

**STATE BOARD OF ELECTIONS**

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

David J. McManus, Jr, Chairman  
Patrick J. Hogan, Vice Chairman  
Michael R. Cogan  
Kelley A. Howells  
Gloria Lawlah



Linda H. Lamone  
Administrator  
  
Nikki Charlson  
Deputy Administrator

State Board of Elections' Meeting  
151 West Street, Suite 200  
Annapolis, Maryland 21401  
May 18, 2017 – 2:00 pm

**Agenda**

1. Declaration of Quorum Present
2. Ratification of Minutes from April 2017 Meeting
3. Additions to the Agenda
4. Administrator's Report
5. 2017 Legislative Session – SB 450/HB 880 and HB 353
6. Assistant Attorney General's Report
7. Request for Declaratory Ruling
8. Approval of Requests for Waivers of Campaign Finance Late Fees
9. Approval of Requests for Administrative Closures
10. Approval of Requests for Confidentiality
11. Old Business
12. New Business
13. Disclosure of Campaign Contributions
14. Schedule Next Meeting
15. Adjournment

Closed Meeting: Part of the meeting may be closed in accordance with Open Meetings Act procedures.

Public Participation: Members of the public may address the Board. Pursuant to §3.2B of the Board's bylaws, public participation at a meeting must be pre-scheduled and pre-approved by the Chairman. To request approval to speak at a board meeting, contact Nikki Charlson at 410-269-2843 or by email [nikki.charlson@maryland.gov](mailto:nikki.charlson@maryland.gov) no later than 5 pm the day before the meeting.

**1. Announcements & Important Meetings**

U.S. Election Assistance Commission's (EAC) Meetings

Nikki Charlson attend the EAC's Standards Board meeting on April 27th and 28th in San Antonio. This board has a state and local election official from every state and meets annually. (Katie Brown, the Election Director for the Baltimore County Board of Elections is the local election official from Maryland on the Standards Board.) At this meeting, state and local election officials received briefings from the EAC, the Federal Voting Assistance Program, and the U.S. Department of Homeland Security and approved the draft scope, structure, principles and guidelines of the Voluntary Voting System Guidelines version 2.0. (These documents are the result of the work of the Technical Guidelines Development Committee, of which Linda Lamone is a member.)

Linda Lamone will be attending the EAC's Board of Advisors meeting next week in Minneapolis. A summary of that meeting will be included in the next Administrator's Report.

American Bar Association's Election Law Committee

Paul Aumayr attended a meeting of the American Bar Association's Standing Committee on Election Law in Washington, DC. on May 4th. The integrity and security of the electoral process nationwide, including voting machines and the tabulation process, was discussed.

Organization of American States

Jared DeMarinis was invited by the Organization of American States (OAS) to assist in the Bahamas electoral observation mission as an Electoral Financing Specialist. The overall objective of the mission was to observe the different stages of the electoral process and verify compliance with civil and political rights. The election occurred on May 10th.

Office of Legislative Audit Report and Agency Response

On April 28th, the Legislative Auditor released its audit report from August 23, 2012, to October 22, 2015. The report described eight findings and included our response to each finding. None of the findings were repeat findings. Four of the recommendations have already been implemented and three others are in progress. One recommendation – require certain absentee voters to provide the last four digits of their Social Security number – cannot be implemented without authorizing legislation.

While we concur with facts supporting each finding, we do not agree with the overly broad conclusions made by the Legislative Auditor. For example, Finding 1 relates the reports provided by the Electronic Registration Information Center (ERIC) and processed by the local boards of elections. The Legislative Auditor recommended that SBE review the work of the local boards and verify that the local boards properly processed the ERIC reports, and we agreed to and have implemented this additional step. The Legislative Auditor summarized this finding, however, as a failure to “ensure the accuracy of the data recorded in the voter registration system.” This summary fails to recognize all of the audits that this office and the local boards perform to ensure the accuracy of the voter registration data. On a monthly basis, this office and the local boards audit data entered into the database and how various external reports (e.g., death records provided by the Department of Health and Mental Hygiene) were processed. These audits ensure the accuracy of the data, and the failure to audit the processing of one of many reports should not question the accuracy of voter registration data in general.

## 2. **Election Reform and Management**

### Post-Election Comprehensive Audit

All local boards have received their post-election comprehensive audit reports and have approximately four weeks to submit a written response. Once the response is received, a determination is made whether the response is acceptable and ensure action items have been received.

### Polling Place Evaluation Summary

Each local board will receive a summary of its polling place evaluations from the 2016 General Election. The purpose of the summary is to provide local boards with information about issues that may need attention for the next election or compliments that were given by the evaluators. In addition to the report, an Excel spreadsheet details information by precinct and also shows how long it took to complete the evaluation for each precinct.

### Election Judge Workgroup

The Election Judge Workgroup met at the end of April to prioritize tasks and develop a time frame to prepare the *Election Judges Manual* and forms for the 2018 elections. The next meeting is May 24th and work will begin on the forms that election judges must complete during early voting and on election day. After the forms are completed, work will then begin on the *Election Judges Manual* for both early voting and election day. It is the goal of the workgroup to have everything completed by January of next year so printing may start in time for training classes to begin around March.

## 3. **Voter Registration**

### Statewide Voter Registration and Candidacy Database (MDVOTERS)

User acceptance testing will begin on version 6.5 on June 5th. Enhancements include additional candidacy reports and development of electronic processing of National Change of Address (NCOA) data received through ERIC.

### Electronic Registration Information Center (ERIC)

To date, more than 405,300 records have been updated due to data received. The next reports are scheduled for distribution the beginning of June. SBE will receive five reports - Cross State, Deceased, In-State Duplicates, In-State Updates and NCOA reports.

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

### Candidacy

As of May 15, 2017, 78 candidates have filed a certificate of candidacy at SBE for the 2018 General Election.

### Campaign Finance

Jared DeMarinis reviewed the proposed legislation for the public financing program for Howard County and found that it conformed with State law and policy. Currently, he is working with the Howard County Council on budget costs.

As of May 15th, Montgomery County's public financing program has 14 candidates intending to participate. With the Montgomery County Department of Finance, we are writing a summary guide and developing a training seminar (with a PowerPoint presentation). The summary guide should be finished this month. Montgomery County's program was previously reviewed and cleared for compliance with State laws and policy.

As of May 15, 2017, the Fair Campaign Financing Fund has \$2,794,542.46. Of this amount, \$1,397,271.23 is eligible for the 2018 Primary Election matching program. Based upon current information and data:

- The expenditure limit for the 2018 Election is projected at \$2,655,833.92.
- The seed money qualifying threshold would be \$265,583.39 in eligible private contributions.
- The maximum that candidate could receive in matching funds for the 2018 Primary Election is \$1,327,916. 96.

The fund can fully fund one primary candidate only.

On May 22nd, the CCF Division will conduct a seminar on campaign finance laws and regulations.

### Enforcement

On April 19th, Marta Gates-Jones, Campaign Administrator for the Service Station Dealers Political Action Committee, pleaded guilty to felony theft. While serving as Campaign Administrator, Ms. Gates-Jones wrote and cashed 66 unauthorized checks from the campaign account for her personal expenses for a total of \$42,650.00. We referred this matter to the Office of the State Prosecutor after meeting with counsel for the Service Station Dealers Political Action Committee.

On May 19th, two trials for failure to file are scheduled at the Anne Arundel District Court. The committees involved are Citizens to Elect Richard M. Parker and Restore Maryland PAC.

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

### Inventory: Excess Equipment Disposal

The first public auction for the over 18,000 legacy touchscreen units and carts ended on May 3rd. There were no bidders on the equipment. Keith Ross met with the Department of General Services' surplus management team to discuss the next steps. It was decided to divide the equipment into separate component parts (TS-R6 units, cases, and carts) and conduct a second auction with smaller quantities. The second auction started May 15th and will close on May 25th.

We will soon submit for auction other legacy equipment types. This includes TSx voting units, optical scan voting units, servers and workstations, and various other equipment and supply items.

### New Inventory System

The conversion of the legacy and new equipment and supply items into the new inventory system is complete.

### FY 2017 Annual Inventory

The FY 2017 Annual Inventory process has started with SBE's inventory team visiting Anne Arundel on May 15th. The remaining local boards, SBE, and SBE's Warehouse are all scheduled to have equipment and supplies audited and inventoried through mid-July.

### Other

The re-classifications for the two vacant positions, Technical Writer and IT Systems Technical Specialist, were approved by the Department of Management and Budget. The next steps will be to recruit for the positions.

## **6. Voting Systems**

### Electronic Pollbooks

We continue to work with ES&S on our requested updates to the pollbook software. We received an alpha version on May 1st and have tested it and provided feedback to ES&S. Brandon Mulvey is scheduled to visit ES&S in Omaha in the first week of June for some additional joint testing in ES&S' testing environment.

Following demonstrating pollbook hardware updates and receiving our feedback, ES&S has refined the prototype and sent prototypes that arrived this week. On May 10th, the Board of Public Works approved the procurement of 200 of these new pollbooks for use in 2018 and internal batteries for all of the pollbooks.

### Municipal Elections

This month, six municipalities used the State's voting system for their elections. These were Taneytown, Hampstead and Manchester in Carroll County, La Plata in Charles County, Rock Hall in Kent County, and Havre de Grace in Harford County. SBE's Regional Managers programmed the election database, generated ballot artwork, and provided support to the local boards and the municipalities. SBE staff also created and provided the pollbook databases.

### Pre-Primary Election Testing.

SBE has started preparing for some pre-election testing before the 2018 Primary Election. There will be changes with various processes and procedures, identified after the 2016 Elections, as well as changes with the pollbooks amongst other systems, and it will be necessary to test these changes prior to next year's elections.

## **7. Prior Meeting Updates**

### Judicial Watch – Response and Production of Documents

We are working with the Attorney General's Office on a response to the letter dated April 11, 2017, and discussed at last month's meeting. We are reviewing Census and voter registration data and reports of list maintenance activities performed by the Montgomery County Board of Elections to respond to the letter. The letter included an extensive document request, and we are identifying responsive documents.

**Senate Bill 450 – House Bill 880 (Chapters 525 & 526)**

Title: Open Meetings Act – Annual Reporting Requirements, Web Site Postings and Training

Effective date: July 1, 2017

Currently, each public body must designate at least one employee, officer, or member to receive training on the requirements of the Open Meetings Act and notify the Open Meetings Compliance Board (“OMCB”) of the designated individual(s). The designated individual(s) must receive training from one of two named entities. The course is offered online and takes approximately 30-60 minutes.

This bill:

1. Names additional entities that can provide the required training
2. Repeals the requirement that a public body provide the OMCB with the list of designated individual(s)
3. Requires OMCB to provide in its annual report additional information and post on the Office of the Attorney General’s website the name of a public body found to have violated the Open Meetings Act and the opinion describing the violation.

There are several provisions that apply to closed sessions held on or after October 1, 2017.

1. A public body cannot meet in closed session unless the public body has designated at least one *member* to receive training from one of the approved training entities.
2. At least one member who was designated by the public body to receive training must be present at each open meeting of the public body.
3. If the designated member cannot attend an open meeting, the public body must complete the Office of the Attorney General’s *Compliance Checklist for Meetings subject to the Maryland Open Meetings Act* and include the checklist in the meeting’s minutes.

