

Announcements & Important Meetings

Ways and Means Committee Briefing

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

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

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

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

Currently, testing of 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

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

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

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

Currently, we are 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.

State of Maryland 

State Board of Elections – December 16, 2021 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
Shafiq Satterfield, Director of IT Project Management
Melissia Dorsey, Director of Election Reform and Management
Shermaine Malcolm, HR Director

Also Present: Wendy Adkins, Director, Saint Mary' County Board of Elections
Kaye Robucci, Director, Washington County Board of Elections
Barry Jackson, Deputy Director, Washington County Board of Elections
Seth Wilson, Washington County resident
Peter E. Perini, Sr., Washington County resident

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: OCTOBER 28, 2021

Mr. Williams made a motion to approve the minutes from the October 28, 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

Welcome

Ms. Charlson reported that SBE welcomed Mary Ann Mogavero as the newest member of the Election Management and Reform team. Her role will focus on the election judge manual, training, and video development. Mary Ann previously worked at the Prince George's County Board of Elections for 18 years and most recently served as their Elections Operations Manager. We are excited to have her share her experience and expertise with the rest of the State.

SBE also welcomed two new members to our IT team. Arthur Pengosro is our new Computer Information Services Specialist as of December 15, 2021. Maria Thampi will start January 12 as our new IT Programmer Analyst primarily supporting the Voter Services team.

SBE is saying goodbye to Susan Tang who has been a key member of our IT staff for nearly five years performing critical database work, conducting data analysis, and producing election reports. Her last day was December 17, 2021. We wish her well.

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

Ms. Charlson noted that the Prince George's County Council ordered a vote-by-mail special election to fill a vacancy in Council District 8. The primary election will be held on January 4, 2022, with early voting on December 27 - 30, 2021, and January 2 - 3, 2022. Early voting and election day voting will be held at the Southern Regional Tech and Recreation Center. The local board can start counting vote-by-mail ballots on January 4, 2022, and the primary election will be certified on January 14, 2022.

The 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.

Taylor Communications will be printing, inserting, and mailing ballot packets for the special elections. Vote-by-mail packets for the special primary election will be sent on December 17 - 18 to registered Democrats. Since no candidates filed for the Republican primary election, a letter will be sent to registered Republicans in District 8 explaining why they will not receive a ballot for the special primary election.

Election Reform and Management

Mail-In Voting Forms and Information: Usability Review

The University of Baltimore (UB) and the Center for Civic Design (CCD) have 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.

Mail-In Ballot Request Form Mailer

SBE staff are working with incumbent vendor Runbeck Election Services to prepare for the mailing of mail-in ballot request forms in early February 2022. This mailing is required by [Chapter 56](#) (Senate Bill 683) and [Chapter 514](#) (House Bill 1048) of the 2021 Legislative Session.

Mail-in Voting: Procurement and Vendor Selection

Taylor's contract for mail-in ballots for the 2022 elections was approved at the December 1, 2021 meeting of the Board of Public Works. The contract includes options for the 2024 and 2026 elections.

Permanent Absentee Ballot List Confirmation

SBE staff are working to produce 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 early voting centers and ballot drop boxes for the 2022 elections. The State Board approves early voting centers, while the State Administrator approves ballot drop box locations.

Voter Registration

MDVOTERS

Ms. Wagner reported that the final MDVOTERS release of the year was successfully deployed the weekend of December 3. This release finalizes the requirements to implement the permanent absentee ballot list and MVA's new driver license system configurations.

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.

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ERIC Files

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Motor Vehicle Administration (MVA) Transactions

During October, MVA collected the following voter registration transactions:

New Registration - 7,748	Residential Address Changes - 17,530
Last Name Changes - 2,188	Political Party Changes - 4,078

During November, MVA collected the following voter registration transactions:

New Registration - 8,542	Residential Address Changes - 17,375
Last Name Changes - 2,729	Political Party Changes - 4,437

Non-Citizen Registration and Voting

From October 26, 2021 through December 12, 2021, a total of 101 voters have been canceled due to these voters not being U.S. citizens. Six voters have voting history and will be forwarded to the Office of the State Prosecutor in January 2022.

Candidacy and Campaign Finance (CCF) Division

Candidacy

The candidacy filings are currently scheduled by appointment, and as of 229 candidates have filed at SBE.

Campaign Finance

Upcoming Reports

The next campaign finance report due is the January 2022 Annual Report. However, independent expenditure entities and Super PACs must file disclosure reports within 48 hours after making disbursements or expenditures of \$10,000 or more.

The semi-annual Contribution Disclosure Statement was due on November 30. This report is due for any person doing business with a governmental entity of \$200,000 or a person who employs a State lobbyist and makes contributions of \$500 or more in a filing period. 98% submitted the statement timely. The entities that failed to file are currently being assessed late fees.

Mr. DeMarnins noted that the Pre-Primary Campaign Finance Report for the Prince George's Special Election is due on December 27, 2021. Pre-report notices were sent to the candidates.

State Public Financing Program

To qualify for a public contribution, the candidate must raise \$120,000 from 1,500 Maryland residents. As of October 31, there is \$4,183,662.42 in the Fund. In the next fiscal year, additional \$4,000,000 will be appropriated to the Fund. One candidate has filed a notice of intent to participate in the program.

County Public Financing Programs

Montgomery County: There are five certified candidates in the program. Additional 16 candidates have filed a notice of intent to participate. The program has made a total of \$320,966 disbursements.

Howard County: Three candidates have filed a notice of intent to participate in the program. There is one certified candidate in the program. No disbursements have been made in the program.

Website Activity

In October, the MD Campaign Reporting Information System (MD CRIS) website was visited by 228,468 individuals for an average of 7,369 per day. Additionally, it had 1,738,511 hits. Each viewer looked at an average of approximately 6.5 page views per day. The Business Contribution Disclosure System (BCDS) website had 847,869 hits, with 26,351 visitors with an average of nearly 19 page views per day.

In November, the website was visited by 231,406 individuals for an average of 7,713 per day. Additionally, it had 1,764,448 hits. Each viewer looked at an average of approximately 6.5 page views per day. The BCDS website had 982,301 hits, with 81,960 visitors with an average of over 10 page views per day.

Enforcement

1. Friends of Ron Watson candidate committee paid \$1,100.00 on November 3, 2021 for receiving contributions during the legislative session.
2. Friends of Angela Jones candidate committee paid \$50.00 on November 3, 2021 for failure to record all contributions and expenditures.
3. Boyd Rutherford for Maryland candidate committee paid \$1,500.00 on November 11, 2021 for failure to maintain accounts and books properly and for failure to record all contributions and expenditures.
4. Citizens for Douglas J.J Peters committee paid \$1,500.00 on November 18, 2021 for failure to record all contributions and expenditures and failure to maintain bank records.
5. Larry Hogan for Governor candidate committee paid \$2,500.00 on November 19, 2021 for failure to maintain accounts and books properly and for failure to record all contributions and expenditures.

6. Friends of Cherri Branson candidate committee paid \$100.00 on November 22, 2021 for cash disbursement greater than \$25.00.
7. Kyle Sefcik for Governor candidate committee paid \$50.00 on November 30, 2021 for failure to include an authority line.
8. Friends of Kathleen M. Dumais candidate committee paid \$1,000.00 on December 8, 2021 for receiving contributions during the legislative session.

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.). No change from the last update. 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. The Court has not yet issued its ruling on 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. The Court has not yet ruled on the motions.

3. *[Redacted] 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.

In response to questions from Ms. Woodward, Mr. Trento stated that he is not sure if a judge has been assigned to the [Redacted] case, and that the plaintiff requested anonymity because she believes she could be harmed negatively by those who might be harmed by a ruling in her favor.

APPROVAL OF PROPOSED REGULATIONS: COMAR 33.13.07.02 – CAMPAIGN FINANCE – AUTHORITY LINE- ELECTRONIC MEDIA, 33.13.14.07 – PUBLIC FINANCING – COORDINATED IN-KIN CONTRIBUTIONS – TRANSERS, 33.18.02 – PROHIBITED ACTS, AND 33.20.08 – DISCLOSURE BY PERSONS DOING PUBLIC BUSINESS – PENALTIES

Mr. DeMarinis presented for adoption the following proposed amendments to COMAR:

1. 33.13.07.02 (Campaign Financing - Authority Line Requirements – Electronic Media): The proposed amendment to the regulation modifies the authority line requirements for the use of deep fake videos and audio recordings and the sending of text messages by a political committee. The proposed regulations define what constitutes a deep fake audio and video recording. Moreover, it modifies the authority line requirements to include an additional disclaimer at the beginning and end of the recording that the audio or video recording did not occur in reality. Additionally, the proposed regulation requires a political committee that disseminates text messages to individuals, but the text message service limits the number of characters in the text to immediately follow the text message with a text message including the authority line.

In response to a question from Mr. Williams, Mr. DeMarinis stated that these amendments reflect best practices related to deep fake videos. He clarified, in response to a comment from Mr. Voelp, that candidates may use deep fake videos, but the video must make it clear, through the required disclaimers, that the video was produced using editing technology. He further explained, in response to a question from Mr. Williams, that not requiring specific language in the disclaimer enables the disclaimer to fit each video accordingly and be updated as technology changes. Mr.

Trento clarified that deep fakes are defined as videos that seem real; a parody video (e.g., a cartoon or animated video) would not be classified as a deep fake.

Ms. Woodward made a motion to approve the proposed amendments to COMAR 33.13.07.02 as presented by Mr. DeMarinis. Mr. Miller seconded the motion. It passed unanimously.

2. 33.13.14.07, 33.13.14.08, and 33.14.09 (Campaign Financing – Public Financing – Coordinated In-Kind Contributions): The proposed new regulations allow for central committees to make coordinated in-kind contributions to county publicly financed candidates. The proposed regulations set limits and resists the source of the funding consistent with the enabling legislation and county programs.
3. 33.13.14.08 (Campaign Financing – Public Financing – Electronic Signatures): The proposed new regulation defines, sets the process, and places restrictions on the use of electronic signatures in relation to use on a contribution card.
4. 33.14.14.09 (Campaign Financing – Public Financing – Electronic Signatures): The proposed new regulation prohibits transfers from a publicly financed candidate committee to any other political committee and allows for the transfer of the voter access file from the State Central Committee.

In response to a question from Mr. Williams, Mr. DeMarinis clarified that all contributions, including in-kind, must be reported. In the case of a coordinated in-kind contribution, the donating committee and the receiving committee would both be required to report the contribution. He further explained that committees that report in-kind contributions (either donated or received) must include a justification to determine the fair market value of the contributions.

In response to questions from Mr. Voelp, Mr. DeMarinis stated that Prince George's County Council passed legislation allowing for publicly financed candidates, and that both Baltimore City and Baltimore County Councils are in the process of passing similar legislation. He clarified that when multiple candidates benefit from a coordinated in-kind contribution, the value is divided among the benefitting candidates, and time donated by volunteers is not considered in-kind contributions. Mr. DeMarinis further confirmed that the proposed regulations only apply to publicly financed candidates.

Mr. Miller made a motion to approve the proposed amendments to COMAR 33.13.14.07, 33.13.14.08, and 33.13.14.09, as presented by Mr. DeMarinis. Mr. Williams seconded the motion. It passed unanimously.

5. 33.18.02.01 and 33.18.02.02 (Violations – Prohibited Acts): The proposed amendments and new regulations require a person to place the same disclaimer requirements on a deep fake recording attempting to influence a voter's decision going to the polls or casting a vote within 90 days of the election.

In response to a question from Mr. Miller, Mr. DeMarinis clarified that the proposed regulations apply to any person, not just a political committee, and would include, for example, a video telling voters that the polls have closed early, when they have not.

Mr. Williams made a motion to approve the new regulations and proposed amendments to COMAR 33.18.02.01 and 33.18.02.02 as presented by Mr. DeMarinis. Mr. Miller seconded the motion. It passed unanimously.

