23.

This week, our mail house starts mailing ballot packets to other voters, and we continue to send email ballot packets. Because of the volume of ballot packets, it will take six days for all ballot packets to enter the USPS mail stream. The delivery of ballot boxes also starts this week and will be finished before the ballots arrive in mailboxes. After this initial mailing, the mail house will continue to mail ballot packets twice a week through October 28, when the local boards begin mailing.

#### Logic and Accuracy Testing

The final voting system databases were distributed to the local boards, and they can now begin creating election media and conducting logic and accuracy (L&A) testing on the voting equipment. L&A testing on the voting equipment assigned to early voting locations must be

completed 14 days before election day, while the L&A testing on the voting equipment for election day polling places must be completed ten days prior to election day.

### Early Voting Signal Testing

The local boards will be completing cellular signal testing of all early voting locations over the next 30 days. This test is conducted to ensure adequate cellular coverage is available to early voting centers and also provides SBE opportunity to review the readings and determine if a different carrier may be more appropriate for a specific site.

### Election Operations Support

The PMO is now working on the Election Operations Support for the 2022 General Election, which includes SBE's helpdesk.

## **Voter Registration**

### MDVOTERS

On September 19, Janet Smith and Erin Dennis pulled the mail-in ballot requests from MDVOTERS.

October 18 is the advance deadline to register to vote or to make an address change. Individuals will be able to register or make changes to their registration during early voting or on election day.

MDVOTERS 8.8 release (implemented September 16) included additional precinct ballot style reporting and reconciliation efforts that assist the local boards with canvassing and updates to the provisional voter module. MDVOTERS users can now resize the tiled screens, which assists users with processing and toggling between screens when accessing a voter registration or candidate records. Continued development efforts are in place to support reporting and backend security requirements.

### Electronic Registration Information Center (ERIC)

Maryland receives ERIC data monthly. On even-numbered months (February, April, etc.), we receive the In-State Updates, Cross-State, and NCOA (National Change of Address) reports for processing. During odd-numbered months, we receive In-State Duplicate and Social Security Administration Death files for processing. For more information on ERIC, please visit [www.ericstates.org](http://www.ericstates.org).

### Motor Vehicle Administration (MVA) Transactions

During August, MVA collected the following voter registration transactions:

New Registration - 20,639	Residential Address Changes - 30,136
Last Name Changes - 4,828	Political Party - 6,860

*Note: This data includes records held while voter registration was closed from June 29 – August 1.*

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

### Candidacy

Mr. DeMarinis reported that the deadline for write-in candidates to file is October 20, 2022, at 5 pm. Write-in candidates do not need to file a certificate of candidacy in person.

### Campaign Finance

#### *Campaign Finance Reports*

Mr. DeMarinis stated that the 2022 Pre-General 1 was due on August 30, 2022, by 11:59 pm. Almost 85% of the committee filed on time, and to date, 92% of the committees filed the required report. 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 2 Campaign Finance Report is due on October 28, 2022.

#### *State Public Financing Program*

The audit of the public financed gubernatorial committee is ongoing. Currently, the fund balance is \$7,686,932.33.

#### *County Public Financing Programs*

Montgomery County: Mr. DeMarinis reported that in Montgomery County, six of the 20 certified candidates received the maximum public contributions for the primary election, and the program disbursed \$3,458,572 for the 2022 Primary Election. Eight publicly financed candidates won in the primary election. \$125,469 was disbursed in July, and \$97,044 was disbursed in August.

Howard County: All five certified candidates were nominated by their political party and will be candidates in the general election. The Howard County program disbursed \$724,766.79 for the 2022 Primary Election.

#### Website Activity

In August, the MD Campaign Reporting Information System (MD CRIS) website was visited by 293,554 individuals for an average of 9,469 per day. Additionally, it had 2,482,376 hits. Each viewer looked at an average of approximately 6.7 page views per day. The Business Contribution Disclosure System (BCDS) website had 841,902 hits, with 48,187 visitors with an average of 17 page views per day.