*Suggested Action:* Designate one or more members to receive the Open Meetings Act training.

Note: Since this bill also applies to the local boards of elections, we will distribute to the Election Directors this summary and request that one or more members of the local boards of elections be designated to receive this training.

**House Bill 353 (Chapter 441)**

Title: Election Law – Change in Administrative Policy Affecting Voting Rights – Notice

Effective date: July 1, 2017

This bill:

1. Prohibits the State Board of Elections or a local board of elections from considering a change to an administrative policy affecting voting rights *unless* the board posts a prominent public notice on its website at least 48 hours before the meeting that the board will consider at the meeting a change to an administrative policy affecting voting rights.
2. Requires the State Board or Elections of a local board of elections to provide reasonable public notice of a change. The notice must: (a) be in a reasonably convenient and accessible format, (b) be prominently posted on the board’s website, (c) include a concise description of the change, including the difference between the new and previous policy; and (d) be provided within 48 hours of the board’s adoption of the change.
3. Defines “administrative policy affecting voting rights” as “any action relating to voter registration, provisional voting, absentee voting, or the location of a polling place or early voting center.”

The following agenda items would trigger the pre- and post-meeting notice requirements.

1. New regulations or changes to existing regulations relating to voter registration, provisional voting and absentee voting
2. New polling place or changing the location of an existing polling place
3. New early voting center or changing the location of an early voting center

Chapter 441

**(House Bill 353)**

AN ACT concerning

**Election Law – Change in Administrative Policy Affecting Voting Rights –  
Notice**

FOR the purpose of requiring the State Board of Elections or a local board of elections to provide certain public notice in advance of a meeting at which a change in an administrative policy affecting voting rights will be considered; requiring the State Board of Elections or a local board of elections that adopts a change in an administrative policy affecting voting rights to provide certain public notice of the change; providing for the form, content, and timing of the public notice; ~~providing that an individual’s right to vote may not be denied or abridged because the individual failed to comply with a change in an administrative policy affecting voting rights if the State Board or local board did not provide public notice of the change; clarifying that existing prohibitions on voter fraud and voter suppression apply to a person acting under color of law;~~ defining a certain term; and generally relating to notice of changes in administrative policies affecting voting rights.

BY adding to

Article – Election Law  
Section 1–101(b–2) and 1–305  
Annotated Code of Maryland  
(2010 Replacement Volume and 2016 Supplement)

~~BY repealing and reenacting, with amendments,~~

~~Article – Election Law  
Section 16–201  
Annotated Code of Maryland  
(2010 Replacement Volume and 2016 Supplement)~~

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
That the Laws of Maryland read as follows:

**Article – Election Law**

1–101.

**(B–2) “ADMINISTRATIVE POLICY AFFECTING VOTING RIGHTS” MEANS ANY ACTION RELATING TO VOTER REGISTRATION, PROVISIONAL VOTING, ABSENTEE VOTING, OR THE LOCATION OF A POLLING PLACE OR EARLY VOTING CENTER.**

**1–305.**

(A) THE STATE BOARD OR A LOCAL BOARD MAY NOT CONSIDER A CHANGE IN AN ADMINISTRATIVE POLICY AFFECTING VOTING RIGHTS AT A MEETING UNLESS THE BOARD HAS POSTED A PROMINENT PUBLIC NOTICE ON ITS WEB SITE AT LEAST 48 HOURS IN ADVANCE OF THE MEETING STATING THAT THE BOARD WILL CONSIDER AN ADMINISTRATIVE POLICY AFFECTING VOTING RIGHTS AT THE MEETING.

(B) IF THE STATE BOARD OR A LOCAL BOARD ADOPTS A CHANGE IN AN ADMINISTRATIVE POLICY AFFECTING VOTING RIGHTS, THE STATE BOARD AND, IF APPLICABLE, THE LOCAL BOARD THAT ADOPTED THE CHANGE SHALL PROVIDE REASONABLE PUBLIC NOTICE OF THE CHANGE AS PROVIDED IN SUBSECTION (C) OF THIS SECTION.

(C) THE PUBLIC NOTICE SHALL:

(1) BE IN A REASONABLY CONVENIENT AND ACCESSIBLE FORMAT;

(2) BE PROMINENTLY POSTED ON THE WEB SITE OF THE:

(I) STATE BOARD; AND

(II) LOCAL BOARD THAT ADOPTED THE CHANGE, IF APPLICABLE;

(3) INCLUDE A CONCISE DESCRIPTION OF THE CHANGE, INCLUDING THE DIFFERENCE BETWEEN THE NEW ADMINISTRATIVE POLICY AFFECTING VOTING RIGHTS AND THE ADMINISTRATIVE POLICY AFFECTING VOTING RIGHTS THAT WAS PREVIOUSLY IN EFFECT; AND

(4) BE PROVIDED WITHIN 48 HOURS OF THE ADOPTION OF THE CHANGE.

~~(D) THE RIGHT TO VOTE OF AN INDIVIDUAL MAY NOT BE DENIED OR ABRIDGED BECAUSE THE INDIVIDUAL FAILS TO COMPLY WITH A CHANGE IN AN ADMINISTRATIVE POLICY AFFECTING VOTING RIGHTS IF THE STATE BOARD AND, IF APPLICABLE, THE LOCAL BOARD THAT ADOPTED THE CHANGE DID NOT PROVIDE THE PUBLIC NOTICES REQUIRED UNDER THIS SECTION.~~

~~16-201~~

~~(a) A person, INCLUDING A PERSON ACTING UNDER COLOR OF LAW, may not willfully and knowingly:~~

~~(1) (i) impersonate another person in order to vote or attempt to vote;~~  
or

~~(ii) vote or attempt to vote under a false name;~~

~~(2) vote more than once for a candidate for the same office or for the same ballot question;~~

~~(3) vote or attempt to vote more than once in the same election, or vote in more than one election district or precinct;~~

~~(4) vote in an election district or precinct without the legal authority to vote in that election district or precinct;~~

~~(5) influence or attempt to influence a voter's voting decision through the use of force, threat, menace, intimidation, bribery, reward, or offer of reward;~~

~~(6) influence or attempt to influence a voter's decision whether to go to the polls to cast a vote through the use of force, fraud, threat, menace, intimidation, bribery, reward, or offer of reward; or~~

~~(7) engage in conduct that results or has the intent to result in the denial or abridgement of the right of any citizen of the United States to vote on account of race, color, or disability.~~

~~(b) Except as provided in § 16-1002 of this title, a person who violates this section is guilty of a misdemeanor and on conviction is subject to a fine of not more than \$5,000 or imprisonment for not more than 5 years or both.~~

~~(c) A person who violates this section is subject to § 5-106(b) of the Courts Article.~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2017.

Approved by the Governor, May 4, 2017.

# HOUSE BILL 880

P3

(7lr1185)

## ENROLLED BILL

— *Health and Government Operations/ Education, Health, and Environmental Affairs* —

Introduced by **Delegates Morales, Carr, Angel, Cullison, Hill, Kelly, R. Lewis, Morgan, Mosby, Pena-Melnyk, Platt, Tarlau, ~~and K. Young~~ K. Young, and Krebs**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.

\_\_\_\_\_  
Speaker.

### CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Open Meetings Act – ~~Required Training for Members of Public Bodies~~ Annual**  
3 **Reporting Requirement, Web Site Postings, and Training**

4 FOR the purpose of ~~repealing the requirement that a public body designate a certain~~  
5 ~~individual to receive training on the Open Meetings Act and forward a certain list to~~  
6 ~~the Open Meetings Compliance Board; requiring that certain individuals complete~~  
7 ~~certain classes or submit a letter stating certain information to the Board within a~~  
8 ~~certain period of time after becoming a member of a public body; requiring an~~  
9 ~~individual who is a member of a public body on the effective date of this Act to comply~~  
10 ~~with certain provisions of this Act on or before a certain date except under certain~~  
11 ~~circumstances; and generally relating to required training for members of public~~  
12 ~~bodies regarding~~ requiring the *State Open Meetings Law Compliance* Board, in  
13 conjunction with the Office of the Attorney General, to distribute certain educational

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#### EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

*Italics* indicate opposite chamber / conference committee amendments.



1 materials to the staff and attorneys for certain entities; adding the Maryland  
 2 Association of Boards of Education to the entities the Board, in conjunction with the  
 3 Office of the Attorney General, is required to develop and conduct certain educational  
 4 programs for; altering the annual reporting requirement of the ~~State Open Meetings~~  
 5 ~~Law Compliance~~ Board to require that certain information on certain violations be  
 6 reported; requiring the Board to post certain information on a certain Web site;  
 7 repealing a requirement that certain public bodies forward a certain list to the Board;  
 8 prohibiting a public body from meeting in a closed session unless the public body  
 9 designates at least a certain number of members to receive the training; requiring  
 10 that certain designated individuals attend certain meetings or that certain public  
 11 bodies include a certain checklist in certain minutes; requiring the Board, the  
 12 University of Maryland's Institute for Governmental Service and Research, and the  
 13 Academy for Excellence in Local Governance in the University of Maryland's School  
 14 of Public ~~Health~~ Policy to collaborate with certain entities to determine a certain  
 15 cost-benefit analysis, develop a certain list of contacts, and report to certain  
 16 committees of the General Assembly on or before a certain date; defining a certain  
 17 term; and generally relating to the annual reporting requirement, Web site postings,  
 18 and training under the Open Meetings Act.

19 BY adding to

20 Article – General Provisions  
 21 Section 3-101(d-1)  
 22 Annotated Code of Maryland  
 23 (2014 Volume and 2016 Supplement)

24 BY repealing and reenacting, with amendments,

25 Article – General Provisions  
 26 Section 3-204(d) and (e), 3-211, and 3-213  
 27 Annotated Code of Maryland  
 28 (2014 Volume and 2016 Supplement)

29 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
 30 That the Laws of Maryland read as follows:

31 **Article – General Provisions**

32 3-101.

33 **(D-1) “CLASS ON THE OPEN MEETINGS LAW” MEANS:**

34 **(1) AN ONLINE CLASS ON THE REQUIREMENTS OF THE OPEN**  
 35 **MEETINGS LAW OFFERED BY THE OFFICE OF THE ATTORNEY GENERAL AND THE**  
 36 **UNIVERSITY OF MARYLAND’S INSTITUTE FOR GOVERNMENTAL SERVICE AND**  
 37 **RESEARCH;**

1           **(2) A CLASS ON THE REQUIREMENTS OF THE OPEN MEETINGS LAW**  
 2 **OFFERED BY THE MARYLAND ASSOCIATION OF COUNTIES OR THE MARYLAND**  
 3 **MUNICIPAL LEAGUE THROUGH THE ACADEMY FOR EXCELLENCE IN LOCAL**  
 4 **GOVERNANCE; OR**

5           **(3) A CLASS ON THE REQUIREMENTS OF THE OPEN MEETINGS LAW**  
 6 **OFFERED BY THE MARYLAND ASSOCIATION OF BOARDS OF EDUCATION THROUGH**  
 7 **THE BOARDSMANSHIP ACADEMY PROGRAM.**

8 3-204.