6. **33.20.08.01** (Disclosure of Person Doing Public Business – Sanctions): The proposed amendments update the late fee penalties to match the late fee fine structure for political committees. In 2019, the General Assembly changed the penalties for political committee to a maximum penalty of \$1,000. The law governing the contribution disclosure statement for persons doing public business requires that penalties for late filings are identical to political committees.

Mr. Williams made a motion to approve the proposed amendments to COMAR 33.20.08.01 as presented by Mr. DeMarinis. Ms. Woodward seconded the motion. It passed unanimously.

APPROVAL OF FINAL REGULATIONS- COMAR 33.01.01.01 – GENERAL PROVISIONS – DEFINITIONS; 33.05.01.02C – VOTER REGISTRATION – PROCESSING APPLICATIONS; 33.11.02.01D – ABSENTEE BALLOTS – APPLICATION; 33.11.03.08B – ABSENTEE BALLOT – TIMELY; 33.17.05.01C – EARLY VOTING – ELECTION JUDGES.

Ms. Charlson presented proposed amendments to COMAR 33.01.01.01, 33.05.01.02C, 33.11.02.01D, 33.11.03.08B, and 33.17.05.01C for final adoption. These proposed regulations were approved by the Board at its July 22, 2021 meeting and published in the September 24, 2021, issue of the *Maryland Register* (Vol. 48, Issue 20). The public comment period closed on October 25, 2021. Ms. Charlson stated that no public comments were received.

There was no discussion on the final adoption of the proposed regulations. Ms. Woodward made a motion to adopt the proposed amendments to COMAR 33.01.01.01, 33.05.01.02C, 33.11.02.01D, 33.11.03.08B, and 33.17.05.01C for final adoption and publication, as presented by Ms. Charlson. Mr. Funn seconded the motion. The motion passed unanimously.

APPROVAL OF CONFIDENTIALITY REQUESTS

Mr. DeMarinis presented requests from five 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.

Ms. Woodward made a motion to approve the waiver requests. Mr. Williams 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 Baltimore City, Calvert, Carroll, Cecil, Charles, Frederick, Garrett, Howard, Montgomery, Prince George's, Saint Mary's, Washington, and Wicomico County Boards of Elections. The presentation can be viewed in full at:

https://elections.maryland.gov/about/meeting_materials/EVC_Presentation_122021.pdf.

1. **Baltimore City**- Ms. Dorsey presented a request from the Baltimore City Board of Elections to move the early voting center at the University of Maryland at Baltimore from its current location to a new building 300 feet down the street. SBE recommends approving this request.

Ms. Woodward made a motion to approve the request to move the early voting center location for Baltimore City. Mr. Williams seconded the motion. The motion passed unanimously.

2. Calvert County- Ms. Dorsey presented a request from the Calvert County Board of Elections for two new additional early voting centers at the Southern Community Center and the Fairview Library. SBE recommends approving both requests.

In response to a question from Mr. Voelp, Ms. Dorsey clarified that the trailer at Fairview Library is a temporary structure while a permanent building is being constructed, and therefore a request for an early voting center in the new permanent building near the library would be made for the 2024 election.

Mr. Williams made a motion to approve the request for two new early voting center locations for Calvert County. Mr. Miller seconded the motion. The motion passed unanimously.

3. Carroll County- Ms. Dorsey presented a request from the Carroll County Board of Elections to approve a new early voting center at the North Carroll Senior Center and move the existing early voting center at the South Carroll Swim Club to the South Carroll Senior Center. SBE recommends approving both requests.

Mr. Williams made a motion to approve the request for one new and one changed early voting center locations for Carroll County. Mr. Miller seconded the motion. The motion passed unanimously.

4. Cecil County- Ms. Dorsey presented a request from the Cecil County Board of Elections for a new early voting center at the Cecil Arena. SBE recommends approving this request.

Ms. Woodward made a motion to approve the request for one new early voting center location for Cecil County. Mr. Miller seconded the motion. The motion passed unanimously.

5. Charles County- Ms. Dorsey presented a request from the Charles County Board of Elections to approve a new early voting center at the St. Joseph's Church Hall and move the existing early voting center at the Gleneagles Community Center to the Waldorf Jaycees. SBE recommends approving both requests.

Mr. Williams made a motion to approve the request for one new and one changed early voting center locations for Charles County. Mr. Miller seconded the motion. The motion passed unanimously.

6. Frederick County- Ms. Dorsey presented a request from the Frederick County Board of Elections to return to using early voting center locations that were all used in 2018. In response to a question from Mr. Voelp, Mr. Trento clarified that the Board does need to approve the use of a fourth optional early voting site.

Mr. Williams made a motion to approve the use of a fourth optional early voting site for Frederick County. Mr. Miller seconded the motion. The motion passed unanimously.

7. Garrett County- Ms. Dorsey presented a request from the Garrett County Board of Elections to move the early voting center at the Northern Outreach Center to the Grantsville Volunteer Fire Department. SBE recommends approving this request.

Mr. Williams made a motion to approve the request to change the location of one early voting center for Garrett County. Mr. Funn seconded the motion. The motion passed unanimously.

8. Howard County- Ms. Dorsey presented a request from the Howard County Board of Elections to move three of its early voting centers to the St. John Baptist Church, North Laurel Community Center, and the Gary J. Authur Center. SBE recommends approving this request.

Mr. Funn made a motion to approve the request to change the location of three early voting centers for Howard County. Mr. Miller seconded the motion. The motion passed unanimously.

9. Montgomery County- Ms. Dorsey presented requests from the Montgomery County Board of Elections to relocate two early voting centers to the White Oak Community Rec Center and the Nancy H. Dacek N. Potomac Community Rec Center, and to use the social hall at the Wheaton Library for early voting only. SBE recommends approving these requests.

Ms. Dorsey also presented a request from the Montgomery County Board of Elections to include an optional 14th early voting location at the Bauer Drive Community Rec Center but noted that the addition of this site as the optional early voting site has not been approved by the Montgomery County Council yet. SBE recommends approving this request pending approval by the County Council.

In response to a question from Mr. Voelp, Mr. Trento confirmed that the optional early voting center does need approval from the governing body before approval from the State Board. He noted, however, that there was no reason the Board couldn't give a preliminary approval pending approval by the County Council but that a formal approval would still be required later. No Board members voiced an objection to either approving a 14th optional early voting center in Montgomery County or using the Bauer Drive Community Rec Center as the 14th early voting center.

Mr. Funn made a motion to approve the request to change the location of two early voting centers for Montgomery County and the location of early voting at the Wheaton Library. Ms. Williams seconded the motion. The motion passed unanimously.

10. Prince George's County- Ms. Dorsey presented a request from the Prince George's County Board of Elections for one new early voting center at the Rollingcrest-Chillum Community Center. Ms. Dorsey clarified that the minimum number of required early voting centers increased for Prince George's County from 12 to 13; therefore this is not an optional early voting center.

Mr. Miller made a motion to approve the request for one new early voting center for Prince George's County at the Rollingcrest-Chillum Community Center. Ms. Woodward seconded the motion. The motion passed unanimously.

11. Saint Mary's County- Ms. Dorsey presented a request from the Saint Mary's County Board of Elections for two new early voting center locations at the Mechanicsville Fire House and the Bay District Fire House, one of which is the additional, optional early voting center. SBE recommends approving these requests.

In response to a question from Mr. Voelp, Ms. Adkins stated that the County Commissioners for Saint Mary's County approved at its July meeting the use of additional early voting center and both locations presented today.

Mr. Funn made a motion to approve the request for two new early voting centers for Saint Mary's County at the Mechanicsville and Bay District Fire Houses. Mr. Miller seconded the motion. The motion passed unanimously.

12. Wicomico County- Ms. Dorsey presented a request from the Wicomico County Board of Elections for an additional required early voting center at the Family Life and Cultural Center at First Baptist Church. SBE recommends approving this request.

Mr. Williams made a motion to approve the request for one new early voting center for Wicomico County at the Family Life and Cultural Center at First Baptist Church. Mr. Funn seconded the motion. The motion passed unanimously.

13. Washington County- Ms. Dorsey presented a request from the Washington County Board of Elections for an additional required early voting center at the Washington County Free Library. SBE recommends approving this request.

Ms. Dorsey noted that the Washington County Board of Elections approved an optional third early voting center in Smithsburg, but that site was not approved by the Washington County Board of Commissioners. Both the current early voting center at the Board of Elections office and the additional site are located in Hagerstown.

Ms. Robucci stated that the Washington County Board of Elections requested approval of a third early voting center because the number of registered voters is close to the threshold of triggering a third early voting center, but the county commissioners did not approve this request. Therefore, she requested approval of the second early voting location at the Washington County Free Library, which is located in downtown Hagerstown, is on a public transportation route, is spacious, has adequate parking, and meets all other requirements. Ms. Robucci stated that her office looked at 15 other locations around the county, but none met the requirements and considerations as well as the library in Hagerstown.

In response to a question from Ms. Woodward, Mr. Jackson stated the county commissioner who made the motion to reject a third early voting center stated that the citizens of Washington County shouldn't have to pay for a third early voting center if it is not required. Also in response to Ms. Woodward, he stated that the use of the proposed early voting center in Smithsburg did not rise to discussion by the county commissioners. In response to a question from Mr. Voelp, Mr. Jackson stated that the Smithsburg location was only proposed as a third early voting center because it was not large enough to handle early voting as one of only two sites but would have been sufficient for a third site.

Public Comment- Seth Wilson

Mr. Wilson gave a brief presentation entitled *Unequal Distribution of Early Voting Site in Washington County*. He stated that the current early voting center in Washington County was purposely built and was intended to serve the entire county. Mr. Wilson noted that one requirement that a local board must take into consideration when selecting an early voting center is ensuring equitable distribution of early voting centers throughout the county but claims that the Board of Elections did not consider that factor in making its approval of the early voting center at the Washington County Free Library. Mr. Wilson further asserts that, due to the concentration of voters in the Hagerstown area, that the Board never truly considered any locations outside of downtown Hagerstown.

Mr. Wilson recommended that the State Board:

1. Reject or postpone the approval of the Washington County Free Library as an early voting center;
2. Require the local board to submit a proposal for early voting center(s) that satisfy the factor of equitable distribution throughout the county;
3. Adopt regulations that take equitable distribution into account and update COMAR and the early voting center approval form accordingly; and
4. Require local board submissions related to early voting center proposals to be published for public review and comment.

Public Comment- Peter E. Perini, Sr.

Mr. Perini explained that he has been a regular attendee of the Washington County Board of Elections since 2014. He thanked the local board staff and appointed board members for always leading with impartiality. Mr. Perini stated that due to his regular meeting attendance he was able to vouch for the local board's thorough evaluation of more than a dozen potential early voting center locations in Washington County, and believes the Board made the correct decision in selecting the Washington County Free Library as the second early voting center. In conclusion, Mr. Perini recommended that the State Board approve the early voting center as proposed by the Washington County Board of Elections.

Board Discussion

In response to a question from Mr. Williams, Mr. Voelp stated that he believed the early voting center approval form does align with the current law. Ms. Charlson clarified that at the October meeting of this Board, the members approved regulations to align with current law, but the form was already updated to reflect the new requirements.

Ms. Woodward stated that the close geographic proximity of the two early voting centers concerns her. She stated that in reviewing the early voting centers in the other counties approved at this meeting, none other than Montgomery County have early voting centers as geographically close, but due to the population of Montgomery County, that is expected. Ms. Dorsey pointed out that Wicomico County has both of its early voting centers in Salisbury. She noted that, like Washington County, the majority of the population, areas of low voter turnout, and minority density in Wicomico County are all in one geographic location.

In response to a question from Mr. Funn, Mr. Trento clarified that the State Board does not have any authority to require a third early voting center in Washington County, as the proposed third location was not approved by the local governing body. The question before the Board today is approval of the second early voting center location, which is required by statute, and therefore does not need approval from the local governing body.