#### Enforcement

Here are recent enforcement actions:

1. Hunt, Steve Friends of paid \$200.00 on August 9, 2022, for failure to maintain expenditure and contribution records.
2. Moore, Tom Friends of paid \$250.00 on August 22, 2022, for failure to maintain bank records.
3. Smith, Tom Friends of paid \$250.00 on August 12, 2022, for failure to include sufficient authority line.
4. Prince George's Property Owners Association Inc PAC paid \$250.00 on August 25, 2022, for failure to maintain contribution records
5. Guy, James (Randy), Citizens for paid \$50.00 on September 6, 2022, for failure to include authority line or the authority line is insufficient
6. Fowler, Scott Friends of paid \$50.00 on August 26, 2022, for failure to maintain a campaign bank account.
7. Valentino, Steve Friends of paid \$50.00 on August 26, 2022, for failure to maintain a campaign bank account.
8. Ahmad, Tazeen Friends of paid \$50.00 on September 12, 2022, for failure to maintain a campaign bank account.
9. Drake, Kim Pezza Friends of paid \$50.00 on September 12, 20220, for failure to maintain a campaign bank account

10. Jealous, Ben Friends of paid \$1,000.00 on September 6, 2022, for failure to maintain account books and records, including contributions and expenditures.

A total of \$2,200 was collected in civil penalties from August 1, 2022, to September 15, 2022.

In response to a question from Ms. Woodward regarding why committees file late campaign finance reports, Mr. DeMarinis stated that there can be a multitude of reasons, including but not limited to committees being new to the process, committees being too busy to file, or losing candidates forgetting that they are still required to file. In response to a follow up question from Mr. Voelp, Mr. DeMarinis stated that 8% having still not filed is not atypical year-to-year. He explained that those who have not filed are reported to the Office of the State Prosecutor, which then typically leads to more committees filing.

## **Voting Systems**

### Electronic Pollbook

Work on implementing the new electronic pollbooks continues. We are simultaneously in the Planning and the Analysis and Design phases. The project analysis and design phase is on schedule for completion by the fourth quarter of 2022. The procurement of the hardware for the proposed solution is also in progress, it is anticipated that the hardware will begin to arrive at SBE's warehouse in December 2022.

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

### Inventory Management

We completed and submitted the FY2022 annual inventory reports (Equipment, Supplies, Missing and Stolen) to the Department of General Services and the FY2023 annual Maryland Insurance Survey report to the Insurance Division of the State Treasurer's Office.

### Central Warehouse

The Central Warehouse team is busy preparing its support for the upcoming general election. The support includes the deployment of drop boxes and sending local board-requested equipment and supplies. In addition to managing the warehouse use by trainers and testers, the team is also preparing for the receipt of the new pollbook equipment starting later this year.

### Document and Records Management

We are currently working on our records process and procedures, including updating the records inventory per the requirements from the State for records management.

### Baltimore City Relocation

Mr. Ross reported that the PMO continues to work with the Baltimore City Board of Elections on their relocation plans. In addition, discussions are taking place or are about to occur with individuals on the relocation options available to the local board.

In response to questions from Mr. Williams, Mr. Ross stated that several factors are driving the relocation, including the desire to have the office and warehouse in one location, and that both current facilities are aging and lack the ability for certain technological upgrades. Mr. Ross additionally stated that he and SBE is assisting the Baltimore City Board of Elections with the relocation process.

## **Information Security**

Ms. Charlson reported that as we prepare for the 2022 General Election, we continue to mature our information security program to anticipate, detect and respond to an ever-evolving cyber threat landscape.