9           (d) The Board, in conjunction with the Office of the Attorney General and other  
 10 interested organizations or persons, shall develop and conduct educational programs AND  
 11 **DISTRIBUTE EDUCATIONAL MATERIALS on the requirements of the open meetings law**  
 12 for the staffs and attorneys of:

13           (1) public bodies;

14           (2) the Maryland Municipal League; [and]

15           (3) the Maryland Association of Counties; AND

16           **(4) THE MARYLAND ASSOCIATION OF BOARDS OF EDUCATION.**

17           (e) (1) On or before October 1 of each year, the Board shall submit an annual  
 18 report to the Governor and, subject to § 2-1246 of the State Government Article, the  
 19 General Assembly.

20           (2) The report shall:

21           (i) describe the activities of the Board;

22           (ii) describe the opinions of the Board;

23           (iii) state the number and nature of complaints filed with the Board  
 24 and discuss complaints that reasonable notice of a meeting was not given; [and]

25           **(IV) IDENTIFY THE PROVISIONS OF THIS TITLE THAT THE BOARD**  
 26 **HAS FOUND A PUBLIC BODY TO HAVE VIOLATED AND THE NUMBER OF TIMES EACH**  
 27 **PROVISION HAS BEEN VIOLATED;**

28           **(V) IDENTIFY EACH PUBLIC BODY THAT THE BOARD HAS FOUND**  
 29 **TO HAVE VIOLATED A PROVISION OF THIS TITLE; AND**

30           ~~(iv)~~(VI) recommend any improvements to this title.

1 3-211.

2 **(A) THIS SECTION DOES NOT APPLY TO A PUBLIC BODY THAT IS:**

3 **(1) IN THE JUDICIAL BRANCH OF STATE GOVERNMENT; OR**

4 **(2) SUBJECT TO GOVERNANCE BY RULES ADOPTED BY THE COURT OF**  
5 **APPEALS.**

6 **[(a)](B) If the Board determines that a violation of this title has occurred:**

7 **(1) at the next open meeting of the public body after the Board has issued**  
8 **its opinion, a member of the public body shall announce the violation and orally summarize**  
9 **the opinion; and**

10 **(2) a majority of the members of the public body shall sign a copy of the**  
11 **opinion and return the signed copy to the Board.**

12 **[(b)](C) The public body may not designate its counsel or another representative**  
13 **to provide the announcement and summary.**

14 **[(c)](D) Compliance by a public body or a member of a public body with**  
15 **subsections [(a) and (b)] (B) AND (C) of this section:**

16 **(1) is not an admission to a violation of this title by the public body; and**

17 **(2) may not be used as evidence in a proceeding conducted in accordance**  
18 **with § 3-401 of this title.**

19 **(E) IF THE BOARD DETERMINES THAT A PUBLIC BODY HAS VIOLATED A**  
20 **PROVISION OF THIS TITLE, THE BOARD SHALL POST ON THE MARYLAND OPEN**  
21 **MEETINGS ACT PAGE OF THE OFFICE OF THE ATTORNEY GENERAL WEB SITE THE**  
22 **NAME OF THE PUBLIC BODY AND THE OPINION THAT DESCRIBES THE VIOLATION.**

23 3-213.

24 **(A) THIS SECTION DOES NOT APPLY TO A PUBLIC BODY THAT IS:**

25 **(1) IN THE JUDICIAL BRANCH OF STATE GOVERNMENT; OR**

26 **(2) SUBJECT TO GOVERNANCE BY RULES ADOPTED BY THE COURT OF**  
27 **APPEALS.**

28 **[(a)] (B) Each public body shall:**

1           ~~(1)~~ designate at least one individual who is an employee, an officer, or a  
2 member of the public body to receive training on the requirements of the open meetings  
3 law;~~and~~

4           ~~(2)~~ ~~forward a list of the individuals designated under item (1) of this~~  
5 ~~subsection to the Board.~~

6           ~~(b)~~ **(C)** Within 90 days after ~~being~~ designated under subsection ~~(a)(1)~~ **(B)** of  
7 this section, ~~BECOMING A MEMBER OF A PUBLIC BODY~~, an individual shall:

8           ~~(1)~~ **(1)** complete:

9           ~~[(1)]~~ ~~(I)~~ ~~an online class on the requirements of the open meetings law~~  
10 ~~offered by the Office of the Attorney General and the University of Maryland's Institute for~~  
11 ~~Governmental Service and Research; or~~

12           ~~[(2)]~~ ~~(II)~~ ~~a class on the requirements of the open meetings law offered by~~  
13 ~~the Maryland Association of Counties or the Maryland Municipal League through the~~  
14 ~~Academy for Excellence in Local Governance; OR~~

15           ~~(2)~~ **(2)** ~~SUBMIT A LETTER TO THE BOARD STATING THAT THE INDIVIDUAL~~  
16 ~~IS UNABLE OR UNWILLING TO COMPLETE A CLASS AS DESCRIBED IN ITEM (1) OF THIS~~  
17 ~~SUBSECTION~~ COMPLETE A CLASS ON THE OPEN MEETINGS LAW.

18           ~~SECTION 2. AND BE IT FURTHER ENACTED, That an individual who is a~~  
19 ~~member of a public body on the effective date of this Act shall comply with § 3-213 of the~~  
20 ~~General Provisions Article, as enacted by Section 1 of this Act, on or before January 1, 2018,~~  
21 ~~unless the individual completed a class as described in § 3-213 of the General Provisions~~  
22 ~~Article, as enacted by Section 1 of this Act, on or before September 30, 2017.~~

23           **(D) (1) THIS SUBSECTION APPLIES TO A PUBLIC BODY THAT MEETS IN A**  
24 **CLOSED SESSION ON OR AFTER OCTOBER 1, 2017.**

25           **(2) A PUBLIC BODY MAY NOT MEET IN A CLOSED SESSION UNLESS THE**  
26 **PUBLIC BODY HAS DESIGNATED AT LEAST ONE MEMBER OF THE PUBLIC BODY TO**  
27 **RECEIVE TRAINING ON THE REQUIREMENTS OF THE OPEN MEETINGS LAW.**

28           **(3) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS**  
29 **PARAGRAPH, AT LEAST ONE INDIVIDUAL DESIGNATED UNDER PARAGRAPH (2) OF**  
30 **THIS SUBSECTION SHALL BE PRESENT AT EACH OPEN MEETING OF THE PUBLIC**  
31 **BODY.**

32           **(II) IF AN INDIVIDUAL DESIGNATED UNDER PARAGRAPH (2) OF**  
33 **THIS SUBSECTION CANNOT BE PRESENT AT AN OPEN MEETING OF THE PUBLIC BODY,**

1 THE PUBLIC BODY SHALL COMPLETE THE COMPLIANCE CHECKLIST FOR MEETINGS  
2 SUBJECT TO THE MARYLAND OPEN MEETINGS ACT DEVELOPED BY THE OFFICE OF  
3 THE ATTORNEY GENERAL AND INCLUDE THE COMPLETED CHECKLIST IN THE  
4 MINUTES FOR THE MEETING.

5 SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December 1,  
6 2017, the *State Open Meetings Law* Compliance Board, the University of Maryland's  
7 Institute for Governmental Service and Research, and the Academy for Excellence in Local  
8 Governance in the University of Maryland's School of Public Policy shall:

9 (1) collaborate with the Maryland Association of Counties, the Maryland  
10 Municipal League, the Maryland Association of Boards of Education, Maryland Common  
11 Cause, and the Maryland–Delaware–District of Columbia Press Association to determine  
12 a cost–benefit analysis of:

13 (i) the costs to the State associated with tracking the names of  
14 individuals who complete a class on the open meetings law as required by § 3–213 of the  
15 General Provisions Article, as enacted by Section 1 of this Act, including the public body  
16 with which the individual is affiliated, including the cost to the University of Maryland's  
17 Institute for Governmental Service and Research to collect information on individuals who  
18 take the online course offered by the Institute; and

19 (ii) the benefits to the State of tracking the names of individuals who  
20 complete a class on the open meetings law as required by § 3–213 of the General Provisions  
21 Article, as enacted by Section 1 of this Act, including the public body with which the  
22 individual is affiliated;

23 (2) collaborate with the Maryland Association of Counties, the Maryland  
24 Municipal League, and the Maryland Association of Boards of Education to develop a list  
25 of contacts for public bodies to which the Board may send educational materials, the  
26 Compliance Checklist for Meetings Subject to the Maryland Open Meetings Act, the Board's  
27 annual report, and any other information the Board determines would be useful to a public  
28 body in assisting compliance with the Open Meetings Act; and

29 (3) report to the Senate Education, Health, and Environmental Affairs  
30 Committee and the House Health and Government Operations Committee, in accordance  
31 with § 2–1246 of the State Government Article, on:

32 (i) the findings of the results of the cost–benefit analysis required  
33 by item (1) of this section and any resulting recommendations for legislation; and

34 (ii) the status of developing the information required under item (2)  
35 of this section.

36 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
37 ~~October~~ July 1, 2017.

**COMPLIANCE CHECKLIST**  
**FOR MEETINGS SUBJECT TO THE MARYLAND OPEN MEETINGS ACT \***

1. \_\_\_\_ Did you give “reasonable advance notice” of the meeting and keep a copy?
2. \_\_\_\_ Did you make an agenda available when notice was posted, or, if not yet determined, as soon as practicable but at least 24 hours before the meeting? (effective 10/1/16)
3. \_\_\_\_ Did you make arrangements for the public to attend and for minutes to be kept in writing or produced as live, archived, and streaming audio or video?
4. \_\_\_\_ If part of the meeting might be closed to the public, have you first:
  - \_\_\_\_ made sure that the topic to be discussed falls entirely within one or more of the 14 “exceptions” that allow the closed session? (for the list, see the other side of this page)
  - \_\_\_\_ given notice of the open meeting that must be held right before the closed session, so that the presiding officer can hold the required public vote to close?
  - \_\_\_\_ arranged for the presiding officer to prepare a written statement with the required disclosures? (see the model form with instructions at <http://www.marylandattorneygeneral.gov/Pages/OpenGov/Openmeetings/default.aspx>)
  - \_\_\_\_ arranged for minutes to be kept and adopted as sealed minutes of the closed session?
  - \_\_\_\_ arranged for someone to ensure that the closed session discussion will not go beyond the exceptions and topics cited on the written closing statement?
  - \_\_\_\_ arranged to disclose in the minutes of the next open meeting a statement of the time, place, and purpose of the closed meeting; a record of the vote to close the meeting and the authority to do so; and a listing of the topics discussed, the persons present, and the actions taken?
  - \_\_\_\_ for a meeting recessed to hold a closed administrative session, arranged to disclose, in the minutes of the next open meeting, the following: date, time, and place, persons present, and subjects discussed?
5. \_\_\_\_ Did you prepare, for adoption as soon as practicable, minutes of the open meeting, including summaries of any prior closed sessions?
6. \_\_\_\_ Have you posted the open-session minutes online, or, if that is not practicable, made them available for inspection and arranged to keep them for at least 5 years? (effective 10/1/16).

\*A meeting will generally be subject to the Act if a quorum of the members of a public body has convened to conduct public business. The Act does not apply to a public body’s performance of the judicial function and most quasi-judicial functions, though it does apply to licensing, permitting, and many land use discussions. The Act applies only in a limited way to the performance of merely “administrative” functions. Some public bodies are governed by laws that impose more stringent requirements. If so, those requirements apply. For details on the scope of the Act, see the Open Meetings Act Manual.