In response to a question from Mr. Voelp, Ms. Dorsey confirmed that the local board would not have selected the Smithburg Library as the second early voting center even if the Washington County Free Library was not available. Mr. Voelp stated that he did not see a reason to overrule the local board of elections even though his preference would be for the second early voting center to be somewhere else in the county that has better geographic distribution.

In response to a question from Mr. Funn regarding what alternative locations were available there if the State Board was to postpone the vote, Ms. Robucci stated that downtown Hagerstown would still be the preferred location, but there was not a specific alternate site that met the requirements of the law. In response to a question from Mr. Williams, Ms. Robucci stated that she wasn't certain if there was enough time to find an alternate location.

Mr. Williams stated that he echoed Ms. Woodward's concern regarding geographic distribution but agreed with Mr. Voelp in that he did not see a good reason to override the local board. Mr. Miller agreed with this sentiment, stating that he didn't think there was an alternate solution in the timeframe needed that is better than the one being proposed.

Mr. Funn made motion to approve the Washington County Free Library at Hagerstown as the second early voting center location for Washington County. Mr. Williams seconded the motion. The motion passed unanimously.

OLD BUSINESS

Maryland Association of Election Officials (MAEO) Proposal- Election Director and Deputy Director Grade Adjustment

Ms. Malcolm summarized MAEO's salary request as presented at the last board meeting, which is a two-grade increase for election directors and deputy directors and moving the salary bands up two grades. MAEO is also requesting a 12% salary increase for the directors and deputies as well, with an effective date of July 1, 2021. Ms. Lamone's recommendation is a one grade, six percent salary increase, including moving the salary band up one grade for the election directors and deputies, effective January 1, 2022.

In response to a question from Mr. Williams, Mr. Voelp and Mr. Trento both confirmed that the Board has the authority to deviate the recommendation from the State Administrator if the Board feels that something different is in the best interest of the State. Mr. Williams stated that he is inclined to side with Ms. Lamone's recommendation, citing her previously stated reason of disparity between the salary of local board staff and State Board staff.

Mr. Voelp stated his genuine concern regarding adequate compensation for professional election officials, citing the pervasive competition for employees everywhere and the draining nature of loss of subject matter experts. He stated that paying what we can that is reasonable is generally in the best interest of the State in order to hold fair elections.

Mr. Miller stated that his concerns with any salary changes is the lack of an economic impact study comparing the effect of MAEO's proposal and Ms. Lamone's recommendations. He did commend Ms. Lamone's efforts to keep salaries in line though and stated that he was inclined to support her recommendation.

Ms. Woodward stated that based on Ms. Lamone's years of experience, she is inclined to support her recommendation. Ms. Woodward also reiterated a previous statement she has made which is that she believes the duty of determining the salaries of election staff should be the purview of the State Administrator alone, and not with the State Board. Mr. Williams echoed Ms. Woodward's sentiments and stated that he also is inclined to support Ms. Lamone's recommendation.

Mr. Funn made a motion to approve the salary recommendations of Ms. Lamone for the election directors and deputy directors. Mr. Miller seconded the motion. The motion passed unanimously.

NEW BUSINESS

There was no new business.

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

Mr. Voelp disclosed a \$100 payment for the Anne Arundel County Lincoln Reagan Dinner.

Mr. Williams asked Mr. Trento for clarification on if board members are required to report contributions to candidates or campaigns outside of Maryland. Mr. Trento stated that there has been past reporting of federal candidates but that he would clarify the requirement.

There were no other contributions.

SCHEDULE NEXT MEETING

Due to possible schedule conflicts, the next meeting previously scheduled for Thursday, January 20, 2022 was moved to Thursday, January 27, 2022 at 2 p.m. Ms. Woodward reiterated that she will be out of the country but will do her best to attend, but cannot make any promises based on available technology.

CLOSED SESSION – PERSONNEL

Mr. Voelp requested a motion to close the board meeting under General Provisions Article, §3-305(b) (1), which permits closing a meeting to discuss compensation of officials over whom the State Board has jurisdiction. Ms. Woodward made a motion to convene in closed session under General Provisions Article, §3-305(b)(1), and Mr. Funn seconded the motion. The motion passed unanimously.

The motion having passed, the Board met in closed session in accordance with the exemption defined in (b)(1) of Section 3-305 of the Open Meetings Act to discuss compensation of officials over whom the State Board has jurisdiction. The closed session began at 5:11 pm. Mr. Voelp, Mr. Funn, Mr. Miller, Mr. Williams, and Ms. Woodward attended the closed meeting. In addition to the board members, Ms. Lamone, Ms. Charlson, Mr. Trento, Ms. Duncan, and Ms. Malcolm attended the closed meeting.

During the closed session, Ms. Malcolm presented a salary request for a candidate for a vacant position at a local board of elections and Ms. Lamone's recommendation on the local board's request. Mr. Miller made a motion to accept the State Administrator's recommendation, and Mr. Williams seconded the motion. The motion passed unanimously.

Ms. Woodward made a motion to adjourn the closed meeting. The motion passed unanimously.

The closed meeting adjourned at 5:17 pm.

ADJOURNMENT

The open meeting adjourned at 5:00 pm.

ASSISTANT ATTORNEY GENERAL'S REPORT

January 27, 2022

1. *Fusaro v. Davitt et al.*, No. 20-1879 (U.S.C.A. for the 4th Cir.). No change from the last update. 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. A hearing on this motion took place on January 5, 2022, and the Court denied plaintiffs' motion for the bench.

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.



LARRY HOGAN
Governor

BOYD K. RUTHERFORD
Lieutenant Governor

DAVID R. BRINKLEY
Secretary

MARC L. NICOLE
Deputy Secretary

MEMORANDUM

TO: Personnel Directors, State Personnel Management System

FROM: Cynthia A. Kollner
Executive Director 
Office of Personnel Services and Benefits

DATE: January 10, 2022

RE: Administrative Leave for State Employees Serving as Election Judges

The Primary Election will be held on Tuesday, June 28, 2022, and the General Election will be held on Tuesday, November 8, 2022. As a reminder, the General Election day is a State holiday.

Under the Election Law Article, § 10-202, a State employee who serves as an election judge during hours that the employee is otherwise scheduled to work for the State may be granted one hour of administrative leave for each hour of service as an election judge, not to exceed eight hours per day. An employee who is scheduled to work on the Primary or the General Election day and wishes to serve as an election judge must obtain supervisor approval before serving. In order to qualify for administrative leave, an employee must provide his/her supervisor with as much prior notice as possible in order to accommodate any scheduling changes that might be necessary, and must provide his/her supervisor with documentation from the Election Board confirming the dates and hours of service as an election judge.

Governor Larry Hogan also has authorized up to eight hours of administrative leave for State employees who are not scheduled to work and who serve as election judges on the General Election day. An employee who is not scheduled to work on the General Election day holiday must provide his/her supervisor with documentation from the Election Board confirming the date and hours of service as an election judge before administrative leave will be granted.

Election judges play a critical part in the democratic process. Please encourage your employees to take advantage of this opportunity to serve their communities. If you have any questions, please contact Sheryl Hagood at 410-767-4976.

cc: David R. Brinkley, Secretary, Department of Budget and Management (DBM)
Sheryl Hagood, HR Administrator, Office of Personnel Services and Benefits, DBM
Linda Lamone, State Administrator, SBE

STATE BOARD OF ELECTIONS

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

William G. Voelp, Chairman
Malcolm L. Funn, Vice Chairman
Severn E. S. Miller
Justin Williams
T. Sky Woodward



Linda H. Lamone
Administrator

Nikki Charlson
Deputy Administrator

Memorandum

TO: State Board Members

FROM: Jared DeMarinis, Director
Division Candidacy and Campaign Finance

SUBJECT: Administrative Closure of Campaign Accounts

DATE: January 27, 2022

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:

1. The campaign finance entity could be terminated under §13-309 (b) (4) of this subtitle except for the existence of one or more outstanding obligations and each of those obligations is more than 5 years old;
2. No responsible officer currently is appointed and serving; or
3. Other extenuating circumstances exist to justify terminating the campaign finance entity.

(b.) The termination of a campaign finance entity under this section does not limit the right of:

- (1) The State Board, or the State Prosecutor or the State's Attorney, to pursue an enforcement action against the former responsible officers of, or any candidate formerly affiliated with, the campaign finance entity; or
- (2) A creditor to bring an action against the former responsible officers of, or any candidate affiliated with, the campaign finance entity

Attached are forms, which have been prepared for the Board's review of accounts that meet the requirements for administrative closure.

If you have any questions, please do not hesitate to contact me at 410-269-2853.

Administrative Closure 1/27/22

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

REQUEST TO ADMINISTRATIVELY CLOSE CAMPAIGN ACCOUNT

Account Name	Oaks, Nathaniel Friends of
CCF ID Number	01011277
Account Established Date	01/11/2016
Outstanding Debts/Loans	\$0.00
Cash Balance	\$3,900.00
Last Filed Campaign Finance Report (CFR)	2019 Annual
Outstanding Late Fees *	\$2,000.00 (for failure to file 2020 and 2021 Annual Reports)
Office of the State Prosecutor (OSP) Action/s Taken:	
In their letter dated May 21, 2021, the OSP stated that the candidate committee is currently in prison; therefore, there will not be further investigation into the candidate committee.	
List name and address of last known officers:	
Candidate	Chairman
Nathaniel T. Oaks P.O. Box 19098 Baltimore MD, 21284	Same as Candidate
Treasurer	
Lisa Nannette Fassett 3507 Berwyn Ave Baltimore MD, 21207	
Briefly describe why this committee should be closed:	
This committee should be closed due to the following: <ol style="list-style-type: none"> 1. The candidate is currently incarcerated on home detention. 2. The candidate committee account was closed with a zero-bank balance. <p>Election Law Article § 13-313 (a) (3) requires the termination of campaign finance entity by the State Board when other extenuating circumstances exist to justify terminating the campaign finance entity.</p>	

*If additional space is required, attach a breakdown of outstanding late fees, include report due dates and outstanding late fees.

**CANDIDACY AND CAMPAIGN FINANCE DIVISION
 AUDIT AND ENFORCEMENT UNIT
 ADMIN CLOSURE OF CAMPAIGN FINANCE ENTITY**

**COMMITTEE NAME: Oaks, Nathaniel Friends of
 CCF ID 1011277**

ESTABLISHED DATE: 1/11/2016

COMMITTEE STATUS AS OF REVIEW DATE: Inactive as at 12/08/2021

FILING INFORMATION:

Last Report Filed	2019 Annual	Marked Final	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Bank Balance	<u>\$3,900.00</u>	Remarks:		
Cash Balance	<u>\$3,900.00</u>	Remarks:		
Surplus Funds	<u>\$3,900.00</u>	Remarks:		
Outstanding Loan Balance	<u>\$0.00</u>	Remarks:		
Outstanding Bills Due	<u>\$0.00</u>	Remarks:		
		Remarks:		
Outstanding Balance-Unpaid Fees	<u>\$2,000.00</u>	Remarks:	2020 and 2021 Annual Report	
Referred to OSP	Yes <input checked="" type="checkbox"/>	NO <input type="checkbox"/>		

OSP'S DETERMINATION

Pay Fees \$0.00
 OSP will not prosecute

AUDIT'S RECOMMENDATIONS:

Administrative Closure

- Statue of limitation exist
- Extenuating circumstances exist
- Committee officers cannot be located
- CCF Director's Recommendation
- Others

Remain Active/Inactive

- Officers are other committees' officers

Remarks:

The candidate is incarcerated. The bank account also closed with a zero bank balance. Please refer to OSP's letter dated May 21, 2021.