These efforts include several ongoing initiatives:

- Updating cybersecurity policies to further define requirements specific to our IT operations and development. These policies are compliant with federal NIST 800-53, NIST Cybersecurity Framework, and Department of Information Technology guidelines.
- Defining detailed technical standards based on these policies and industry best practices to help to secure and defend SBE data and systems.
- Implementing training and managed security services to enhance our capabilities to detect and respond to threats to our systems and the election process.
- Social media defense to help us identify and quickly respond to malicious threats via social media such as impersonation of election officials, voting misinformation, registration scams and threats of violence.
- Undergoing cybersecurity audits and assessments to assure compliance with policies and best practices.
- Conducting regular vulnerability detection to test and improve our cybersecurity posture.
- Implementing industry-standard tools which help our teams detect and respond to cyber vulnerabilities and attacks quickly and effectively.

In light of current global events, we continue to work closely with federal and State partners to maintain increased cybersecurity alert and readiness levels. Our close partnerships with federal, State, and local partners, including Cybersecurity Infrastructure Security Agency, federal Department of Homeland Security, the FBI, and the local boards, have provided useful and effective resources and services to support the cybersecurity program.

### **ASSISTANT ATTORNEY GENERAL'S REPORT**

Mr. Kobrin provided the following report:

1. *In re Petition for Emergency Remedy by the Maryland State Board of Elections, C-15-CV-22-003258* (Cir. Ct. for Montgomery County). On September 2, 2022, SBE filed a petition in the Circuit Court for Montgomery County pursuant to § 8-103(b) of the Election Law Article seeking an emergency remedy to the anticipated amount of incoming mail-in ballots for the 2022 Gubernatorial General Election. The petition sought a court order permitting mail-in ballots to be canvassed and tabulated beginning October 1, 2022 at 8:00 a.m. On September 14, 2022, Delegate Daniel Cox, current Republican nominee for the 2022 gubernatorial election, moved to intervene and oppose the petition. The Court held a contested hearing on September 20, 2022. Three days later, the Court issued a written opinion and order granting SBE's motion and permitting the early canvass.

On September 27, 2022, Delegate Cox appealed the ruling to the Court of Special Appeals and moved that court to stay the circuit court's judgment. SBE must reply to the motion for stay by September 30, 2022.

2. *Bienenfeld v. Montgomery County Board of Elections, C-15-CV-22-003218* (Cir. Ct. for Montgomery County). On August 29, 2022, Paula Bienenfeld petitioned the Circuit Court for Montgomery County for judicial review of her petition determination. The Montgomery County Board of Elections determined that Ms. Bienenfeld did not obtain the requisite

number of signatures to place her on the ballot as a petition candidate in the election for the Fourth Councilmanic District. Ms. Bienefeld sought review of that determination, arguing that the Montgomery County Board improperly disqualified approximately 60 signatures.

SBE intervened in support of the Montgomery County Board. The local board filed a motion for summary judgment on September 2, 2022, and SBE filed a memorandum of law in support of the local board's motion. On September 7, 2022, the parties appeared before the circuit court for a summary judgment hearing. The court ruled in favor of the Montgomery County Board, finding that Ms. Bienenfeld did not obtain the requisite number of valid signatures as the local board had determined.

No appeal of the ruling was noted and the time for an appeal has passed.

3. *Baltimore Transit Equity Coalition v. Baltimore City Board of Elections*, 24- C-22-003681 (Cir. Ct. for Baltimore City). On August 24, 2022, an organization seeking to place a petition question on the Baltimore City ballot filed a complaint in the Baltimore City Circuit Court challenging the Baltimore City Board of Election's determination that the question petition failed to obtain the requisite number of signatures. On August 31, 2022, the local board filed a motion to dismiss or, in the alternative, a motion for summary judgment. The parties appeared for a hearing before the circuit court on September 7, 2022. After the hearing, the circuit court granted summary judgment in favor of the local board, ruling that the plaintiff-organization failed to provide sufficient evidence that any disqualified signatures were disqualified improperly.

No appeal of the ruling was filed and the time for an appeal has passed.

4. *Gibson, et al. v. Frederick County*, 1:22-CV-01642-GLR (D. Md.) On July 5, 2022, Lois Ann Gibson and plaintiff-organizations filed suit against Maryland state entities seeking injunctive relief. The complaint alleges that 22 jurisdictions in Maryland engaged in a RICO conspiracy with a Chicago non-profit organization to fund election fraud. The suit seeks a preliminary injunction enjoining the destruction of records of the 2020 Presidential Election. Under federal law, the records of the 2020 election were to be retained until September 3, 2022.