(continued → )

**STATUTORY AUTHORITY TO CLOSE SESSION  
(THE FOURTEEN “EXCEPTIONS”)**

**General Provisions Article § 3-305(b) (formerly State Government Article, §10-508(a))**

- (1) To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; or any other personnel matter that affects one or more specific individuals;
- (2) To protect the privacy or reputation of individuals concerning a matter not related to public business;
- (3) To consider the acquisition of real property for a public purpose and matters directly related thereto;
- (4) To consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State;
- (5) To consider the investment of public funds;
- (6) To consider the marketing of public securities;
- (7) To consult with counsel to obtain legal advice on a legal matter;
- (8) To consult with staff, consultants, or other individuals about pending or potential litigation;
- (9) To conduct collective bargaining negotiations or consider matters that relate to the negotiations;
- (10) To discuss public security, if the public body determines that public discussion would constitute a risk to the public or to public security, including: (i) the deployment of fire and police services and staff; and (ii) the development and implementation of emergency plans;
- (11) To prepare, administer, or grade a scholastic, licensing, or qualifying examination;
- (12) To conduct or discuss an investigative proceeding on actual or possible criminal conduct;
- (13) To comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter;
- (14) Before a contract is awarded or bids are opened, to discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.

(Revised September 2016)

BEFORE THE MARYLAND BOARD OF ELECTIONS

IN RE CLAUDIA BARBER

Case No. \_\_\_\_\_

RECEIVED

MAR 20 REC'D

STATE BOARD OF ELECTIONS

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PETITION FOR DECLARATORY RULING

In accordance with Section 1.7 of the Maryland Board of Election's 2017 Summary Guidance, I am petitioning the Maryland Board of Elections for a declaratory ruling.

FACTS IN SUPPORT OF PETITION

On or about February 5, 2016, Ronald Jarashow, an Annapolis attorney working on behalf of the four sitting judges, filed a politically motivated ethics complaint with the DC Office of Administrative Hearings (OAH) challenging my candidacy as being violative of the OAH Ethics Code, and sought my termination. An investigation ensued, and legal expenses were incurred. The ethics question was entirely related to my candidacy and whether or not I participated in a partisan primary. A Maryland case, *Suessman v. Lamone*, 852 A.2d 1, 383 Md. 697 (2004), determined that judicial elections in Maryland are partisan affairs.

Jarashow later admitted in subsequent emails to my employer that the main purpose in making this ethics complaint was to get me disqualified as a candidate for judge on the Circuit Court for Anne Arundel County. He provided my employer with the Maryland Judicial Campaign Committee handbook and explained how this would lead to getting me disqualified and removed from the ballot.

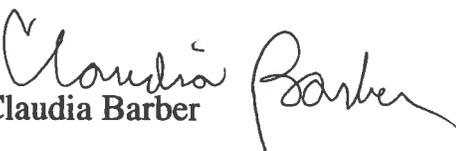
## RELEVANT MARYLAND ELECTION ARTICLE

Maryland's Election Law Article under Title 13, identifies many categories of permitted expenditures. This includes campaign funds being used to pay for legal costs associated with an investigation that has a direct connection with the individual's candidacy. An Attorney General Opinion was precisely written addressing the nexus requirement. See generally 78 Opinions of the Attorney General 155 (1993). The Attorney General made it clear in this opinion that "a candidate or elected official may use campaign funds to pay debts incurred in the defense of a criminal prosecution only if there is a direct connection between the candidacy and the prosecution. This 'nexus' requirement was met with regard to Delegate Fulton's use of campaign funds for this purpose."

## RELIEF SOUGHT

I seek a declaratory ruling from the Maryland Board of Election members that the legal expenses incurred met the nexus requirement as discussed in the attorney general decision above. And if not, when would the nexus requirement be met in this situation.

Respectfully submitted,

  
Claudia Barber

10 Oak Run Road

Laurel, MD 20724

240 593-1181

# MEMORANDUM

To: Members, State Board of Elections

From: Nikki Charlson, Deputy Administrator

Date: May 11, 2017

Re: Petition for Declaratory Ruling – Claudia Barber

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On March 20, 2017 Claudia Barber filed a Petition for Declaratory Ruling with the State Board of Elections. Ms. Barber asked the Board to determine that legal expenses she incurred in the course of an investigation by her former employer, which resulted in her termination, were an appropriate use of campaign funds. It is the recommendation of SBE staff that the Board not issue a declaratory ruling in this matter for the reasons stated below.

## Background

Ms. Barber was one of the top four vote-getters for Anne Arundel County Circuit Court judge on the democratic ballot in the June 2016 primary election. She then ran unsuccessfully in the November 2016 general election. At the time she filed as a candidate and during the course of the primary election, Ms. Barber was employed by the District of Columbia Office of Administrative Hearings (“OAH”) as an Administrative Law Judge.

Pursuant to a complaint filed by Annapolis attorney Ron Jarashow, who reportedly supported the four other judicial candidates,<sup>1</sup> OAH conducted an investigation into whether Ms. Barber violated the Office’s ethics rules by running in a “partisan” election for Circuit Court judge.<sup>2</sup> The investigation determined that she did violate the Office’s ethics rules and Ms. Barber was subsequently terminated from her employment with OAH.<sup>3</sup>

Through news reports following the November 2016 general election, it came to the attention of SBE’s Candidacy and Campaign Finance (“CCF”) Division that Ms. Barber’s

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<sup>1</sup> P. Davis, *Ethics Complaint Filed Against Circuit Court Candidate*, CAPITAL GAZETTE, April 21, 2016, available at: <http://www.capitalgazette.com/news/elections/ph-ac-cn-judge-complaint-0422-20160421-story.html>.

<sup>2</sup> Judicial candidates in Maryland do not declare a party affiliation or run as members of either political party. They are eligible to run in either or both party primaries. Judicial elections in Maryland are considered partisan elections, however, because unlike true nonpartisan elections (for school board, e.g.) unaffiliated voters are not eligible to vote for judicial candidates in primary elections. *Seussmann v. Lamone*, 383 Md. 697 (2004).

<sup>3</sup> P. Davis, *Judicial Candidate Used Campaign Funds for Legal Defense*, CAPITAL GAZETTE, Oct. 21, 2016, available at: <http://www.capitalgazette.com/news/elections/ph-ac-cn-claudia-barber-finance-1022-20161021-story.html>.

campaign committee, the *Judicial Campaign of Claudia Barber*, made multiple expenditures for legal services incurred during the course of the OAH ethics investigation.<sup>4</sup> Specifically, the campaign committee made expenditures totaling \$8,769.46 for expert witness fees, court reporting and stenography costs, copies and other general legal expenses, many of which were paid by the campaign committee to Ms. Barber herself.

By letter dated November 15, 2016, Ms. Barber was informed by CCF that the expenditures for legal services made by her campaign committee were not an appropriate use of campaign funds under Maryland law. Ms. Barber was advised that under the Election Law Article, any campaign expenditure must be used “to promote or assist in the promotion of the success . . . of a candidate.” Md. Code Ann. Elec. Law § 1-101(aa)(1). In addition, CCF informed Ms. Barber that pursuant to the Code of Maryland Administrative Regulations (“COMAR”), a campaign committee is prohibited from paying a candidate’s “legal defense costs or expenses, except in those cases relating to investigations or legal actions resulting from the *conduct of the campaign or election.*” COMAR 33.13.10.03(B)(6)(emphasis added).

Finally, the letter referred to the Summary Guide to Maryland Candidacy & Campaign Finance Laws (“Summary Guide”) which states that while “campaign funds may be used to pay for legal costs associated with an investigation or criminal proceeding that has a direct connection with the individual’s candidacy, ... [i]t is prohibited for any candidate or political committee to use campaign funds for legal or other expenses related to investigations or court proceedings that do not have a direct connection with the candidacy. *For example, investigations or charges involving misconduct in an individual’s employment or public office are not campaign-related, even if the charges first come to light as a result of the individual’s decision to run for elected office.*” Summary Guide, §9.9 (emphasis added).

By letter dated November 22, 2016, Ms. Barber notified CCF that she had repaid her campaign account the entirety of the \$8,769.46 in legal expenses deemed impermissible expenditures and the enforcement matter was closed.

### Petition for Declaratory Ruling

In her Petition, Ms. Barber asks the Board to issue a declaratory ruling “that the legal expenses incurred met the nexus requirement as discussed in the attorney general decision.” Ms. Barber refers to the Opinion of the Attorney General cited as 78 Op. Atty. Gen. 155 (1993) (“Attorney General’s Opinion”). In that Opinion, the Attorney General concluded that a candidate may use campaign funds to pay debts incurred in the defense of a criminal prosecution directly related to alleged campaign improprieties.

### Analysis

Though Ms. Barber relies heavily on the Attorney General’s Opinion, the facts presented in the Opinion are entirely unlike the facts in her case. In the Attorney General’s Opinion, a candidate for the House of Delegates was criminally charged with violating campaign laws by diverting legislative funds for campaign purposes. The candidate went to trial and was

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<sup>4</sup> *Id.*

ultimately found innocent on all charges. The conclusion of the Attorney General's Opinion was that candidates or elected officials may use campaign funds to pay debts incurred in the defense of a criminal prosecution if that criminal prosecution is *directly* related to alleged campaign improprieties, in that case diverting legislative funds for campaign purposes.

While it is true that Ms. Barber would not have come under investigation by OAH for violating ethics rules had she not become a candidate for Circuit Court judge, there is no nexus or direct connection between Ms. Barber's employment conditions (*i.e.* the ethics rules) and her candidacy. The ethics rules applied only to Ms. Barber in her capacity as an Administrative Law Judge, a position entirely separate and distinct from her position as a candidate. Unlike the candidate in the Attorney General's Opinion, Ms. Barber's violations were of her own employment conditions and not "directly related to alleged campaign improprieties," as required by the Attorney General's Opinion. In short, "investigations or charges involving misconduct in an individual's employment . . . are not campaign-related, even if the charges first come to light as a result of the individual's decision to run for elected office." Summary Guide §9.9. As such, it was impermissible for Ms. Barber to use campaign funds to pay for legal costs incurred in the course of the OAH ethics investigation.

Finally, the Petition does not meet the Board's usual requirements for the issuance of a declaratory ruling. The purpose of a declaratory ruling is for the Board to explain how it "would" apply a regulation, order or statute that it is responsible for enforcing to a set of facts set forth in the petition. COMAR 33.01.02.01. Rather than describing a set of facts and seeking a prospective determination from the Board as to how it might apply any regulation, order or statute to those facts, Ms. Barber's petition asks the Board to reverse a decision made by CCF staff based on past events. It has long been the practice of the Board to only issue declaratory rulings when asked by a petitioner to determine how a rule or regulation would apply to prospective behavior, not to actions that have already taken place and the Board has consistently determined that declaratory rulings are for prospective matters of interpretation only and are not retroactive.