Committee Verified by:
 Auditor
 Meku Tafesewerq (12/08/2021)
 Processed by / Date: _____
 Auditor

Approved by:
 Audit Manager/CCF Director

CHARLTON T. HOWARD, III
State Prosecutor

SARAH R. DAVID
Deputy State Prosecutor

CHARLES M. BLOMQUIST
Deputy State Prosecutor

LINDSAY E. BIRD
Senior Assistant State Prosecutor

STATE OF MARYLAND

OFFICE OF
THE STATE PROSECUTOR

Hampton Plaza
Suite 410
300 East Joppa Road
Towson, MD 21286-3152
Telephone (410) 321-4067
1 (800) 695-4058
Fax (410) 321-3851

May 21, 2021

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

RE: Friends of Nathaniel Oaks, 21-0086-FTF

Dear Mr. DeMarinis:

The above-referenced matter was referred to our office for failing to file the 2020 Annual Report.

As you are aware, the candidate was convicted of bribery unrelated to his campaign committee in 2018 and is currently incarcerated on home detention pursuant to his sentence. The bank account for the Friends of Nathaniel Oaks reflect that the account was closed in August 2019 with a zero balance. Expenditures on the account appear to be campaign related.

We will not be initiating any further investigation into this committee at this time. Additionally, absent some additional information or change in circumstances, we will not be initiating any enforcement action against the committee for the 2020 Annual Report or any future reports. Accordingly, SBE may wish to evaluate whether it is judicious to administratively close this account or to move it to inactive status.

We consider this matter closed at this time. Please let us know if you have any questions or need additional information.

Sincerely,

Lindsay Bird

Lindsay Bird
Senior Assistant State Prosecutor

REQUEST TO ADMINISTRATIVELY CLOSE CAMPAIGN ACCOUNT

Account Name	Boardman, Chris Friends of
CCF ID Number	01009892
Account Established Date	02/10/2014
Outstanding Debts/Loans	\$1,115.80
Cash Balance	\$5,302.02 (Bank balance \$0.00)
Last Filed Campaign Finance Report (CFR)	2020 Annual
Outstanding Late Fees *	\$200.00

Office of the State Prosecutor (OSP) Action/s Taken:

List name and address of last known officers:

Candidate	Chairman
Christopher C. Boardman 427 Haverhill Road Joppa MD 21085	Same as Candidate

Treasurer

Donald A. Filar
 2506 McComas Avenue
 Baltimore MD 21222

Briefly describe why this committee should be closed:

This committee should be closed due to the following:

1. The treasurer died in 2018
2. The candidate has moved out to a different state, Michigan.

All documentation is attached for reference.

Election Law Article § 13-313 (a) (3) requires the termination of campaign finance entity by the State Board when other extenuating circumstances exist to justify terminating the campaign finance entity.

*If additional space is required, attach a breakdown of outstanding late fees, include report due dates and outstanding late fees.

**CANDIDACY AND CAMPAIGN FINANCE DIVISION
 AUDIT AND ENFORCEMENT UNIT
 ADMIN CLOSURE OF CAMPAIGN FINANCE ENTITY**

**COMMITTEE NAME: Boardman, Chris Friends of
 CCF ID 1009892**

ESTABLISHED DATE: 2/10/2014

COMMITTEE STATUS AS OF REVIEW DATE: Inactive

FILING INFORMATION:

Last Report Filed	<u>2020 Annual</u>	Marked Final	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Bank Balance	-	Remarks:		
Cash Balance	<u>\$5,302.02</u>	Remarks:		
Surplus Funds	<u>\$5,302.02</u>	Remarks:		
Outstanding Loan Balance	<u>\$1,015.80</u>	Remarks:		
Outstanding Bills Due	<u>\$100.00</u>	Remarks:		
		Remarks:		
Outstanding Balance-Unpaid Fees	<u>\$200.00</u>	Remarks:	For failue to file all contrubutions and expenditures.	
Referred to OSP	Yes <input type="checkbox"/>	NO <input checked="" type="checkbox"/>		

OSP'S DETERMINATION

- Pay Fees
- OSP will not prosecute

AUDIT'S RECOMMENDATIONS:

Administrative Closure

- Statue of limitation exist
- Extenuating circumstances exist
- Committee officers cannot be located
- CCF Director's Recommendation
- Others

Remain Active/Inactive

- Officers are other committees' officers

Remarks:

Due to the above two reasons stated above, we recommend closing the account AS-IS.

Committee Verified by: **Meku Tafeswerq**
 Auditor

Approved by:
 Audit Manager/CCF Director

Processed by / Date: _____
 Auditor



Meku Tafesewerq -SBE- <mekue.tafesewerq@maryland.gov>

Chris Boardman

4 messages

Jared DeMarinis -SBE- <Jared.DeMarinis@maryland.gov>
To: Mequanenet Abaineh <mekue.tafesewerq@maryland.gov>

Wed, Aug 11, 2021 at 9:18 AM

I spoke with Mr Boardman today via telephone.

He is currently in Michigan. With no interest in returning to Maryland.

Treasurer died in 2018.

Let's review and think about admin closing. Let's check with OSP for bank records if there was money in the account.

--

Jared DeMarinis
Director of Candidacy and Campaign Finance
Maryland State Board of Elections
151 West Street, Suite 200
Annapolis, MD 21401
410-269-2853

Sent from mobile device.

Meku Tafesewerq -SBE- <mekue.tafesewerq@maryland.gov>
To: Jared DeMarinis -SBE- <Jared.DeMarinis@maryland.gov>
Cc: Andrea Moore -SBE- <andrea.moore@maryland.gov>, Lisa Hanzook <lisa.hanzook@maryland.gov>

Wed, Aug 11, 2021 at 9:39 AM

Hi Jared,

Recently, we have issued a civil penalty of **\$200.00** (due to pay on 08/26/2021). The fine was assessed after we reviewed bank statements and all filed reports.

As per the bank statement received from the committee, the account only has \$100.00 as of January 2020. This amount was also deposited to clear a negative balance. We believe this amount is immaterial.

I recommend for the candidate committee pay the fine and close the account. But if you think an Admin closure is appropriate, an admin closer form will be prepared for your approval.

I have attached our final letter and reconciliation sheet for your reference.

Thank you.

Meku E. Tafesewerq

Internal Auditor Program Supervisor

Audit & Enforcement Unit

Candidacy and Campaign Finance Division

151 West Street, Suite 200

Annapolis, MD 21401-0486

Tel No. (410) 269-2873

Email: mekue.tafesewerq@maryland.gov (Please note this is my new email address.)

[Quoted text hidden]

2 attachments

 **Reconciliation_Boardman, Chris Friends of 01009882_Meku.xlsx**
25K

 **AEU-MEM-2021-010 Boardman, Chris Friends of.pdf**
221K

Meku Tafesewerq -SBE- <mekue.tafesewerq@maryland.gov>
To: Jared DeMarinis -SBE- <Jared.DeMarinis@maryland.gov>

Tue, Aug 31, 2021 at 9:29 AM

Hi Jared,

As of this date, the fine is not paid; as requested, we have explained to proceed with the admin closure. Please let us know if we can prepare an admin closure for your approval.

Thanks.

Meku E. Tafesewerq^(he/him/his)

Internal Auditor Program Supervisor

Audit & Enforcement Unit

Candidacy and Campaign Finance Division

151 West Street, Suite 200

Annapolis, MD 21401-0486

Tel No. (410) 269-2873

Email: mekue.tafesewerq@maryland.gov

[Quoted text hidden]

Jared DeMarinis -SBE- <Jared.DeMarinis@maryland.gov>
To: Meku Tafesewerq -SBE- <mekue.tafesewerq@maryland.gov>

Thu, Sep 30, 2021 at 2:42 PM

Let's do an admin closure. Thanks.

Jared DeMarinis
Director - Division of Candidacy and Campaign Finance
Maryland State Board of Elections
151 West Street, Suite 200
Annapolis, MD 21401-0486
Phone: 410-269-2853

[Quoted text hidden]



Maryland Campaign Reporting Information System



MENU REMINDERS LOGOUT

View / Edit Candidate Committee Registration

(Maku Tafesewerq) ?

Print Screen

Expand

Committee Information

Authority Name* Boardman, Chris Friends of
(Must include candidate's last name)

CCF ID: 01009892

ELECTrack C#: Status: Inactive

Established Date: 02/10/2014

End Date:

Election Participation

Election Type* -- Select Election --

Election Year* --Select Election Year--

Participation Frequency* --Select--

Office Sought Information (Optional)

Office Type --Select Office Type--

Office Sought --Select Office--

Jurisdiction --Select Jurisdiction--

Party Affiliation -- Select Party --

Save Election Cancel

Election Type	Office Type	Office Sought	Jurisdiction	Party Affiliation	Election Year	Participation Frequency	Start Date	End Date	Action
Gubernatorial	Party Office	Democratic Central Committee Member	Harford	Democratic	2018	One-time	04/05/2018		
Gubernatorial	County Office	Sheriff	Harford	Democratic	2018	Recurring	03/05/2018		
Gubernatorial	County Office	County Council	Harford	Democratic	2014	Recurring	02/10/2014		

Committee Name Amended Information

Committee Name	Updated By	Updated Date
Boardman, Christopher (Chris), Friends of	Molina Vicki	02/23/2014
		02/21/2014

Displaying page 1 of 1, records 1 to 2 of 2

Candidate Information

Name	Date of Birth	Email	Mailing Address	Public Phone	Edit
CHRISTOPHER C BOARDMAN	10/09/1946	kristboardman@outlook.com	427 Haverhill Road, Joppa, MD, 21085	443-243-8895	

Chairperson Information Same as Candidate

Name	Date of Birth	Email	Mailing Address	Public Phone	Start Date	End Date	Actions
CHRISTOPHER C BOARDMAN	10/09/1946	kristboardman@outlook.com	427 Haverhill Road, Joppa, MD, 21085	443-243-8895	02/10/2014		

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Treasurer Information

Add New Treasurer

Name	Date of Birth	Email	Mailing Address	Public Phone	Start Date	End Date	Actions
DONALD A FILAR	03/29/1947	taxman0001@aol.com	2506 McComas Avenue, Baltimore, MD, 21222	410-285-0546	02/10/2014	06/07/2021	

Displaying page 1 of 1, records 1 to 1 of 1

Additional Contacts (Optional)

Add New Contact

Role	Name	Mailing Address	Public Phone	Contact Phone	Email	Start Date	End Date	Receive Notices	For Public	Actions
No records to view.										

Slate Information

Slate Name	Slate Chairperson	Submitted Date	Candidate Verified	End Date	Delete
No records to view.					