Before any defendants were served, the federal court denied plaintiffs' request for an *ex parte* temporary restraining order to preserve the election records.

Plaintiffs thereafter served SBE process on August 27, 2022. On September 19, 2022, SBE filed a motion to dismiss the complaint for failure to state a claim. Calvert, Washington, and Montgomery Counties have filed similar motions. The case remains pending before the federal district court.

5. *Johnson v. Hogan*, 8:22-CV-02250-TDC (D. Md.) On September 7, 2022, Thomas P. Johnson filed a complaint challenging the constitutionality of Election Law § 5-706. Mr. Johnson ran during the 2022 Gubernatorial Primary for a seat on the circuit court bench in Montgomery County. He lost that race. Mr. Johnson then sought to file a certificate of candidacy as a write-in candidate for that same office for the general election but was informed by SBE staff that he was ineligible to run pursuant to Election Law § 5-

607(b)(2). The law prohibits anyone who has lost a primary election from running in the following general election as a write-in candidate.

The complaint alleges that § 5-706 unconstitutionally prevents Mr. Johnson from campaigning as a write-in candidate. It seeks injunctive relief allowing Mr. Johnson to file a certificate of candidacy as a write-in candidate.

The Office of the Attorney General filed a motion opposing injunctive relief on behalf of Governor Hogan, the sole named defendant, on September 21, 2022. Mr. Johnson filed a response to the OAG opposition on September 23, 2022. The case remains pending before the federal district court.

6. *Keegan-Ayer et. al. v. Di-Cola et. al.*, C-10-CV-22-000451 (Cir. Ct. for Frederick Cnty.). OAG and SBE are monitoring a residency challenge filed in the Circuit Court for Frederick County. Incumbent Frederick County Councilmember (District 3) M.C. Keegan-Ayer filed suit against her opponent in the Democratic Primary, Jazmin Di Cola, and the Frederick County Board of Elections on August 4, 2022. The complaint alleges that Ms. Di Cola did not reside in District 3 as of July 19, 2022, the date of the primary election and seeks to order her disqualification from the race.

On August 12, 2022, the circuit court held a show cause evidentiary hearing to determine Ms. Di Cola's residency qualification. After the hearing, the Court found Ms. Di Cola did not qualify to run for the District 3 council and ordered the Frederick County Board of Elections to disqualify her from the race.

Ms. Di Cola has not appealed this determination and the time for an appeal has now passed., Mr. Kobrin stated that this case will be removed from this list next month as the case has now concluded.

7. *WinRed, Inc. v. Ellison, et al.*, No. 22-cv-1238 (8<sup>th</sup> Cir). 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 27, 2021, WinRed filed a motion for preliminary injunction against enforcement of 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. WinRed has appealed the dismissal to the U.S. Court of Appeals for the Eighth Circuit. On March 25, 2022, WinRed filed its opening brief. The Appellees' response was filed in late April. WinRed filed its reply brief on May 25, 2022. Oral arguments have been scheduled for October 18, 2022.

8. *Baltimore County. 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. (The individual County Council members have since been dismissed from the case.) 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. On February 22, 2022, the court ruled in favor of the plaintiffs, and ordered Baltimore County to produce a compliant map by March 9, 2022. On March 9, 2022, Baltimore County filed its proposed remedial map. The Court has asked the plaintiffs to respond to the filing by 5 pm today, and will hold a conference with the parties on March 11, 2022 to discuss further proceedings. On March 25, 2022, the Court approved the remedial map proposed by Baltimore County. On May 9, 2022, after reviewing status reports from the parties, the Court dismissed the matter without prejudice, to allow the plaintiffs to bring a challenge to the county map after the July 19, 2022 election if they determine that a challenge is warranted, and to file a motion to attorneys' fees by June 6, 2022.