### Recommendation

For the reasons discussed above, it is the recommendation of SBE staff that it is neither necessary nor appropriate to issue a declaratory ruling in this matter.

cc: Jeffery L. Darsie, Assistant Attorney General  
Adam D. Snyder, Chief Counsel, Opinions and Advice

# PETITION FOR DECLARATORY RULING

Petitioner: George Gluck  
4848 Sweetbirch Drive  
Rockville, Maryland 20853  
(301) 924-5065

RECEIVED

MAR 08 2017

STATE BOARD OF ELECTIONS

Facts:

1 – (from page 68 of **Article - Election Law**):

§5–203. (a) (1) This subsection **does not apply** to a candidate for:

- . (i) President or Vice President of the United States; or
- . **(ii) any federal office who seeks nomination by petition.**

(2) Unless the individual is a registered voter affiliated with the political party, an individual may not be a candidate for:

- . (i) an office of that political party; or
- . (ii) except as provided in subsection (b) of this section, nomination by

that political party.

(b) The requirements for party affiliation specified under subsection (a) of this section do not apply to a candidate for:

- . (1) a judicial office; or

. (2) a county board of education.

2 – The petitioner is running for a federal office and seeking nomination by petition.

3 – The Maryland Constitution and Election Law applies no further restrictions to an individual seeking **“any federal office who seeks nomination by petition”**.

Ruling Sought:

Since there are no stated restrictions on a candidate seeking nomination for an office as a member of a recognized political party, to also seek nomination for that same office by petition, a declaratory ruling to that effect is sought.

Verification:

I affirm that the facts set forth in this petition are true to the best of my knowledge, information and belief.



George Gluck, Petitioner  
March 8, 2017

# State of Maryland

## Declaration of Intent to Seek Nomination by Petition

Candidate Information			
Name of Candidate	George Gluck		
Election Year	2018	<input type="checkbox"/> Primary	<input checked="" type="checkbox"/> General
Office Sought	House of Representatives	<input type="checkbox"/> Local	<input checked="" type="checkbox"/> Federal
District	#6		
Residence Address	4848 Sweetbirch Drive		
County of Residence (or Baltimore City)	Montgomery		
Election District or Ward		Precinct	
Party Affiliation			

I have carefully reviewed the information above and affirm that it is correct and accurate. I understand that this information will appear on the ballot and all official candidate listings as it appears above. \_\_\_\_\_  
Candidate Initials

I hereby declare my intent to seek nomination by petition as a candidate in the above referenced Election.

**I hereby declare that:**

- The name listed above is my legally given name or a name supported by an affidavit filed at this time under penalty of perjury.
- I will not be a candidate for any other public office.
- I am not a treasurer, sub-treasurer, or campaign manager for any candidate or committee.
- I am a registered voter and a citizen of Maryland and meet all other requirements for the above-mentioned office.
- I understand that my signature authorizes local boards to change all records except my party affiliation.
- I understand that final acceptance of this certificate depends on:
  1. Verification of the information provided on this certificate
  2. Paying the applicable filing fee, completing the financial disclosure requirement and submitting the requisite number of signatures on petition
  3. Establishing an authorized candidate committee.

I hereby certify under the penalties of perjury that the above information provided by me is true.

Signature of Candidate: George Gluck Date: 3/8/17

Subscribed and sworn before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ Year.

Witnessed by Election Official or Notary Public: \_\_\_\_\_  
Signature

**For Board Use Only**

Financial Disclosure

Statement of Organization

(NOTARIZED WITHOUT FEE BY THE ELECTION OFFICE)

**Maryland State Board of Elections**  
 Division of Candidacy and Campaign Finance  
 P.O. Box 6486 • 151 West Street, Suite 200 • Annapolis, MD 21401-0486  
 410-269-2880 • 800-222-8683 • MD Relay 800-735-2258  
[www.elections.state.md.us](http://www.elections.state.md.us)

# State of Maryland

## Candidate Nomination Petition Information Page

**Must be submitted with each petition filed. Please return to appropriate State or local Board of Elections.**

Date Filed: \_\_\_\_\_

Part I. Petition Purpose			
Candidate Name: George Gluck		Office Sought: House of Representatives	District: #6
Principal Party / Partisan Affiliation (if any):	Election Year: 2018	<input type="checkbox"/> Primary <input checked="" type="checkbox"/> General	<input checked="" type="checkbox"/> Federal <input type="checkbox"/> State <input type="checkbox"/> Local
Candidate Address: 4848 Sweetbirch Drive			
Rockville, MD 20853			
			County of Residence (or Baltimore City) Montgomery
Public Phone (301) 924-5065	Contact Phone (301) 924-5065	Fax	
Part II. Advance Determination			
Was the petition submitted to the State Board of Elections for advance sufficiency determination?			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<i>If yes, include a copy of sufficiency notice with filing</i>			
Part III: Sponsor Identification			
Sponsor's Name:			
Mailing Address:			
Public Phone	E-Mail	Fax	
Designated Representative Information			
<i>Note: If the Sponsor is an organization, the following information must be given for the individual designated by the Sponsor to receive notices in connection with the Petition.</i>			
Name:			
Mailing Address:			
Public Phone	E-Mail	Fax	

**Maryland State Board of Elections**  
 Division of Candidacy and Campaign Finance  
 P.O. Box 6486 ● 151 West Street, Suite 200 ● Annapolis, MD 21401-0486  
 410-269-2880 ● 800-222-8683 ● MD Relay 800-735-2258  
[www.elections.state.md.us](http://www.elections.state.md.us)

Candidate Name \_\_\_\_\_

**Petition Signature Page Summary**

Date on which the first signature was affixed to this petition filing: \_\_\_\_\_

Date on which the last signature was affixed to this petition filing: \_\_\_\_\_

	# Pages _____	# Signatures _____	# of Signatures by Congressional District:
Allegheny County	_____	_____	
Anne Arundel County	_____	_____	
Baltimore City	_____	_____	
Baltimore County	_____	_____	1 <sup>st</sup> _____
Calvert County	_____	_____	
Caroline County	_____	_____	2 <sup>nd</sup> _____
Carroll County	_____	_____	
Cecil County	_____	_____	3 <sup>rd</sup> _____
Charles County	_____	_____	
Dorchester County	_____	_____	4 <sup>th</sup> _____
Frederick County	_____	_____	
Garrett County	_____	_____	5 <sup>th</sup> _____
Harford County	_____	_____	
Howard County	_____	_____	6 <sup>th</sup> _____
Kent County	_____	_____	
Montgomery County	_____	_____	7 <sup>th</sup> _____
Prince George's County	_____	_____	
Queen Anne's County	_____	_____	8 <sup>th</sup> _____
St. Mary's County	_____	_____	
Somerset County	_____	_____	
Talbot County	_____	_____	
Washington County	_____	_____	
Wicomico County	# Pages _____	# Signatures _____	
Worcester County	# Pages _____	# Signatures _____	
<b>TOTALS</b>	# Pages _____	# Signatures _____	

**Sponsor's Affidavit**

(To be signed by the Sponsor or, if the Sponsor is an organization, by the Designated Representative)

*Under penalty of perjury, I swear (or affirm) that, to the best of my knowledge and belief, all of the information given on these Information Pages is true and correct.*

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**Filing Receipt**

**(FOR OFFICE USE ONLY)**

This is to certify that I am in receipt of:

\_\_\_\_\_ Information Page

\_\_\_\_\_ Petition signature pages purporting to contain \_\_\_\_\_ signatures.

\_\_\_\_\_ Sufficiency Notice (only applicable if petition received advance sufficiency determination)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

# State of Maryland

## Candidate Information Sheet

This form is a worksheet and not an official document. The Certificate of Candidacy is the official document. This document is provided only to expedite the filing process.

*Shaded boxes are for Board use only.*

Election Year	2018	<input type="checkbox"/> Primary	<input checked="" type="checkbox"/> General
Office Sought	House of Representatives	District (Running In)	#6 <input type="checkbox"/>
Congressional Only	District (Living In)	#6	Initial JM <input type="checkbox"/>
Party Affiliation	<input type="checkbox"/>		
Legal Name (As Registered to Vote)	George Gluck		
Name to Appear on Ballot	<input checked="" type="checkbox"/> Same as Registered to Vote		
Date of Birth	January 6, 1947 <input type="checkbox"/>	Gender	<input checked="" type="checkbox"/> Male <input type="checkbox"/> Female
Contact Phone (For Board Use)	(301) 924-5065	Public Phone	(301) 924-5065
Fax		E-Mail	VoteForGeorge@GeorgeGluck.com
Candidate Website URL	www.bridge.sights.com/georgegluck-ind		
Facebook Page	TBD		
Twitter Page	TBD		
Other Social Media			
County of Residence	Montgomery <input type="checkbox"/>		
Residence Address (Number, Street, City, Zip)	4848 Sweetbirch Drives		
	Rockville, MD 20853 <input type="checkbox"/>		
Mailing Address	<input checked="" type="checkbox"/> Same as Residence		
Candidate Committee	Independent Voters for Gluck		
<b>For Board Use Only</b>			
Place a ✓ in each box if the required forms have been provided and after you verify the above information:			
<input type="checkbox"/> Financial Disclosure	<input type="checkbox"/> Statement of Organization	<input type="checkbox"/> Identification	<input type="checkbox"/> Filing Fee
Election District _____	Precinct _____	CCF ID# _____	
<input type="checkbox"/> Alternate Name Affidavit	FEC ID# _____		
SBE Staff _____	LBE Staff/MD Voters _____	(SBE only)	

STATE BOARD OF ELECTIONS

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

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



Linda H. Lamone  
Administrator  
  
Nikki Charlson  
Deputy Administrator

MEMORANDUM

To: State Board of Elections  
From: Jared DeMarinis  
Date: May 17, 2017

Re: Declaratory Ruling- Seeking Political Office via a Political party and Petition

Staff recommends that State Board of Elections (“SBE”) issue a declaratory ruling that the Mr. George Gluck may not as an individual affiliated with the Green Party seek nomination by petition for federal office.

On March 8, 2017, SBE received a Petition for Declaratory Ruling (“Petition”) regarding seeking political office as a member of a recognized political party and by petition. The Petition is attached for your convenience.

According to COMAR 33.01.02.01 the purpose of a declaratory ruling is for a petitioner to know how the SBE would apply a regulation, order or a statute to any person or entity. The issue presented is whether the petitioner as a member of the Green Party can seek the nomination by petition for Representative in Congress.

Pursuant to Election Law Article §5-703(b), a candidate for public office may be nominated by petition only if the candidate is not affiliated with any political party. In this case, the petitioner is a registered voter affiliated with the Green Party, a recognized political party in the State. If the petitioner wants to seek ballot access by petition, he must change his party affiliation from Green Party to unaffiliated.

If Mr. Gluck were to change his party affiliation to unaffiliated and seek nomination by petition for federal office, he would be precluded from seeking nomination by any other means. Election Law Article §5-203(a)(2) does apply by its terms to any candidate seeking nomination by a political party. This interpretation is reinforced by other statutes in Title 5. Election Law Article §5-701 provides for three alternative and mutually exclusively routes to ballot access. Additionally, Election Law Article §5-706 restricts candidates from appearing on the ballot at the next succeeding general election if the candidate is defeated for the nomination of a political party.

PETITION FOR DECLARATORY RULING FILED PURSUANT TO COMAR  
SECTION 33.01.02

1. Name, address and telephone number of the Petitioner:

"James V. "Capt'n Jim" McMahan, Jr., 503 Maitland Street Bel Air, MD 21014-3926,  
phone number 410-688-7899.