Depository Information

Add New Depository

Name of Financial Institution	Address	Account Type	Account Number	Start Date	End Date	Actions
M & T Bank	Woodbridge Shopping Center, Edgewood, MD, 21040	Checking	9864184925	07/01/2014		 

Displaying page 1 of 1, records 1 to 1 of 1

Documents / Correspondence

Add Correspondence Add Document

Document Date	Document Type	Document Description	Added By	Actions
07/27/2021	AEU-MEM-2021-010	Civil penalty \$200.00	Moore Andrea	 
07/20/2021	Vacancy of Officer Memo	Letter acknowledging the vacancy of an officer	Tafesewerq Meku	 
06/22/2021	Vacancy of Officer Memo	Letter acknowledging the vacancy of an officer	Moore Andrea	 
06/07/2021	Statement of Organization		Smith Victorica	 
05/25/2021	ReferralInfo_01009892(2021 Annual)	ReferralInfo_01009892(2021 Annual)	Smith Victorica	 
02/02/2021	Fee Running Notice - (2021 ANNUAL)	Fee Running Notice - (2021 ANNUAL)	Smith Victorica	 
01/22/2021	Email Notification	Fee Running email	Smith Victorica	 
12/29/2020	Email Notification	Pre Report Notice(2021 ANNUAL)	Parran Ebony	 
12/29/2020	Email Notification	2022 Reporting Schedule (1)	Parran Ebony	 
02/19/2020	Late Fee Bill(2020 ANNUAL)	Late Fee Bill(2020 ANNUAL)	Molina Vicki	 
12/30/2019	Email Notification	Pre Report Notice for the 1/15/20 Annual Report - Transactions through 1/08/2020	Molina Vicki	 
12/30/2019	Important Information	Pre Report Notice(2020 ANNUAL)	Molina Vicki	 
12/30/2019	Important Information	2020 Reporting Schedule	Molina Vicki	 
12/30/2019	Important Information	Official MDCRIS User Manual 2019	Molina Vicki	 
12/30/2019	Important Information	2017 Summary Guide	Molina Vicki	 

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Filing Information

Election Cycle	Filing Period Name	Filing Method	Report Due Date	Original Filed Date	Amendment Filed Date	UploadedBy
2019-2022	2020 Annual	Original Campaign Statement	01/15/2020	01/16/2020		CHRISTOPHER BOARDMAN
2019-2022	2019 Annual	Amended Campaign Statement	01/16/2019	01/15/2019	07/12/2019	CHRISTOPHER BOARDMAN
2015-2018	2018 Gubernatorial Post-General	Amended Campaign Statement	11/20/2018	11/20/2018	07/12/2019	CHRISTOPHER BOARDMAN
2015-2018	2018 Gubernatorial Pre-General2 Report	Amended Campaign Statement	10/26/2018	10/25/2018	07/12/2019	CHRISTOPHER BOARDMAN
2015-2018	2018 Gubernatorial Pre-General1 Report	Amended Campaign Statement	08/28/2018	08/22/2018	07/12/2019	CHRISTOPHER BOARDMAN

Election Cycle	Filing Period Name	Filing Method	Report Due Date	Original Filed Date	Amendment Filed Date	UploadedBy
2015-2018	2018 Gubernatorial Pre-Primary2	Amended Campaign Statement	06/15/2018	07/13/2018	07/12/2019	CHRISTOPHER BOARDMAN
2015-2018	2018 Gubernatorial Pre-Primary1	Affidavit (ALCE)	05/22/2018	04/12/2018		CHRISTOPHER BOARDMAN
2015-2018	2018 Annual	Affidavit (ALCE)	01/17/2018	02/21/2018		Jessica Perkins
2015-2018	2017 Annual	Affidavit (ALCE)	01/18/2017	01/18/2017		CHRISTOPHER BOARDMAN
2015-2018	2016 Annual	Affidavit (ALCE)	01/20/2016	08/24/2016		Vicki Molina
2015-2018	2015 Annual	Affidavit (ALCE)	01/21/2015	01/20/2015		DONALD FILAR
2011-2014	2014 Gubernatorial Post-General	Affidavit (ALCE)	11/18/2014	11/25/2014		DONALD FILAR
2011-2014	2014 Gubernatorial Pre-General2 Report	Affidavit (ALCE)	10/24/2014	10/09/2014		CHRISTOPHER BOARDMAN
2011-2014	2014 Gubernatorial Pre-General1 Report	Affidavit (ALCE)	08/26/2014	10/09/2014		CHRISTOPHER BOARDMAN
2011-2014	2014 Gubernatorial Pre-Primary2	Amended Campaign Statement	06/13/2014	11/25/2014	07/12/2019	CHRISTOPHER BOARDMAN

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SBE Audit Filing Information

Election Cycle	Filing Period Name	Filing Method	Audit Report Due Date	Amended Filed Reports	Audit Status	UploadedBy
2019-2022	2019 Annual	Deficiency Report - 01/16/2019 Annual	07/22/2019	07/12/2019	Amendment filed	Meku Tafesewerq
2015-2018	2018 Gubernatorial Post-General	Deficiency Report - 11/20/2018 Post-General	07/22/2019	07/12/2019	Amendment filed	Meku Tafesewerq
2015-2018	2018 Gubernatorial Pre-General2 Report	Deficiency Report - 10/26/2018 Pre-General2 Report	07/22/2019	07/12/2019	Amendment filed	Meku Tafesewerq
2015-2018	2018 Gubernatorial Pre-General1 Report	Deficiency Report - 08/28/2018 Pre-General1 Report	07/22/2019	07/12/2019	Amendment filed	Meku Tafesewerq
2015-2018	2018 Gubernatorial Pre-Primary2	Deficiency Report - 06/15/2018 Pre-Primary2	07/22/2019	07/12/2019	Amendment filed	Meku Tafesewerq

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Citation Violation Information

Violation Status	Violation Date	Violation Amount	Waived Amount	Outstanding Balance	Violation
Open	07/27/2021	\$100.00	\$0.00	\$100.00	Failure to report contribution(s) on a campaign finance report
Open	07/27/2021	\$100.00	\$0.00	\$100.00	Failure to report expenditure(s) on a campaign finance report

Displaying page 1 of 1, records 1 to 2 of 2

Citation Outstanding Balance: \$200.00

Violations

Filing Period Name	Report Due Date	Filed Date	Violation Status	Violation Date	Violation Amount	Waived Amount	Outstanding Balance	Violation
2021 Annual	01/20/2021		Referred to OSP	01/21/2021	\$1,000.00	\$1,000.00	\$0.00	Failure to file
2020 Annual	01/15/2020	01/16/2020	Closed	01/16/2020	\$20.00	\$0.00	\$0.00	Failure to file
2018 Gubernatorial Pre-Primary2	06/15/2018	07/13/2018	Closed	06/16/2018	\$340.00	\$0.00	\$0.00	Failure to file
2018 Annual	01/17/2018	02/21/2018	Closed	01/18/2018	\$350.00	\$0.00	\$0.00	Failure to file
2016 Annual	01/20/2016	08/24/2016	Referred to OSP	01/21/2016	\$500.00	\$0.00	\$0.00	Failure to file
2014 Gubernatorial Post-General	11/18/2014	11/25/2014	Closed	11/19/2014	\$50.00	\$0.00	\$0.00	Failure to file
2014 Gubernatorial Pre-General1 Report	08/26/2014	10/09/2014	Closed	08/27/2014	\$250.00	\$250.00	\$0.00	Failure to file

Filing Period Name	Report Due Date	Filed Date	Violation Status	Violation Date	Violation Amount	Waived Amount	Outstanding Balance	Violation
2014 Gubernatorial Pre-Primary2	06/13/2014	11/25/2014	Closed	06/16/2014	\$250.00	\$250.00	\$0.00	Failure to file
2014 Gubernatorial Pre-Primary1	05/27/2014	07/01/2014	Closed	05/28/2014	\$250.00	\$0.00	\$0.00	Failure to file
2014 Gubernatorial Spring Report	04/15/2014	04/16/2014	Closed	04/16/2014	\$10.00	\$0.00	\$0.00	Failure to file

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Violation Outstanding Balance: \$0.00

Total Committee Citations/Violations Outstanding Balance: \$200.00

Complaints

Complaint Received Date	Review Started Date	Civil Penalty Assessed	Status
No records to view.			

Civil Penalty Total: \$0.00

[Submit](#) [MaintainFlags](#) [Enter Comments / Problem Tracking](#) [Cancel](#)

STATE BOARD OF ELECTIONS

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

William G. Voelp, Chairman
Malcolm L. Funn, Vice Chairman
Severn Miller
Justin Williams
T. Sky Woodward



Linda H. Lamone
Administrator

Nikki Charlson
Deputy Administrator

Memorandum

To: Members of the State Board of Elections
From: Nikki Charlson
Date: January 10, 2022
Re: Final Adoption of Regulations for January 27 Meeting

At the January 27 meeting, I will present for final adoption a change approved for publication at the September 9 meeting. The proposed change was published in the November 5, 2021, edition of the *Maryland Register* (Vol. 48, Issue 23). The public comment period closed on December 5, 2021. No comments were received.

The proposed change now ready for final adoption is COMAR 33.05.04.04. (Voter Registration – Processing VRAs and Other Requests).

1. The proposed change to §B(3) reflects current practice. Online voter registration and other electronic transactions require digitized signatures from MVA.
2. The proposed change to §B(5) incorporates the 2021 requirement that a Common Access Card (CAC) signature can be used to sign the Federal Post Card Application, a federal form for military and overseas voters to register to vote, update an existing registration, and request a mail-in ballot.

For more information on these proposed changes, please refer to #2 of my memo dated August 14, 2021, and the accompanying text of the proposed changes. Please let me know if you would like me to resend these memo or text of the proposed changes.

At the meeting, I will recommend final approval of this proposed regulation. If you have any questions about these regulations before the meeting, please do not hesitate to contact me. I will also be at next meeting to answer any questions.

Mary Cramer Wagner
Director, Voter Registration and Petition Division
Maryland State Board of Elections
151 West Street, Suite 200
Annapolis, MD 21401

Dear State Board of Elections,

1.11.22

I am requesting that you reinstate the **online petition option** for an unaffiliated gubernatorial candidate to retrieve registered voter signatures to have the opportunity to be on the ballot. I am running for Governor of Maryland as unaffiliated, and as you know, I have to reach 10,000 registered voter signatures to be on the ballot. Although I have started the petition process in person, it is no longer possible to collect petition signatures in person due to our current state guidelines and mandates with the Covid crisis. I feel this isn't fair to my effort and rights in this election process. In 2020 you made it possible for petitioners to conduct their petition online, and now with the virus at a higher infection rate than 2020 and mandates stricter than it was in 2020, it's only right to do online petitions for both safety and fairness. Due to the state and local counties going into strict mandates and rules with the virus in effect right now, I can no longer go door to door to houses and businesses. It is a physical health risk to others and myself. The majority of people in Maryland aren't even leaving their houses to be in public like they used to. I can no longer host events where I could gather signatures. Counties all over the state have gathering restrictions that make it impossible for me to get signatures in person. There are no longer opportunities in public areas to have face-to-face, close interactions and conversations to get the petition filled out. As you know, the current Governor has made orders and mandates to everyone in the state that unfortunately prohibit me from having a fair opportunity to get this petition signed. All I am asking for is a fair and just opportunity with this petition. Please consider and approve this request as soon as possible so I can try my best to get these signatures. If any part of this request is denied, I request that I be provided with a written statement of the grounds for denial.

Thank you!

Kyle Sefcik
24913 Woodfield School Rd.
Gaithersburg, MD 20882
Kyle@KyleSefcik.com

January 26, 2022

Dear Chairman Voelp, Vice-Chair Funn and Members of the State Board of Elections:

We understand that you will be discussing the possibility of reinstating electronic petitioning at your Jan 27 meeting.

We are coalition of groups interested in petitioning to put a referendum on the Montgomery County ballot in 2022 and we strongly support electronic petitioning.

The COVID virus continues to mutate into new strains with no end in site. The Omicron variant is overwhelming our hospitals and presenting a threat to all.

In this environment, in person petitioning is a health hazard, making it unfeasible for the immediate future.

The SBE has used electronic petitioning in the past with good success, In 2020, the Green Party and Libertarian Party used electronic petitioning to maintain their ballot access. It proved a secure and accurate way to get signatures.

With this past experience in mind we would strongly support making electronic petitioning a permanent feature of our petitioning process.

Sincerely,

The Bethesda African Cemetery Coalition

Dr. Marsha Coleman Adebayo, Chair
Rev. Segun Adebayo
8818 Earl Ct
Bethesda, MD 20817

David P. Ward
106 NorthBrook Lane
Bethesda, MD 20814

Liz Grey
Yes - sorry. My address is:
4924 Sentinel Drive
Apt 302
Bethesda, Md 20816

Charles E. Pardoe
5403 Spangler Avenue
Bethesda, Md 20816

Maryland Green Party

Mary Rooker, Co-Chair
804 Larch Avenue
Takoma Park, 20912

Liv Romano Co-Chair
186 Franwill Court
Severna Park, MD 21146

Montgomery County Green Party

Nancy Wallace, Co-Chair
186 Franwill Court
Severna Park, MD 21146

Tim Willard, Co-Chair
10210 Kensington Pkwy
Kensington, MD 20895



January 26, 2022

Dear Chairman Voelp, Vice-Chair Funn and Members of the State Board of Elections:

In April 2020, via Policy 2020-01, the State Board of Elections (SBE) temporarily approved electronic signatures for petitions to place questions on the ballot and for third party ballot access. This policy followed on the heels of the Governor's Declaration of Emergency to control and prevent the spread of COVID-19 within the State and all of the concomitant issues around the pandemic. We thank you for that prompt action.