On June 6, 2022, the plaintiffs filed a Motion for Attorney's Fees and Litigation Expenses. The Court has stayed the proceedings relating to the award of attorney's fees until 30 days after the 4th Circuit rules on the legal issues underlying the award of attorneys fees. The case is otherwise closed.

Ms. Woodward stated that she had questions regarding the *Petition for Emergency Remedy* but would bring her questions up during closed session.

#### **SUSPENSION OF COMAR 33.11.04.03A(1) FOR THE GENERAL ELECTION**

Ms. Charlson presented a request to suspend COMAR 33.11.04.03A(1) (Absentee Ballots — Canvass of Ballots — Procedures — Start of Canvass) in light of the recent decision by the Montgomery County Circuit Court to allow local boards to begin canvassing on October 1, 2022. COMAR 33.11.04.03A(1) currently states that local boards shall start canvassing absentee ballots at 10 a.m. on the Thursday after election day. She explained that the verb "start" was the issue with the current regulation. Ms. Charlson requested that the Board suspend COMAR 33.11.04.03A(1) and direct the local boards to count ballots on the Thursday after election day starting at 10 a.m.

In response to a question from Mr. Voelp, Mr. Kobrin clarified that if the appeal of the *Petition for Emergency Remedy* is successful, the Board would not need to reverse the suspension of COMAR 33.11.04.03A(1), as current Election Law already defines the earliest time when counting ballots can begin.

Mr. Williams made a motion to suspend COMAR 33.11.04.03A(1) for the 2022 General Election and direct the local boards to count mail-in ballots the Thursday after election day, starting at 10 a.m. Mr. Miller seconded the motion. It passed unanimously.

#### **APPROVAL OF INCREASED NUMBER OF BALLOT MARKING DEVICES- LBE REQUESTS**

Ms. Dorsey presented requests from three local boards to increase the number of ballot marking devices (BMDs) at certain early voting centers and election day polling places. She explained that for election day, local boards must receive Board approval in order to deploy more than three BMDs per polling place and more than six BMDs per early voting center.

#### Caroline County

Ms. Dorsey presented a request from the Caroline County Board of Elections to deploy one additional BMD to each of the four largest polling places, for a total of four BMDs at each location. The polling places for this request are Denton Fire Hall, Preston Fire Hall, Federalsburg Fire Hall, and Greensboro V.F.C. Community Hall.

In response to a question from Ms. Woodward as to why more BMDs are needed, Ms. Murphy stated that at the four specified polling places, around half of the voters used a BMD to mark their ballots. In a post-election survey of election judges, Ms. Murphy stated that an overwhelming number of judges suggested additional BMDs. In response to follow up question from Mr. Voelp and Ms. Woodward, Ms. Murphy confirmed that they have the BMDs in their inventory and there is no additional cost associated with deploying the additional BMDs.

In response to a question from Mr. Williams, Ms. Charlson and Mr. Voelp stated that the requirement for State Board approval for more than three BMDs for election day and more than six for early voting came from SBE's settlement with the National Federation of the Blind.

Mr. Williams made a motion allowing one additional BMD at each of the four polling places for Caroline County. Mr. Miller seconded the motion. It passed unanimously.

#### Baltimore City

Ms. Dorsey presented a request from the Baltimore City Board of Elections to increase the number of BMDs at eleven consolidated polling places from three BMDs to four BMDs. The polling places are: Mervo Tech, Liberty Elementary School, Harlem Park Recreation Center, Katherine Johnson Global Academy, Beechfield Elementary School, Hazelwood Elementary School, Northwood Elementary School, Walter P. Carter Elementary and Middle School, Northwestern Senior High School, Cross Country Elementary School, and Thomas Jefferson Elementary School.

In response to a question from Mr. Voelp, Ms. Dorsey confirmed that the Baltimore City Board of Elections has the additional BMDs currently in their inventory.

In response to a question from Ms. Woodward, Mr. Voelp noted that each request for additional BMDs is for a polling place that has consolidated precincts, which would lead to an increase in voter foot traffic throughout the day.