2. Statement of Facts

Petitioner is currently an elected member of the Harford County Council, representing District C. He plans to run for the Maryland House of Delegates in District 34B. He has been known in Harford County as "Capt'n Jim", or "Captain Jim" for over 53 years. From 1968 to 2003, Petitioner was a radio personality at radio stations WVOB and WAMD. During that time he used "Capt'n Jim" as his radio nickname. This is not a rank, it is a nickname. As you will note from the enclosed documents, numerous press accounts refer to him by his alternate name. Also, as you can see from the enclosed documents, packages are addressed to the Petitioner using his alternate name. In addition, public event programs, copies enclosed, refer to Petitioner by his alternate name.

Petitioner is also generally known by his alternate name in the Harford County community. Petitioner's alternate name is so well known that is it likely many voters do not know Petitioner's given name and would not recognize Petitioner by his given name. While a member of the County Council, Petitioner has always used the alternate name. For your information, I enclose herewith a screen shot of the official Harford County website which confirms this.

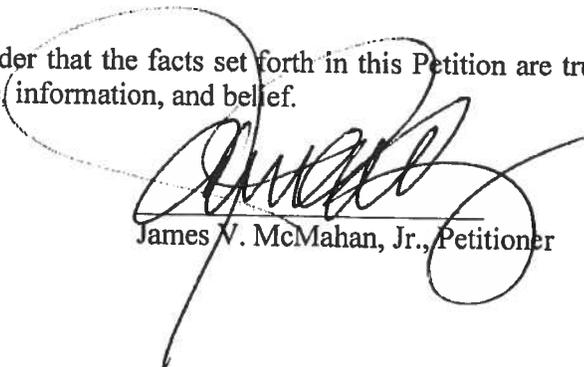
Although Petitioner has been successful in his previous elections for County Council without using his alternate name on the ballot, many voters in District 34B may not be as familiar with him as his current constituents are. Allowing Petitioner to use his alternate name would not confuse or mislead voters, but, rather, would assist voters in properly identifying Petitioner on the ballot.

3. Application of Statute to Facts in Petition

Section 5-301(c)(4) of the Elections Article of the Annotated Code of Maryland provides in pertinent part that "Except for the use of quotation marks to enclose a portion of a name, the use of symbols, titles, degrees, or other professional designations on a certificate of candidacy is prohibited". The statute could be construed to prohibit Petitioner from using his alternate name on the Certificate of Candidacy in that "Capt'n" or "Captain Jim", while not a title or actual military rank, could be deemed a title or professional designation. Petitioner urges the Board to rule that the use of the above names does not constitute a title or

professional designation and accordingly, that the Certificate of Candidacy of the Petitioner may include said names.

I hereby affirm under that the facts set forth in this Petition are true to the best of the Petitioner's knowledge, information, and belief.



James V. McMahan, Jr., Petitioner

34202.doc

**James V. McMahan, Jr.**

County Council

Title: County Councilman - District C

Phone: (410) 638-3523

Email

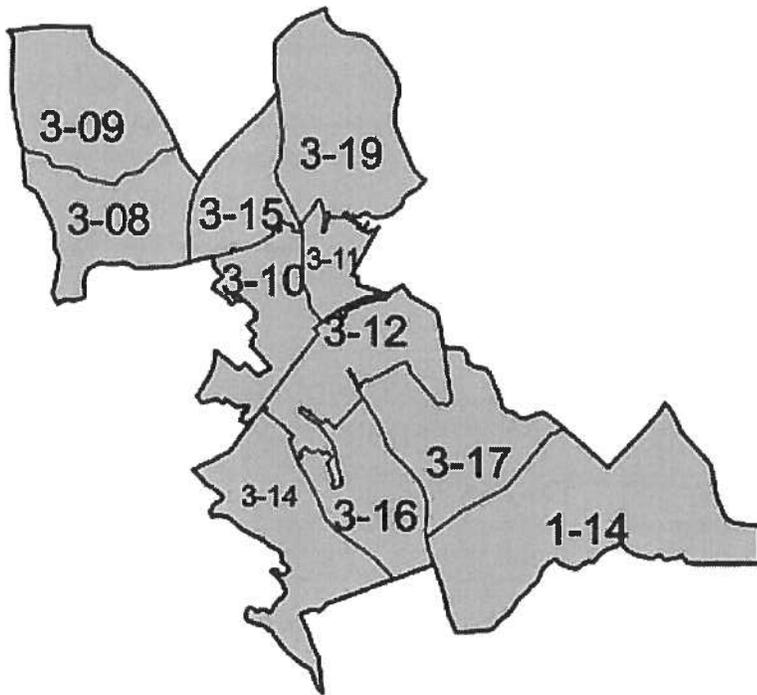


James V. McMahan, Jr., was elected in 2006 and is honored to be serving his second term on the Harford County Council. He represents District C which primarily includes Bel Air. As a member of the Harford County Council, Councilman McMahan serves as the Sheriff's Office Liaison, on the Criminal Justice Coordinating Council and the Local Emergency Planning Commission. He also serves as liaison to the Liriodendron Foundation which maintains the former summer home of Dr. Howard Kelly, one of the founding surgeons of the Johns Hopkins Hospital.

Born and raised in Harford County, Councilman McMahan is the son of the late Chief (Emeritus) J. Vaughan McMahan, and the late Selena P. McMahan, a well-known Bel Air High School Biology teacher. Councilman McMahan is known locally as "Capt'n Jim," a nickname accrued to him proudly denoting his military and broadcasting background.

**Professional Highlights**

- Received a B.A. degree from Western Maryland College (now McDaniel) and was commissioned a Second Lieutenant in the US Army Signal Corps upon graduation in June 1960
- Attended University of Baltimore Law School
- Appointed an Academic FELLOW after graduating in 2011 from the University of Maryland's Academy of Excellence for Local Governance
- Selected one of "Maryland's Five Outstanding Young Men" by the Maryland Jaycees on January 27, 1967
- Instrumental in the formation of the Bel Air Community Band and the Bel Air Community Chorus
- Life member of the Bel Air Vol. Fire Company and also served as a sworn officer with the Bel Air Police Department
- Past President, Bel Air Chamber of Commerce
- One of the original "Founders" of the Bel Air Fourth of July Parade
- Past president and founder of the Ripken Museum in Aberdeen
- Affiliated with WBAL Radio and Television for many years and became General Manager of WVOB in Bel Air in 1968. In 1978, Mr. McMahan and a group of investors purchased WAMD in Aberdeen. He became the majority stockholder and hosted the morning show until his retirement in 2003. For 36



[Return to Staff Directory](#)

Website Feedback? [citizensaffairs@harfordcountymd.gov](mailto:citizensaffairs@harfordcountymd.gov)

Harford County Government

410-638-3000

220 South Main Street, Bel Air, Maryland 21014

STATE BOARD OF ELECTIONS

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

David J. McManus, Chairman  
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Michael R. Cogan  
Kelley Howells  
Gloria Lawlah



Linda H. Lamone  
Administrator

Nikki Charlson  
Deputy Administrator

MEMORANDUM

To: State Board of Elections  
From: Jared DeMarinis  
Date: May 17, 2017

Re: Declaratory Ruling- Legal Ballot Name

Staff recommends that the State Board of Elections (“SBE”) issue a declaratory ruling that James V. McMahan, Jr cannot use “Capt’n Jim” or “Captain Jim” as a legal ballot name.

On February 2, 2017, SBE received a Petition for Declaratory Ruling regarding legal ballot names for James V. McMahan, Jr (“Petition”). The petition is attached for your convenience.

According to COMAR 33.01.02.01 the purpose of a declaratory ruling is for a petitioner to know how the SBE would apply a regulation, order or a statute to any person or entity. The issue presented is whether using James V. “Capt’n Jim” McMahan, Jr. or James V. “Captain Jim” McMahan, Jr. constituted legal ballot names.

Pursuant to Election Law Article §5-301(c)(3), a candidate may file a certificate of candidacy in a name different from the candidate’s given name if the candidate files an affidavit attesting that the candidate is generally known by that other name in either press accounts or everyday encounters with members of the community. The Petitioner included press accounts and community events that identified James McMahan, Jr. as “Capt’n Jim” or “Captain Jim”.

However, state law prohibits the use of symbols, titles, degrees, or other professional designations on the alternate name. *See* Election Law Article §5-301(c)(4). “Captain” is a military rank as well as professional designation for the police and fire departments. According to the Harford County Government website for the Petitioner, it states “Councilman McMahan is known locally as “Capt’n Jim,” a nickname accrued to him proudly denoting *his military* and broadcasting background.” (italics added)

Additionally, the Petitioner states that the use of the alternate name would not mislead or confuse voters, but rather assist voters in properly identifying the Petitioner on the ballot. However, as noted by the Petitioner in the petition, he has appeared on the ballot and elected to public office since 2006 without the use of the alternate name.

STATE BOARD OF ELECTIONS

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

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Michael R. Cogan  
Kelley Howells  
Gloria Lawlah



Linda H. Lamone  
Administrator

Nikki Charlson  
Deputy Administrator

Memorandum

**TO:** State Board Members  
**FROM:** Jared DeMarinis, Director  
Division of Candidacy and Campaign Finance  
**DATE:** May 18, 2017  
**SUBJECT:** Waiver of late filing fees

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

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

- Administrative error of any kind on the part of the Division.
- The lateness is due to extenuating circumstances, i.e. physical illness or death in the family.
- The late report is the first late report and allows the committee to close, or contains minimal financial activity.
- The fee will cause undue financial hardship, if the liability of the fine is the personal responsibility of the officers.
- Computer problems occurred which made timely filing impossible. However, the filer still must have demonstrated a good faith effort to timely file.

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

Pursuant to Election Law Article §13-337 (b) (3), the State Administrator has denied two waiver request, for the month of May. No Board action is required on the denials. Late fees collected year to date for Late Fee Waivers are \$25, 6832.74.

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

## Waiver request 5/18/17

1. Barlow, Gary Citizens to Elect
2. Bolourian, Neda Friends of
3. Chew, Hosea T. Friends of
4. Douglas, Robert A. Friends of
5. Ensor, Julie Friends of
6. Evans Arthurs, Maureen Friends of
7. Friends of Volunteer Fire and EMS of Washington County Pac
8. Haffner, Julian A. Friends of
9. Lindner, Genevieve for State Delegate
10. Mechanical Contractors Association of Maryland Pac
11. Oppenheim, Todd Equal Justice Group for
12. Pickrum, William, Friends of
13. Royalty, Ahmed the Citizens for
14. Scanlan, (Dorothy ) Citizens for
15. Wicomico Co. Fraternal Order of police Lodge III Pac
16. Wilson, Thea Friends of

## Denied

1. Carter, Jill P. Committee for
2. Ferrar, Chuck Friends For

## Waiver Request Information Page

### General

Account Name	Barlow, Gary Citizens to Elect	
CCF ID:	01010243	Status: Inactive
Date Established	2/24/14	
Date Waiver Requested	4/21/17	
Account Type	Campaign Account	

### Officers

Current Treasurer	Joonna Schroyer	Start Date:2/24/14
Responsible Treasurer		
Current Chairman	Gary Barlow	2/24/14
Responsible Chairman		

### Waiver Request Dates

Late Report	Affidavit	Date Received	Fees	Total Fees
1/18/17		4/18/17	\$500	\$500
			\$	\$
			Total	\$500

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

### Prior Waiver and Fees

No priors

### Financial Activity History

Report	Contributions	Expenditures	Cash Balance	Debt
Affidavit	\$	\$	\$	\$
	\$	\$	\$	\$
	\$	\$	\$	\$

### Reason for Waiver

I have not run for office in years, a person at your office explain the procedure to close out this account.