SBE maintained approval of electronic signatures until May 2021 when, partly citing lack of legislative action by the General Assembly and partly in synchrony with the lifting of the State of Emergency by the Governor, SBE revoked their temporary approval of electronic signatures.

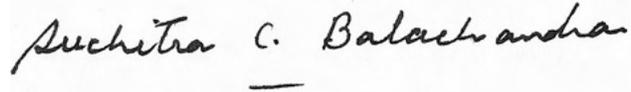
Unlike the State, Prince George's County, which has seen a large number of COVID-19 infections over the pandemic, has maintained a continued State of Emergency for two years now, starting with the March 2020 declaration and extending the proclamation monthly, most recently until March 9th 2022. The County's caution reflects its high case load and was validated by the persistence of the pandemic when COVID-19 cases rose in mid-July 2021 with the spread of the Delta variant, superseded since by the even more transmissible Omicron variant in December 2021.

As a result, conditions have not been conducive for Prince George's activist volunteers to make contact with registered voters in public spaces since March 2020 and once electronic signatures were no longer approved by SBE, signature collection became nearly impossible. It was neither reasonable to expect activists to canvass in public, nor was it reasonable to expect strangers to stop and speak to canvassers carrying clip boards.

While we all hope that the infection rates will diminish in the next month or two, there is no guarantee that our ability to mingle with strangers will resume anytime soon. We therefore ask

SBE to resume the temporary approval of electronic signatures until at least August 2022 so that petitions may be gathered and submitted in time for the November 2022 election.

Sincerely,

A handwritten signature in black ink that reads "Suchitra C. Balachandran". The signature is written in a cursive style and is positioned above a short horizontal line.

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

Joanne Antoine
Executive Director, Common Cause Maryland

Number/ Chapter (Cross File) Total: 82	Title	Primary Sponsor	Status	Original House Committee(s) and Hearing Dates
<u>HB0001</u>	Constitutional Amendment - Cannabis - Adult Use and Possession	<u>Delegate Clippinger</u>	First Reading Judiciary	<u>Judiciary</u>
<u>HB0005</u> (<u>SB0107</u>)	State Government - State and Local Government Employees and Contractors - Cybersecurity Training	<u>Delegate Krimm</u>	Hearing 2/22 at 1:30 p.m.	<u>Health and Government Operations</u> 2/22/2022 - 1:30 p.m.
<u>HB0017</u>	Campaign Finance – Recurring Contributions and Donations – Requirements	<u>Delegate Palakovich Carr</u>	Hearing 1/19 at 1:00 p.m.	<u>Ways and Means</u> 1/19/2022 - 1:00 p.m.
<u>HB0030</u> (<u>SB0329</u>)	Election Law – Polling Sites – Firearms Prohibitions	<u>Delegate Henson</u>	Hearing 1/19 at 1:00 p.m.	<u>Ways and Means</u> 1/19/2022 - 1:00 p.m.
<u>HB0035</u> (<u>SB0158</u>)	State Board of Elections - Contracts and Invoices - Requirements	<u>Delegate Palakovich Carr</u>	Hearing 2/01 at 1:00 p.m.	<u>Ways and Means</u> 2/1/2022 - 1:00 p.m.
<u>HB0042</u>	Municipal Incorporation – County Commissioners or County Council – Required Consideration of Referendum Request	<u>Delegate Lisanti</u>	Hearing 1/18 at 1:00 p.m.	<u>Environment and Transportation</u> 1/18/2022 - 1:00 p.m.
<u>HB0059</u>	Ethics – Local Governments – Registration of Lobbyists	<u>Delegate Carr</u>	Hearing 1/20 at 1:00 p.m.	<u>Environment and Transportation</u> 1/20/2022 - 1:00 p.m.
<u>HB0065</u>	Election Law – Early Voting Centers – Bus Stops	<u>Delegate Crosby</u>	Hearing canceled	<u>Ways and Means</u>
<u>HB0093</u>	Candidates for Offices of Municipalities and Common Ownership Communities - Reports of Donations and Disbursements	<u>Delegate Terrasa</u>	Hearing 1/25 at 1:00 p.m.	<u>Ways and Means</u> 1/25/2022 - 1:00 p.m.
<u>HB0099</u>	Election Law – Absentee Ballots – Signature Requirements and Verification	<u>Delegate Long</u>	Hearing 1/25 at 1:00 p.m.	<u>Ways and Means</u> 1/25/2022 - 1:00 p.m.
<u>HB0113</u>	Elections - In-Person Voting - Proof of Identity	<u>Delegate Long</u>	Hearing 1/25 at 1:00 p.m.	<u>Ways and Means</u> 1/25/2022 - 1:00 p.m.
<u>HB0152</u>	Public Advocate Act of 2022	<u>Delegate Stewart</u>	Hearing 1/25 at 2:30 p.m.	<u>Health and Government Operations</u> 1/25/2022 - 2:30 p.m.
<u>HB0160</u>	Election Law – Party and Elected Public Offices – Prohibition	<u>Delegate Boyce</u>	Hearing 1/13 at 1:00 p.m.	<u>Ways and Means</u> 1/13/2022 - 1:00 p.m.
<u>HB0163</u> (<u>SB0373</u>)	Public Information Act - Required Denials - Sociological Information and Distribution Lists	<u>Delegate Carr</u>	Hearing 1/18 at 2:30 p.m.	<u>Health and Government Operations</u> 1/18/2022 - 2:30 p.m.
<u>HB0169</u>	Elections – Voter Registry – Notification and Removal of Deceased Individuals	<u>Delegate Hartman</u>	Hearing canceled	<u>Ways and Means</u>

<u>HB0181</u>	Declaration of Rights - Religious Freedom, Religious Tests, and Oaths and Affirmations	<u>Delegate Hill</u>	Hearing 2/01 at 1:30 p.m.	<u>Health and Government Operations</u> 2/1/2022 - 1:30 p.m.
<u>HB0201</u> (<u>SB0284</u>)	Election Law – Voter Registration Drive – High Schools	<u>Delegate Kelly</u>	Hearing 2/01 at 1:00 p.m.	<u>Ways and Means</u> 2/1/2022 - 1:00 p.m.
<u>HB0212</u>	Election Law - Signature Verification of Absentee Ballots and Absentee Ballot Applications and Ballot Canvassing	<u>Delegate Parrott</u>	Hearing 2/01 at 1:00 p.m.	<u>Ways and Means</u> 2/1/2022 - 1:00 p.m.
<u>HB0235</u>	Open Meetings Act - Definition - Administrative Function	<u>Delegate Carr</u>	Hearing 1/25 at 2:30 p.m.	<u>Health and Government Operations</u> 1/25/2022 - 2:30 p.m.
<u>HB0240</u>	Montgomery County – Board of Education – Membership MC 16–22	<u>Montgomery County Delegation</u>	Hearing 2/03 at 1:00 p.m.	<u>Ways and Means</u> 2/3/2022 - 1:00 p.m.
<u>HB0241</u>	Montgomery County - Damascus - Alcoholic Beverages - Class B Beer, Wine, and Liquor License Referendum MC 12-22	<u>Montgomery County Delegation</u>	Hearing 2/21 at 1:00 p.m.	<u>Economic Matters</u> 2/21/2022 - 1:00 p.m.
<u>HB0246</u>	Open Meetings Act – Notices, Closed Sessions, and Minutes – Retention Periods, Online Posting, and Public Inspection	<u>Delegate Carr</u>	Hearing 1/25 at 2:30 p.m.	<u>Health and Government Operations</u> 1/25/2022 - 2:30 p.m.
<u>HB0289</u> (<u>SB0270</u>)	Somerset County – Elections – County Commissioners Districts and Board of Education Candidate Filings	<u>Delegate Otto</u>	First Reading House Rules and Executive Nominations	<u>Rules and Executive Nominations</u>
<u>HB0291</u> (<u>SB0101</u>)	Election Law - Contested Elections	<u>Delegate Kaiser</u>	Hearing 2/01 at 1:00 p.m.	<u>Ways and Means</u> 2/1/2022 - 1:00 p.m.
<u>HB0300</u> (<u>SB0290</u>)	Budget Bill (Fiscal Year 2023)	<u>Speaker</u>	First Reading Appropriations	<u>Appropriations</u>
<u>HB0306</u>	Election Law - Circuit Court Judges - Nonpartisan General Elections	<u>Delegate Qi</u>	First Reading Judiciary and Ways and Means	<u>Judiciary</u> <u>Ways and Means</u>
<u>HB0313</u>	Election Law - Recall Elections	<u>Delegate Novotny</u>	Hearing 2/08 at 1:00 p.m.	<u>Ways and Means</u> 2/8/2022 - 1:00 p.m.
<u>HB0314</u>	County Boards of Education – Voting Members – Requirements	<u>Delegate Novotny</u>	First Reading Ways and Means	<u>Ways and Means</u>
<u>HB0320</u> (<u>SB0063</u>)	General Assembly - Residency Requirement - Enforcement - Factors	<u>Delegate Wilkins</u>	Hearing 2/08 at 1:00 p.m.	<u>Ways and Means</u> 2/8/2022 - 1:00 p.m.
<u>HB0327</u>	Elections - Election Judges - Minimum Compensation	<u>Delegate Jones, D.</u>	Hearing 2/08 at 1:00 p.m.	<u>Ways and Means</u> 2/8/2022 - 1:00 p.m.
<u>HB0328</u>	Elections - Polling Place Location Restrictions - Repeal	<u>Delegate Jones, D.</u>	Hearing 2/08 at 1:00 p.m.	<u>Ways and Means</u> 2/8/2022 - 1:00 p.m.
<u>HB0329</u> (<u>SB0352</u>)	Election Law - Ballots - Processing and Reporting Procedures	<u>Delegate Moon</u>	First Reading Ways and Means	<u>Ways and Means</u>
<u>HB0334</u>	Harford County Board of Education - Alterations, Vacancy Procedures, and Funding for Independent Positions	<u>Delegate Impallaria</u>	First Reading Ways and Means	<u>Ways and Means</u>