Ms. Woodward made a motion allowing one additional BMD at each of the eleven specified polling places for Baltimore City. Mr. Williams seconded the motion. It passed unanimously.

#### Montgomery County

Ms. Dorsey presented a request from the Montgomery County Board of Elections to increase the number of BMDs at five early voting centers to greater than six BMDs and the number of BMDs at 15 polling places to more than three BMDs.

The requests for additional BMDs at early voting centers are: Mid County Community Recreation Center, Marilyn Praisner Community Recreation Center, Silver Spring Civic Center, Activity Center at Bohrer Park, and the Jane Lawton Community Recreation Center Gym.

The requests for additional BMDs at polling places are:

1. Tilden Middle School
2. Riderwood Village
3. White Oak Community Recreation Center
4. Marilyn Praisner Community Recreation Center
5. Northwest High School
6. Bethesda Chevy Chase High School
7. Friendship Heights Village Center
8. Colonel Zadok Magruder High School
9. Asbury Hefner Community Center
10. John F. Kennedy High School
11. Silver Spring Civic Center Consolidated
12. Leisure World Clubhouse I
13. James Hubert Blake High School
14. Leisure World Clubhouse II
15. Interfaith Chapel

In response to questions from Mr. Voelp, Ms. Dorsey explained that the Montgomery County Board of Elections stated in their request that “In the past, the Board has sent a higher number of ballot marking devices to these sites due to the number of registered voters at that precinct and/or a higher population of elderly voters. In addition, we have increased the number of ballot marking devices where we have seen greater demand.” Ms. Dorsey also confirmed that the Montgomery County Board of Elections has the additional BMDs in its inventory. Ms. Woodward noted that real-time data, as opposed to past practices, is preferred. Mr. Miller stated that have a greater level of detail for similar future requests would be helpful.

Mr. Williams made a motion allowing the additional requested BMDs at the five specified early voting centers and 15 specified election day polling places for Montgomery County. Ms. Woodward seconded the motion. It passed unanimously.

### **APPROVAL OF TITLE 13 WAIVER REQUESTS**

Mr. DeMarinis presented requests from 58 campaigns to waive or reduce late fees incurred by the committee. 22 campaigns were denied waivers of late fees and was presented to the board for informational purposes. No action is required from the Board for denied waivers.

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

- |   |  |
|---|--|
| 1. (Kuberek)Bolen, Linda Friends of         | 9. Bienenfeld, Paula Friends of                      |
| 2. (Paz) Muller, Franca for the People      | 10. Brinkley, David Friends of                       |
| 3. Afzali, Kathy Committee to Elect         | 11. Brooks, Shayla Friends of                        |
| 4. Andrews, Michelle Citizens for           | 12. Building Industry Baltimore County. PAC Maryland |
| 5. Arrington, Donnie Friends of             | 13. Charm City Conservative PAC for Change           |
| 6. Avery, Reg Friends of                    | 14. Corley, Rob Friends to Elect                     |
| 7. Axe, Aron Friends of                     | 15. Cox, Dan for Governor                            |
| 8. Baltimore County Chief Fire Officers PAC |  |