### Division Comments

Grant, this will close out account.

### Administrator's Decision

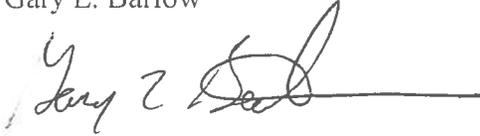
Request to Waive fee for Delinquent Report

Account: citizens to elect Gary Barlow  
CCF ID: 01010243

Dear Madam or Sir,

I am writing this letter to please have the Delinquent Report fee waived. We have never collected or have spent any money on an election. I have not run for office in years and thought our reporting was done. A person at your office explained what my Treasurer should do to end reporting requirements, as we were un-aware. I am sorry for this mistake. Thank you for your help in this matter.

Sincerely,  
Gary L. Barlow

A handwritten signature in black ink, appearing to read "Gary L. Barlow", written over a horizontal line.

RECEIVED

APR 21 REC'D

STATE BOARD OF ELECTIONS

## Waiver Request Information Page

### General

<b>Account Name</b>	Bolourian, Neda Friends of	
<b>CCF ID:</b>	01009531	<b>Status:</b> Active
<b>Date Established</b>	11/18/13	
<b>Date Waiver Requested</b>	4/25/17	
<b>Account Type</b>	Campaign Account	

### Officers

<b>Current Treasurer</b>	Lily Bolourian	<b>Start Date:</b> 11/18/13
<b>Responsible Treasurer</b>		
<b>Current Chairman</b>	Neda Bolourian	11/18/13
<b>Responsible Chairman</b>		

### Waiver Request Dates

Late Report	Affidavit	Date Received	Fees	Total Fees
1/18/17		3/17/17	\$500	\$500
			\$	\$
			Total	\$500

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

### Prior Waiver and Fees

1/21/15 late fee \$140 paid

### Financial Activity History

Report	Contributions	Expenditures	Cash Balance	Debt
Affidavit	\$	\$	\$	\$
	\$	\$	\$	\$
	\$	\$	\$	\$

### Reason for Waiver

I am no longer a candidate and was unaware I had to continue to file reports.

### Division Comments

Grant

### Administrator's Decision

Maryland State Board of Elections  
P.O. Box 6486  
Annapolis, MD 21401  
4/15/2017

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APR 25 2017

STATE BOARD OF ELECTIONS

RE: CCF ID 01009531, Friends of Neda Bolourian Campaign Finance Report Delinquency

To Whom It May Concern:

I am respectfully requesting that the delinquency fees for this account in the amount of \$500.00 be waived. I have a new home address and was unaware of the campaign finance report document request. Further, I am no longer a candidate and as such was unaware that I had to continue to file a campaign finance report. I have received no new donations and would like to close the Friends of Neda Bolourian bank account. My new home address is listed below. Thank you for your time.

Sincerely,



Neda Bolourian

13543 Ambassador Drive  
Germantown, MD 20874

## Waiver Request Information Page

### General

Account Name	Carter, Jill P. Committee For	
CCF ID:	01002283	Status: Active
Date Established	7/08/02	
Date Waiver Requested	4/26/17	
Account Type	Campaign Account	

### Officers

Current Treasurer	Kevin Johnson	Start Date:3/09/14
Responsible Treasurer		
Current Chairman	Jill Carter	1/15/14
Responsible Chairman		

### Waiver Request Dates

Late Report	Affidavit	Date Received	Fees	Total Fees
1/18/17		4/10/17	\$500	\$500
			\$	\$
			Total	\$500

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

### Prior Waiver and Fees

11/18/14 late fee \$250 paid
10/2/4/14 late fee \$250 paid
8/26/14 late fee \$250 paid
6/13/14 late fee \$250 paid

### Financial Activity History

Report	Contributions	Expenditures	Cash Balance	Debt
Affidavit	\$	\$	\$	\$
	\$	\$	\$	\$
	\$	\$	\$	\$

### Reason for Waiver

On April 10 I filed the report, I had hoped my treasurer would have filed before then I offer no excuse or justification for filing late.
---

### Division Comments

Deny, committee has a history of filing late.
---

### Administrator's Decision

--

**Jill P. Carter, Esquire  
808 Glen Allen Drive  
Baltimore, Maryland 21229  
443-413-4072**

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**APR 26 REC'D**

**STATE BOARD OF ELECTIONS**

April 17, 2017

Linda H. Lamone, Esquire  
State Administrator of Elections  
Maryland State Board of Elections  
PO Box 6486  
Annapolis, Maryland 21401-0486

**RE: REQUEST TO WAIVE LATE FEE/ Committee for Jill P. Carter  
CCF ID 01002283  
Annual Report 2017**

Dear Administrator Lamone:

This is a request to waive the maximum late fee assessed in the above captioned case. On April 10, 2017, I filed an affidavit of no campaign finance activity. I apologize that it was filed late. I had hoped my treasurer would have filed it before then. But, I offer no excuse or justification.

However, in the way of mitigation, I offer the following: On January 2, 2017, I resigned from my position as a member of the Maryland House of Delegates and began a full time job as director of an agency within Baltimore City government. I apologize for the filing oversight. I am no longer in elected office, I have no use for the account. The account does not have \$500.00. Thus, I would have to use personal funds to pay the late fee. I have had past transgressions with filing late. But, I am hoping to put this matter to rest and close out the committee. Thank you for your consideration.

Jill P. Carter  
jpclawyer@aol.com

## Waiver Request Information Page

### General

<b>Account Name</b>	Chew, Hosea T. Friends of	
<b>CCF ID:</b>	01010896	<b>Status:</b>
<b>Date Established</b>	2/25/14	
<b>Date Waiver Requested</b>	4/17/17	
<b>Account Type</b>	Campaign Account	

### Officers

<b>Current Treasurer</b>	Kim Pendleton	<b>Start Date: 2/25/14</b>
<b>Responsible Treasurer</b>		
<b>Current Chairman</b>	Hose Chew	2/25/14
<b>Responsible Chairman</b>		

### Waiver Request Dates

Late Report	Affidavit	Date Received	Fees	Total Fees
1/18/17		3/31/17	\$500	\$500
			\$	\$
			Total	\$500

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

### Prior Waiver and Fees

1/21/15 late fee \$110 paid

### Financial Activity History

Report	Contributions	Expenditures	Cash Balance	Debt
Affidavit	\$	\$	\$	\$
	\$	\$	\$	\$
	\$	\$	\$	\$

### Reason for Waiver

As a candidate my run was not successful, I returned the remaining fund but failed to file the final report to officially close out.

### Division Comments

Grant this will close out account.

### Administrator's Decision

# State of Maryland

## Late Fee Waiver Request Form

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

Campaign Account Name: Friends of Hosea T. Chew Account Number: CCFID: 01010896

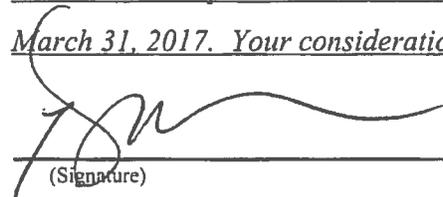
Date of Request: April 17, 2017 Total Amount of late fees: \$500.00

Name of the Requestor(s)\*: Hosea T. Chew

The Requester is the:  Chairman  Treasurer  Candidate

Waiver of late fees for the following Campaign Finance Report(s): 2017 Annual

The basis for the request: I am officially requesting a "Late Fee Waiver Request" due to financial and family reasons. I ran as a candidate for the Central Committee and raised less than \$1,000. My run was not successful so I returned the remaining funds to donors but failed to file the necessary final report to officially close the account. Following the time the funds were returned, my Treasurer, Kimberly M. Chew and I were separated and soon thereafter divorced. This was a very stressful and financial hardship for me. I moved back to Baltimore City from Prince Georges County and did not receive the filing notice for 2017. The address forwarding order had expired therefore the notice didn't reach my new address. My now former wife did not inform me of the notice that was sent to my former address until the filing deadline had expired. I didn't know the password so I called the office for assistance and officially closed the account on March 31, 2017. Your consideration in this matter is greatly appreciated.

  
(Signature)

4/17/2017  
(Date)

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

Maryland State Board of Elections  
Division of Candidacy and Campaign Finance

P.O. Box 6486 • 151 West Street, Suite 200 • Annapolis, MD 21401-0486 410-269-2880 • 800-222-8683 • MD Relay 800-735-2258 • www.elections.state.md.us

## Waiver Request Information Page

### General

Account Name	Ferrar, Chuck Friends For	
CCF ID:	01005480	Status: Active
Date Established	1/14/10	
Date Waiver Requested	5/08/17	
Account Type	Campaign Account	

### Officers

Current Treasurer	Ruth Hyatt	Start Date: 2/26/14
Responsible Treasurer		
Current Chairman	Ray Langston	1/14/10
Responsible Chairman		

### Waiver Request Dates

Late Report	Affidavit	Date Received	Fees	Total Fees
1/18/17		N/A	\$500	\$500
			\$	\$
			Total	\$500

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

### Prior Waiver and Fees

1/20/16 late fee \$70 paid 8/26/14 late fee \$20 paid
--

### Financial Activity History

Report	Contributions	Expenditures	Cash Balance	Debt
N/A	\$	\$	\$	\$
	\$	\$	\$	\$
	\$	\$	\$	\$

### Reason for Waiver

The treasurer and chair are both having medical issues.

### Division Comments

Deny, per SBE policy the report must be filed.

### Administrator's Decision

--

State of Maryland

Late Fee Waiver Request Form

May 4, 2017

Re: Friends for Chuck Ferrar 01005480

The basis for this request is that both the Campaign Chair and Treasurer are senior citizens who have had major health problems in 2016 and the first part of 2017. This has made it difficult to keep on top of campaign issues. Especially, since we thought the campaign account had been closed.

Ray Langston (Campaign Chair) was in Johns Hopkins for major procedures and surgeries the following times in 2016; May, July, 3xAugust, 2xSeptember, and October. In 2017, he was in Johns Hopkins Jan, Feb. and March.

Ruth Hyatt (Treasurer) had health issues late 2016 and then in early 2017 she was hospitalized and then was in rehabilitation for 5 weeks.

We are sorry for the confusion and mistake, we thought the campaign account was closed in 2016. We will get this corrected soon.

Thank you.

  
Charles Ferrar (Candidate)

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MAY 08 2017

STATE BOARD OF ELECTIONS

## Waiver Request Information Page

### General

Account Name	Douglas, Robert A. Friends of	
CCF ID:	01011133	Status: Active
Date Established	5/15/15	
Date Waiver Requested	3/06/17	
Account Type	Candidate Account	

### Officers

Current Treasurer	N/ A	Start Date:
Responsible Treasurer		
Current Chairman	Ashley Douglas	5/15/15
Responsible Chairman		

### Waiver Request Dates

Late Report	Affidavit	Date Received	Fees	Total Fees
11/22/16		12/15/16	\$130	\$130
10/28/16		12/15/16	\$440	\$440
			Total	\$570

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

### Prior Waiver and Fees

4/45/16 late fee \$500 paid  
 3/22/16 late fee\$500 Paid  
 1/20/16 referred to OSP

### Financial Activity History

Report	Contributions	Expenditures	Cash Balance	Debt
Affidavit	\$	\$	\$	\$
	\$	\$	\$	\$
	\$	\$	\$	\$

### Reason for Waiver

This committee has been stagnant no new donations have been made, I am a teacher and I have paid a \$1000 in fees. This would be an undue hardship for me.