<u>HB0336</u>	Harford County - County Superintendent - Election and Recall Procedures and Compensation	<u>Delegate Impallaria</u>	First Reading Ways and Means	<u>Ways and Means</u>
<u>HB0340</u> <u>(SB0015)</u>	Election Law - Campaign Finance - Enforcement	<u>Delegate Jones, D.</u>	Hearing 2/08 at 1:00 p.m. (Ways and Means)	<u>Ways and Means</u> 2/8/2022 - 1:00 p.m. <u>Judiciary</u>
<u>HB0344</u>	Election Law - Campaign Finance - Contributions (Prohibiting Pay to Play Act of 2022)	<u>Delegate Palakovich Carr</u>	Hearing 2/08 at 1:00 p.m.	<u>Ways and Means</u> 2/8/2022 - 1:00 p.m.
<u>HB0346</u>	Department of Information Technology - Oversight of Legislative Branch Information Technology	<u>Delegate Novotny</u>	Hearing 2/22 at 1:30 p.m.	<u>Health and Government Operations</u> 2/22/2022 - 1:30 p.m.
<u>HB0347</u>	Baltimore County - County Superintendent - Election and Recall Procedures and Compensation	<u>Delegate Boteler</u>	First Reading Ways and Means	<u>Ways and Means</u>
<u>HB0354</u>	Prince George's County - Nonschool Use of Public School Facilities PG 505-22	<u>Prince George's County Delegation</u>	First Reading Ways and Means	<u>Ways and Means</u>
<u>HB0362</u>	Montgomery County - Voting Methods MC 13-22	<u>Montgomery County Delegation</u>	Hearing 2/08 at 1:00 p.m.	<u>Ways and Means</u> 2/8/2022 - 1:00 p.m.
<u>HB0369</u> <u>(SB0377)</u>	Marriage Records – Name Change	<u>Delegate Belcastro</u>	First Reading Health and Government Operations	<u>Health and Government Operations</u>
<u>HB0375</u> <u>(SB0269)</u>	Open Meetings Act - Application and Enhanced Requirements (Maryland State Agency Transparency Act of 2022)	<u>Delegate Korman</u>	Hearing 2/15 at 1:30 p.m.	<u>Health and Government Operations</u> 2/15/2022 - 1:30 p.m.
<u>HB0380</u>	Montgomery County Board of Education – Election of Members MC 04–22	<u>Montgomery County Delegation</u>	First Reading Ways and Means	<u>Ways and Means</u>
<u>HB0381</u> <u>(SB0368)</u>	Municipalities – Charter Amendments – Notice	<u>Delegate Solomon</u>	Hearing 2/08 at 1:00 p.m.	<u>Environment and Transportation</u> 2/8/2022 - 1:00 p.m.
<u>HB0395</u> <u>(SB0307)</u>	Public Records - Retention and Inspection - Communications (Transparency in Public Records Act of 2022)	<u>Delegate Stewart</u>	Hearing 2/15 at 1:30 p.m.	<u>Health and Government Operations</u> 2/15/2022 - 1:30 p.m.
<u>HB0419</u> <u>(SB0390)</u>	State Government - Information Technology - Cybersecurity	<u>Speaker</u>	Hearing 2/22 at 1:30 p.m.	<u>Health and Government Operations</u> 2/22/2022 - 1:30 p.m.
<u>HB0428</u>	Election Law - Foreign Manufacture of Election Systems - Notification and Termination of Contract	<u>Delegate Rosenberg</u>	Hearing 2/08 at 1:00 p.m.	<u>Ways and Means</u> 2/8/2022 - 1:00 p.m.
<u>HJ0001</u> <u>(SJ0003)</u>	Maryland Citizens' Legislative Districting Plan of 2022	<u>Speaker</u>	First Reading House Rules and Executive Nominations	<u>Rules and Executive Nominations</u>
<u>HJ0002</u> <u>(SJ0002)</u>	Legislative Districting Plan of 2022	<u>Speaker</u>	First Reading House Rules and Executive Nominations	<u>Rules and Executive Nominations</u>

<u>SB0015</u> <u>(HB0340)</u>	Election Law - Campaign Finance - Enforcement	<u>Senator Jackson</u>	Hearing 1/26 at 1:30 p.m.	<u>Education, Health, and Environmental Affairs</u> 1/26/2022 - 1:30 p.m.
<u>SB0024</u>	Court of Appeals – Chief Judge – Senate Confirmation	<u>Senator Carter</u>	First Reading Executive Nominations	<u>Executive Nominations</u>
<u>SB0063</u> <u>(HB0320)</u>	General Assembly – Residency Requirement – Enforcement – Factors	<u>Senator Kelley</u>	Hearing 1/26 at 1:30 p.m.	<u>Education, Health, and Environmental Affairs</u> 1/26/2022 - 1:30 p.m.
<u>SB0073</u>	General Assembly - Special Election to Fill a Vacancy in Office	<u>Senator Lam</u>	Hearing 1/26 at 1:30 p.m.	<u>Education, Health, and Environmental Affairs</u> 1/26/2022 - 1:30 p.m.
<u>SB0088</u>	Election Law - Deadline for Selection of Lieutenant Governor	<u>Senator Pinsky</u>	Hearing 1/26 at 1:30 p.m.	<u>Education, Health, and Environmental Affairs</u> 1/26/2022 - 1:30 p.m.
<u>SB0101</u> <u>(HB0291)</u>	Election Law - Contested Elections	<u>Senator Kagan</u>	Hearing 1/26 at 1:30 p.m.	<u>Education, Health, and Environmental Affairs</u> 1/26/2022 - 1:30 p.m.
<u>SB0107</u> <u>(HB0005)</u>	State Government - State and Local Government Employees and Contractors - Cybersecurity Training	<u>Senator Jackson</u>	First Reading Education, Health, and Environmental Affairs	<u>Education, Health, and Environmental Affairs</u>
<u>SB0112</u>	Election Law - False Ballot Drop Boxes - Criminal Penalty	<u>Senator Kagan</u>	Hearing 1/26 at 1:30 p.m.	<u>Education, Health, and Environmental Affairs</u> 1/26/2022 - 1:30 p.m.
<u>SB0158</u> <u>(HB0035)</u>	State Board of Elections - Contracts and Invoices - Requirements	<u>Senator Kagan</u>	Hearing 1/26 at 1:30 p.m.	<u>Education, Health, and Environmental Affairs</u> 1/26/2022 - 1:30 p.m.
<u>SB0163</u>	Election Law – Ballots – Processing and Reporting Procedures	<u>Senator Kagan</u>	Hearing 1/26 at 1:30 p.m.	<u>Education, Health, and Environmental Affairs</u> 1/26/2022 - 1:30 p.m.
<u>SB0183</u>	State Government - Information Technology - Review of Projects and Proposals	<u>Chair, Budget and Taxation Committee</u>	Hearing 1/19 at 1:00 p.m.	<u>Budget and Taxation</u> 1/19/2022 - 1:00 p.m.
<u>SB0226</u>	Annual Curative Bill	<u>President</u>	First Reading Senate Rules	<u>Rules</u>
<u>SB0239</u>	Election Law - Campaign Finance - Protection of Contributor	<u>Senator Simonaire</u>	Hearing 1/26 at 1:30 p.m.	<u>Education, Health, and Environmental Affairs</u> 1/26/2022 - 1:30 p.m.
<u>SB0269</u> <u>(HB0375)</u>	Open Meetings Act - Application and Enhanced Requirements (Maryland State Agency Transparency Act of 2022)	<u>Senator Kagan</u>	First Reading Education, Health, and Environmental Affairs	<u>Education, Health, and Environmental Affairs</u>
<u>SB0270</u> <u>(HB0289)</u>	Somerset County - Elections - County Commissioners Districts and Board of Education Candidate Filings	<u>Senator Carozza</u>	First Reading Reapportionment and Redistricting	<u>Reapportionment and Redistricting</u>
<u>SB0284</u> <u>(HB0201)</u>	Election Law - Voter Registration Drive - High Schools	<u>Senator Washington</u>	First Reading Education, Health, and Environmental Affairs	<u>Education, Health, and Environmental Affairs</u>
<u>SB0285</u>	Election Law - Campaign Signs - Prohibitions	<u>Senator Hough</u>	First Reading Education, Health, and Environmental Affairs	<u>Education, Health, and Environmental Affairs</u>

<u>SB0290</u> <u>(HB0300)</u>	Budget Bill (Fiscal Year 2023)	<u>President</u>	First Reading Budget and Taxation	<u>Budget and Taxation</u>
<u>SB0307</u> <u>(HB0395)</u>	Public Records - Retention and Inspection - Communications (Transparency in Public Records Act of 2022)	<u>Senator Lam</u>	First Reading Education, Health, and Environmental Affairs	<u>Education, Health, and Environmental Affairs</u>
<u>SB0317</u>	State Government – Notarial Acts – Fees and Use of Communication Technology	<u>Senator West</u>	Hearing 2/09 at 1:00 p.m.	<u>Judicial Proceedings</u> 2/9/2022 - 1:00 p.m.
<u>SB0329</u> <u>(HB0030)</u>	Election Law - Polling Sites - Firearms Prohibitions	<u>Senator Waldstreicher</u>	First Reading Education, Health, and Environmental Affairs	<u>Education, Health, and Environmental Affairs</u>
<u>SB0352</u> <u>(HB0329)</u>	Election Law - Ballots - Processing and Reporting Procedures	<u>Senator Lam</u>	First Reading Education, Health, and Environmental Affairs	<u>Education, Health, and Environmental Affairs</u>
<u>SB0358</u>	Public Financing Act – State Senate and House of Delegates	<u>Senator Pinsky</u>	First Reading Education, Health, and Environmental Affairs and Budget and Taxation	<u>Education, Health, and Environmental Affairs</u> <u>Budget and Taxation</u>
<u>SB0366</u>	Chesapeake and Atlantic Coastal Bays 2010 Trust Fund - Use of Funds (Chesapeake Bay Lockbox Protection Act of 2022)	<u>Senator Simonaire</u>	First Reading Education, Health, and Environmental Affairs and Budget and Taxation	<u>Education, Health, and Environmental Affairs</u> <u>Budget and Taxation</u>
<u>SB0368</u> <u>(HB0381)</u>	Municipalities - Charter Amendments - Notice	<u>Senator Waldstreicher</u>	First Reading Education, Health, and Environmental Affairs	<u>Education, Health, and Environmental Affairs</u>
<u>SB0377</u> <u>(HB0369)</u>	Marriage Records - Name Change	<u>Senator Lee</u>	Hearing 2/09 at 1:00 p.m.	<u>Judicial Proceedings</u> 2/9/2022 - 1:00 p.m.
<u>SB0390</u> <u>(HB0419)</u>	State Government - Information Technology - Cybersecurity	<u>President</u>	First Reading Education, Health, and Environmental Affairs	<u>Education, Health, and Environmental Affairs</u>
<u>SB0413</u>	Voting Rights Act of 2022 – Counties and Municipalities	<u>Senator Sydnor</u>	First Reading Education, Health, and Environmental Affairs	<u>Education, Health, and Environmental Affairs</u>
<u>SB0414</u>	Baltimore County - Board of Education - Membership and Election of Officers	<u>Senator Sydnor</u>	First Reading Education, Health, and Environmental Affairs	<u>Education, Health, and Environmental Affairs</u>
<u>SB0415</u>	Garrett County Alcoholic Beverages Act of 2022	<u>Senator Edwards</u>	First Reading Education, Health, and Environmental Affairs	<u>Education, Health, and Environmental Affairs</u>
<u>SB0444</u>	Prince George's County – School Board Districts – Redistricting Plan	<u>Prince George's County Senators</u>	First Reading Reapportionment and Redistricting	<u>Reapportionment and Redistricting</u>
<u>SJ0002</u> <u>(HJ0002)</u>	Legislative Districting Plan of 2022	<u>President</u>	Special Order until 01/27 (Delegate Buckel) Adopted	<u>Reapportionment and Redistricting</u> 1/18/2022 - 3:00 p.m.
<u>SJ0003</u> <u>(HJ0001)</u>	Maryland Citizens' Legislative Districting Plan of 2022	<u>President</u>	Hearing 1/18 at 3:00 p.m.	<u>Reapportionment and Redistricting</u> 1/18/2022 - 3:00 p.m.