16. DePaulo, Michael A. Friends of
17. Duck, Brandon Supporters of
18. Eastside45 Slate
19. Fellows, Andrew for Democratic Central Committee
20. Ferdinando, Joe for Board of Education
21. Fitzwater, Jessica Friends of
22. Gebert, Carla Friends of
23. GEICO Maryland PAC
24. Guessford, Michael (Mike) for Board of Education
25. Hall, Millicent Friends of
26. Haythe, Keasha Friends for
27. Hines-Poole, Yakeisha for Change Movement
28. Khan, Ash Friends of
29. Kohn, Richard Friends of
30. Larkin, Tammy Friends of
31. Loudon, Faith M. Friends of
32. MD/DC-National Assoc. Of Industrial and Office Property. PAC
33. Mekkah X Mohammed
34. Mielke, Lynn Citizens for
35. Moore, Tom Friends of
36. Mullis, Paula Committee To Elect
37. Nieves, Ashley for Board of Education
38. Papuchis, Hilary Friends of
39. Podiatric Medical Association PAC, Maryland
40. Prince George's County Volunteer Fire and Rescue Assoc. PAC
41. Psychological Association PAC, Maryland
42. Rak, Alexandra (Ali) Elect
43. Ramos, Odette Friends Of
44. Renshaw, Cheryl for Anne Arundel County Friends of
45. Roberts, Al ( Allen) Committee To Elect
46. Robertson, John Committee to Elect
47. Robinson-Grant, LeRoi The People for
48. Smith, (Jarrett) for MoCo
49. Tarlau, Jimmy Friends of
50. Thompson, J. (James) Howard Citizens for
51. Trullinger, Mark 2022
52. Tyndall, Zackery Friends of
53. Voss, James Brian for Maryland
54. Walsh, Liz (Elizabeth) Committee to Elect
55. Weems, Steve Friends for
56. Wills Group Political Action Committee, The
57. Woods, Jamila Friends of
58. Yochem, Robert Friends of

Mr. Williams made a motion to approve the 58 Title 13 late fee waiver requests as presented, and Ms. Woodward seconded the motion. The motion passed unanimously.

#### **TITLE 14 WAIVER REQUESTS**

Mr. DeMarinis presented to the board for informational purposes only requests from three businesses to waive late fees incurred by the entity, which were all denied. There were no Title 14 waivers of late fees for the board to approve.

Mr. DeMarinis presented requests from three businesses to waive or reduce late fees incurred by the entity. One business was denied a waiver of late fees, which was presented to the board for informational purposes. No action is required by the Board for denied waivers.

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

1. CPP
2. Curio Wellness
3. Radiant Innovative

In response to questions from Ms. Woodward regarding Radiant Innovative, Mr. DeMarinis explained that in the contract between Radiant Innovative and the State Board of Elections, the boilerplate language used in the Request for Proposals did not include the requirement for the Title 14 required reporting. He further explained that the number of reports due and the late fees

associated with those reports are over a two-year period. The error was found earlier this year, and Radiant Innovative has since filed the required reports.

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

### **OLD BUSINESS**

There was no old business.

### **NEW BUSINESS**

There was no new business.

### **DISCLOSURE OF CAMPAIGN CONTRIBUTIONS**

Ms. Woodward disclosed a \$250 donation for an event ticket for Wes Moore for Governor.

### **SCHEDULE NEXT MEETING**

The next meeting is scheduled for Wednesday, October 26, 2022 at 2 p.m.

### **CLOSED SESSION – PERSONNEL & LEGAL ADVICE**

Mr. Voelp requested a motion to close the board meeting under several provisions of §3-305(b)(1), (7) and (8) of the General Provisions Article, which permit 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, respectively. Mr. Miller made a motion to convene in closed session under General Provisions Article, §3-305(b)(1), (7) and (8), and Ms. Woodward 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 and receive advice from counsel and consult with staff about pending or potential litigation. The closed session began at 2:25 pm. Mr. Voelp, Mr. Miller, Ms. Woodward, and Mr. Williams attended the closed meeting. In addition to the board members, Ms. Lamone, Mr. Kobrin, Ms. Charlson, Ms. Duncan, Ms. Dorsey, and Shermaine Malcolm attended the meeting.

Ms. Malcolm presented a compensation request submitted by a local board of elections and Ms. Lamone's recommendation. Ms. Woodward made a motion to approve the State Administrator's recommendation, and Mr. Williams seconded the motion. The motion was approved unanimously.

The board received legal advice and consulted with staff about pending or potential litigation. No actions were taken.

Ms. Woodward made a motion to adjourn the closed meeting, and Mr. Miller seconded the motion. The motion passed unanimously. The closed meeting adjourned at 2:58 pm.

### **ADJOURNMENT**

The open meeting adjourned at 2:19 pm.