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

William G. Voelp, Chairman
Malcolm L. Funn, Vice Chairman
Severn E. S. Miller
Justin Williams
T. Sky Woodward



Linda H. Lamone
Administrator

Nikki Charlson
Deputy Administrator

Memorandum

TO: State Board Members
FROM: Jared DeMarinis, Director
Division of Candidacy and Campaign Finance
DATE: January 27, 2022
SUBJECT: Waiver of late filing fees – Persons Doing Public Business, Title 14 of the Election Law Article

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

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

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

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

§ 14-107(c) Late Filing Fees

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

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

Late fees collected year to date for Title 14 Late Fee Waivers are \$33,132.00

Title 14- Jan/27

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

Business Contribution Disclosure System

Waiver Request Information Page-Late Fees

General

Account Name	Advanta Medical Solutions, LLC
BID ID:	14001196
Date Established	04/02/21
Date Waiver Requested	12/14/21
Account Type	Title 14-Person Doing Public Business

Officers

Current Filer	Maria M. Caschetta	Start Date: 4/2/21
Principal Officer	Maria M. Caschetta	Start Date:4/2/21

Waiver Request Dates

Late Report	Date Received	Fees	Total Fees
11/30/20	11/24/21	\$1000	\$
5/31/20	11/24/21	\$1000	\$
11/30/19	11/24/21	\$1000	
5/31/19	11/24/21	\$500	
11/30/18	11/24/21	\$500	
5/31/18	11/24/21	\$500	
11/30/17	11/24/21	\$500	
5/31/17	11/24/21	\$500	
11/30/16	11/24/21	\$500	
5/31/16	11/24/21	\$500	
11/30/15	11/24/21	\$500	
8/31/15	11/24/21	\$500	
2/5/15	11/24/21	\$500	
		Total	\$8000.00

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

Prior Waiver and Fees

Report	Late Fee	Waiver/payment	Referred OSP
	\$		

Reason for Waiver

First, AMS self-disclosed the potential late filings to the Board in good faith as soon as it became aware of them. This is not a case of catching a violation through a state investigation. Instead, in early 2021, AMS was reviewing and auditing its records and contracts. During that time, AMS decided to review the disclosed political contributions. As there had been a turnover in staff responsible for reporting, the company could not determine the username and password for the Maryland Business Contribution Disclosure System (System). Therefore, the company created a new account in the System and promptly entered the contributions for the available periods. AMS truly hopes that the Board will lower or eliminate the fines based on AMS's self-reporting and the extenuating circumstances described herein.

Business Contribution Disclosure System

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Agency Comments

Reduce to \$4,000.

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Forwarded message -----

From: **Glyn Cashwell** <gcashwell@livanta.com>

Date: Tue, Dec 14, 2021 at 3:24 PM

Subject: Waiver Request- Maryland Business Contribution Disclosures

To: Jared DeMarinis -SBE- <Jared.DeMarinis@maryland.gov>

Cc: Maria Caschetta <mariacaschetta@advantamedicalsolutions.com>

Dear Mr. DeMarinis,

Advanta Medical Solutions, LLC (AMS) respectfully requests that the Maryland State Board of Elections (Board) waive, in whole or in part, the fines associated with the potentially late political contribution filings. AMS is requesting the waiver for several reasons.

First, AMS self-disclosed the potential late filings to the Board in good faith as soon as it became aware of them. This is not a case of catching a violation through a state investigation. Instead, in early 2021, AMS was reviewing and auditing its records and contracts. During that time, AMS decided to review the disclosed political contributions. As there had been a turnover in staff responsible for reporting, the company could not determine the username and password for the Maryland Business Contribution Disclosure System (System). Therefore, the company created a new account in the System and promptly entered the contributions for the available periods. AMS truly hopes that the Board will lower or eliminate the fines based on AMS's self-reporting and the extenuating circumstances described herein.

Second, AMS did its best to rectify these issues promptly, even though it met many roadblocks in that effort. AMS wrote numerous e-mails and had numerous phone calls with the Board to let the Board know about the issue and obtain the Board's help to allow the company to file proper reports and affidavits in the System. Once the Board granted AMS a new account in the System, many reporting periods were not available. Therefore, the company reached out to the Board via e-mail and phone on multiple occasions across several months to request that the Board populate the periods in the System for proper reporting. The Board's representatives told the company multiple times that they would add the additional periods into the System so that AMS could file the relevant reports. Each time, the representatives said that it would take at least a week for the additional periods to show up in the System.

Unfortunately, additional filing periods never populated in the System until AMS had a discussion with Mr. DeMarinis, on September 22, 2021. This conversation was several months after AMS began trying to report for past periods. In the interim, AMS had Livanta LLC (Livanta), which is 50 percent owned by AMS, enter the political contribution information in the System under its account. Fortunately, the System allowed Livanta to enter the political contributions under the Livanta account through the 2018 reporting period, which was two years before Livanta was awarded its Maryland Board of Physicians contract.

It is very likely that the Board would never have become aware of the potentially late filings without AMS's persistence in overcoming these roadblocks and getting the state to create a pathway in the System for the disclosures.

Third, the amount of the contributions involved is very minor. It totals \$13,685 from Fall 2015 through Fall 2021. The political contributions reported were only from one entity and from three individuals.

Finally, the amount of the fines are out of proportion to the contributions involved. The fines of \$8,000 represent more than 58 percent of the contribution amounts. Again, AMS truly hopes that the Board will waive the fines.

Respectfully submitted,

Glyn Cashwell, Esq., CPCM, SHRM-CP, PE, PMP®, CISSP®, CSM®, CSEP, M.S.
Electrical & Computer Engineering

General Counsel

Livanta LLC, A partially-owned subsidiary of Advanta Medical Solutions, LLC

[10830 Guilford Road, Suite 312](#)

[Annapolis Junction, MD 20701-1108](#)

(240) 687-0549

Email: gcashwell@livanta.com

Business Contribution Disclosure System

Waiver Request Information Page-Late Fees

General

Account Name	Maryland Society of Eye Physicians and Surgeons
BID ID:	14000863
Date Established	5/01/17
Date Waiver Requested	12/16/21
Account Type	Title 14-Person Doing Public Business

Officers

Current Filer	Ginger Tinsley	Start Date: 5/01/17
Principal Officer	Ginger Tinsley	Start Date:5/01/17

Waiver Request Dates

Late Report	Date Received	Fees	Total Fees
11/30/20	1/05/21	\$1000.00	\$1000.00
		\$	\$
			Total: \$1000.00

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

Prior Waiver and Fees

Report	Late Fee	Waiver/payment	Referred OSP
N/A	\$		

Reason for Waiver

The Maryland Society of Eye Physicians and Surgeons would like to request a waiver for our account for the 11/30/2020 Fall Report. This report was triggered since we employee lobbyist. Our Administrator at the time, Sophia Walter on our registration page, was on maternity leave at the time of the due date for the November 30, 2020 Fall Report. The report was filed immediately upon her return. The report could not have been filed in her absence because there were no other persons training in filing the report on our behalf.

Agency Comments

Grant



Maryland Society of Eye Physicians and Surgeons

1211 Cathedral Street

Baltimore, MD 21201

tel: (410) 244-7320 fax: (609)392-2664

website: Marylandeyemds.org

December 16, 2021

Jared DeMarinis, Director
State Board of Elections
151 West Street, Suite 200
Annapolis, MD 21401

Dear Mr. DeMarinis,

The Maryland Society of Eye Physicians and Surgeons would like to request a waiver for our account for the 11/30/2020 Fall Report. This report was triggered since we employee lobbyist. Our Administrator at the time, Sophia Walter on our registration page, was on maternity leave at the time of the due date for the November 30, 2020 Fall Report. The report was filed immediately upon her return. The report could not have been filed in her absence because there were no other persons training in filing the report on our behalf.

Please let me know if you have any questions or need any additional information.

Sincerely,

Ginger Tinsley

Ginger Tinsley, Association Manager
Maryland Society of Eye Physicians and Surgeons

Business Contribution Disclosure System

Waiver Request Information Page-Late Fees

General

Account Name	M&E Sales, Inc.
BID ID:	14001127
Date Established	5/01/20
Date Waiver Requested	11/08/21
Account Type	Title 14-Person Doing Public Business

Officers

Current Filer	James Mabe	Start Date:
Principal Officer	James Mabe	Start Date:

Waiver Request Dates

Late Report	Date Received	Fees	Total Fees
6/01/21	8/31/21	\$1000	\$1000
		\$	\$
			Total: \$1000.00

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

Prior Waiver and Fees

Report	Late Fee	Waiver/payment	Referred OSP
11/30/20	\$1000.00	paid	N/A

Reason for Waiver

M&E Sales, Inc. has undergone changes in office personal since February 2020 upon the termination of my office manager/bookkeeper when I became aware that she had embezzled approximately \$98,000.00

Agency Comments

Grant

WAVIER REQUEST

November 8, 2021

State Board of Elections
P.O. Box 6486
Annapolis, Marland

Attn: Jared DeMarinis
Division of Candidacy and Campaign Finance

Re: M&E Sales, Inc.
Contribution Disclosure Reports

M&E Sales, Inc. is request a waiver for the Delinquent Reports and Fee Dated, 06/01/2021, M&E Sales, Inc. has not made any political contribution since we have been in business.

M&E Sales, Inc. has underwent changes in office personal since February 2020 upon the termination of my office manager/book keeper when I became aware that she had embezzled approximately \$98,000.00.

I filed a warrant for her arrest with the Anne Arundel Police Department in March 2020, went the Covid pandemic began,

Because we only had the office manager/book keeper, was an issue along with hiring office personal add to training problem alone with loss revenue, and running the company, at the same time, with M&E Sale, Inc. up for sales are the reason that we miss the contribution disclosure statement

M&E Sales, Inc. was sold on May 17, 2021 is no longer in business

We hope this proposal meets with your approval, however, if you have any question I may be contacted at (443) 829-5848.

Respectfully Submitted

James C. Mabe

James C. Mabe President

PS attached is the termination letter sent to Cheryl Butler (Office Manager- 15 Year)

Business Contribution Disclosure System

Waiver Request Information Page-Late Fees

General

Account Name	Southern Management Corporation
BID ID:	14000312
Date Established	1/01/15
Date Waiver Requested	12/06/21
Account Type	Title 14-Person Doing Public Business

Officers

Current Filer	David Diehl	Start Date: 12/06/21
Principal Officer	David Diehl	Start Date: 12/06/21

Waiver Request Dates

Late Report	Date Received	Fees	Total Fees
11/30/21		\$175.00	\$175.00
		\$	\$
			Total: \$175.00

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

Prior Waiver and Fees

Report	Late Fee	Waiver/payment	Referred OSP
2/05/15	\$500	Paid	Yes
6/01/21	\$20	Paid	N/A
8/31/15	\$80	Paid	N/A

Reason for Waiver

Our treasurer, J. Michael McKinley passed away suddenly last Sunday, November 28, 2021

Agency Comments

Grant



Victorica Smith -SBE- <victorica.smith@maryland.gov>

Fw: Fee Running Notice Fall 11_30_21

1 message

Diehl, David <DDiehl@smcmail.com>
To: "victorica.smith@maryland.gov" <victorica.smith@maryland.gov>
Cc: "Diehl, David" <DDiehl@smcmail.com>

Mon, Dec 6, 2021 at 1:52 PM

Good afternoon,

We spoke on the phone. Please see attached Fee Report Notice for our Company information. Our Treasurer, J. Michael McKinley passed away suddenly last Sunday, November 28, 2021.

I have been asked by our Director of Accounting to file the Business Political Contribution Disclosure Statement for the Fall 2021 Semi-Annual Report.

Please give me the credentials to log into the system. My name, email, address, and phone number follow.

If there is any way our Company can have the late fees waived due to this unfortunate turn of events, we would appreciate it.

Thanks,
David

David A. Diehl, CPA
Southern Management Companies
1950 Old Gallows Road, Suite 600
Vienna, VA 22182-3970
ddiehl@smcmail.com
Ph: 703-902-9628
Cell: 304-279-3276

From: Dominick DiNofrio <ddinofrio@smcmail.com>
Sent: Monday, December 6, 2021 12:57 PM
To: Diehl, David <DDiehl@smcmail.com>
Subject: FW: Fee Running Notice Fall 11_30_21

Hi David,
This just came in – do you have time to find out the status and file?

Best,

Dominick DiNofrio
Director of Accounting
Southern Management Companies
1950 Old Gallows Road, Suite 600
Vienna, VA 22182
O: 703-902-9413 | C: 703-667-0024
www.southernmanagement.com

From: ccf.sbe@maryland.gov <ccf.sbe@maryland.gov>

Sent: Monday, December 6, 2021 11:41 AM

To: Mike McKinley <mikem@smcmail.com>

Subject: Fee Running Notice Fall 11_30_21

Please see the attached Fee Running Notice for the Fall 2021 Report that was due on 11/30/21.

 **Fee Report Notice.pdf**
162K