### Division Comments

Grant, first request

### Administrator's Decision

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MAR 06 REC'D

STATE BOARD OF ELECTIONS

March 1, 2017

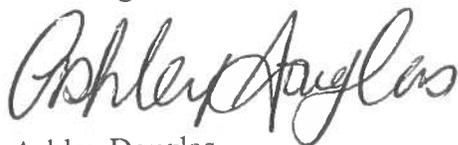
To Whom It May Concern,

I am writing as the Chairperson on behalf of the Friends of Robert A. Douglas campaign. I am writing to request that the late fees owed for the 2016 Presidential Pre-General Report in the amount of \$440 be waived as well as the late fees due on the 2016 Presidential Post General report in the amount of \$130.

As of the beginning of 2016, the Friends of Robert A. Douglas campaign has been stagnant. New donations have not been made to the campaign, additionally money from the campaign has not been used to purchase anything either. At this point, sufficient funds to cover these fees are not available in the bank account of this campaign and our desire is to close the campaign for good, so that reports no longer need to be filed. As the chairperson, I wasn't made aware that affidavits weren't filed in a timely manner to demonstrate that there was no campaign activity because this was not my original duty as chairperson. As of this date, all campaign files are up to date and it is my desire to close the campaign to prevent late fees from accumulating in the future.

As a result of no campaign activity and funds in the campaign account under the amount of \$50, all of the late fees would have to be paid out of my personal income. I am a Baltimore City School teacher, living on a limited income and use my money to take care of my children, both at home and in my classroom. I have paid all of the other late fees prior to these in the amount of \$1,250 and I am requesting that the additional fees be waived, if at all possible. I look forward to hearing from someone soon.

Warm regards,



Ashley Douglas

Chairperson, Friends of Robert A. Douglas Campaign

## Waiver Request Information Page

### General

Account Name	Ensor, Julie Friends of	
CCF ID:	01006095	Status: Active
Date Established	6/23/10	
Date Waiver Requested	4/14/17	
Account Type	Campaign Account	

### Officers

Current Treasurer	Mark Ensor	Start Date:6/23/10
Responsible Treasurer		
Current Chairman	John Ensor	6/23/10
Responsible Chairman		

### Waiver Request Dates

Late Report	Affidavit	Date Received	Fees	Total Fees
1/18/17		1/19/17	\$10	\$10
			\$	\$
			Total	\$10

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

### Prior Waiver and Fees

No priors
-----------

### Financial Activity History

Report	Contributions	Expenditures	Cash Balance	Debt
Affidavit	\$	\$	\$	\$
	\$	\$	\$	\$
	\$	\$	\$	\$

### Reason for Waiver

Because of the use of a single email the account was lock and could not be accessed. After call SBE and speaking to one of your staff members we were able to resolve the issue so the report could be filed

### Division Comments

Grant, vender issue.

### Administrator's Decision

--

Letter to Linda H. Lamone  
Dated April 14, 2017  
Re: Ensor. Julie Friends of CCF ID: 01006095

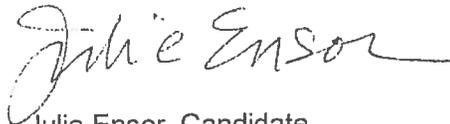
The Friends of Julie Ensor campaign had no recollection of having received any formal notification from the Maryland State Board of Elections indicating their campaign account was being locked down due to the use of a single email address. Had they known this information, they would have taken appropriate measures to resolve this issue prior to the filing deadline for the 2017 Annual Report.

The Friends of Julie Ensor campaign made every effort to timely file the Affidavit for the 2017 Annual Report on its due date of 1/18/17 but because the campaign was locked out of being able to fulfill its obligation in filing the report by the vendor for the Maryland Campaign Reporting Information System, we do not feel there should be a penalty imposed on the campaign. Upon its discovery, the campaign took immediate action to resolve this issue by contacting the Maryland State Board of Elections. After the vendor programmer successfully made the necessary changes to the system to allow the use of the same email address, they released the restriction placed on the campaign account and the Affidavit was promptly filed.

Because the late filing was of no fault of the campaign, but was a restriction placed on the Maryland Campaign Reporting Information System itself, we respectfully ask that the \$10.00 late fee be waived. Please notify us in writing as to your decision with respect to this matter.

Thank you for your consideration.

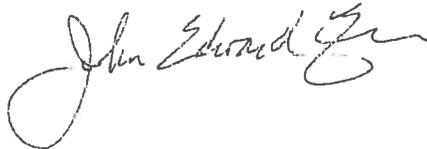
Sincerely,



Julie Ensor, Candidate



Mark Alexander Ensor, Treasurer



John Edward Ensor, Chairperson

## Waiver Request Information Page

### General

<b>Account Name</b>	Evans Arthurs, Maureen, Friends of	
<b>CCF ID:</b>	01010159	<b>Status: Inactive</b>
<b>Date Established</b>	2/24/14	
<b>Date Waiver Requested</b>	4/26/17	
<b>Account Type</b>	Campaign Account	

### Officers

<b>Current Treasurer</b>	Jamie Arthurs	<b>Start Date:2/24/14</b>
<b>Responsible Treasurer</b>		
<b>Current Chairman</b>	Amy Adler	2/24/14
<b>Responsible Chairman</b>		

### Waiver Request Dates

Late Report	Affidavit	Date Received	Fees	Total Fees
1/18/17		4/06/17	\$500	\$500
			\$	\$
			Total	\$500

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

### Prior Waiver and Fees

1/21/15 late fee \$100 paid
-----------------------------

### Financial Activity History

Report	Contributions	Expenditures	Cash Balance	Debt
Affidavit	\$	\$	\$	\$
	\$	\$	\$	\$
	\$	\$	\$	\$

### Reason for Waiver

I was under the impression that what I did in 2016 would close the account, the account is now being closed.
--

### Division Comments

Grant this will close out account.
------------------------------------

### Administrator's Decision

--

# State of Maryland



## Late Fee Waiver Request Form

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

Campaign Account Name: Friends of Maureen Evans Arthurs Account Number: CCFID 01010159

Date of Request: 04/26/17 Total Amount of late fees: \$ \$500

Name of the Requestor(s)\*: Jamie T. Arthurs

The Requestor is the:  Chairman  Treasurer  Candidate

Waiver of late fees for the following Campaign Finance Report(s): 2017 Annual

The basis for the request: Hello, I am writing to get the fee waived or decreased.

I was under the impression that what I did in the summer of 2016 to update / corret the account,

had closed the account. I am humbly sorry for not realizing I was wrong sooner.

The account is now being closed and will no longer be an issue.

Thank you to Patti Sullivan for all of your assistance. You have been an amazing help to me.

(Signature)

04/26/17

(Date)

### For Board Use Only

Date Rcvd: \_\_\_\_\_ Date Heard: \_\_\_\_\_

Verification: \_\_\_\_\_

Bd. Decision. \_\_\_\_\_

**Maryland State Board of Elections**  
Division of Candidacy and Campaign Finance

P.O. Box 6486 • 151 West Street, Suite 200 • Annapolis, MD 21401-0486  
410-269-2880 • 800-222-8683 • MD Relay 800-735-2258 • [www.elections.state.md.us](http://www.elections.state.md.us)

## Waiver Request Information Page

### General

<b>Account Name</b>	Friends of Volunteer Fire and EMS of Washington County PAC	
<b>CCF ID:</b>	03008542	<b>Status:</b> Active
<b>Date Established</b>	10/18/11	
<b>Date Waiver Requested</b>	2/27/17	
<b>Account Type</b>	Pac Account	

### Officers

<b>Current Treasurer</b>	Terry Smith	<b>Start Date:</b> 10/18/11
<b>Responsible Treasurer</b>		
<b>Current Chairman</b>	Robert Moncrief	10/18/11
<b>Responsible Chairman</b>		

### Waiver Request Dates

Late Report	Affidavit	Date Received	Fees	Total Fees
1/18/17		1/26/17	\$80	\$80
			\$	\$
			Total	\$80

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

### Prior Waiver and Fees

No priors
-----------

### Financial Activity History

Report	Contributions	Expenditures	Cash Balance	Debt
Affidavit	\$	\$	\$	\$
	\$	\$	\$	\$
	\$	\$	\$	\$

### Reason for Waiver

I believe this fee should be waived since the system requires that I delete information that is automatically entered.
--

### Division Comments

Grant, committee worked with SBE to file report correctly.
--

### Administrator's Decision

--



---

**Fwd: FW: Fee Running Notice for the 1/18/17 Annual Report**

1 message

---

**Vicki Molina -SBE-** <vicki.molina@maryland.gov>  
To: Victorica Smith -SBE- <victorica.smith@maryland.gov>

Mon, Feb 27, 2017 at 8:04 AM

Waiver Request.

Vicki  
Victoria Molina  
State Board of Elections  
151 West Street, Suite 200  
Annapolis, MD 21401  
410.269.2874  
vicki.molina@maryland.gov - please note this is my new email address

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

From: **Terry** <terry53@myactv.net>  
Date: Fri, Feb 24, 2017 at 7:58 PM  
Subject: FW: Fee Running Notice for the 1/18/17 Annual Report  
To: Vicki Molina -SBE- <vicki.molina@maryland.gov>

Vicki,

---

I just received a letter from Jared DeMarinis assessing a fee of \$80 for our late filing.

I believe this fee should be waived since the system requires that I delete information that is automatically entered.

This is poorly designed form. I complete this form only a few times in four years and I have to remember to undo what the state enters in order to simply report no income and no expenses.

No passwords should be pre-entered, especially when it is for someone who is not logged in.

As you can notice from the history, I logged in to the system in time, but the poor design of the system along with the fact that the system never tells you that you didn't file the form.

A competent program would alert the user that the form was not submitted. But this system doesn't tell you that. It doesn't tell you that you have to delete the state entered information and it doesn't tell you that you did not submit the report.

Had this program been in use in anything but a government agency it would have been replaced with a system that actually worked.

This committee has no money, never had, and never will. It was created and those in charge decided to then abandoned it.

I many times planned on dissolving the committee and now will do so as soon as possible since it only exists on your system and I am the only one that was ever really a part of it. Even the "chair" has no clue about this.

## Waiver Request Information Page

### General

<b>Account Name</b>	Haffner, Julian A. Friends of	
<b>CCF ID:</b>	01009624	<b>Status:</b> Active
<b>Date Established</b>	1/24/14	
<b>Date Waiver Requested</b>	3/01/17	
<b>Account Type</b>	Campaign Account	

### Officers

<b>Current Treasurer</b>	Will Roberts	<b>Start Date:</b> 1/24/14
<b>Responsible Treasurer</b>		
<b>Current Chairman</b>	Julian Haffner	1/24/14
<b>Responsible Chairman</b>		

### Waiver Request Dates

Late Report	Affidavit	Date Received	Fees	Total Fees
1/18/17		1/31/17	\$130	\$130
			\$	\$
			Total	\$130

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

### Prior Waiver and Fees

1/21/15 late fee \$90 paid

### Financial Activity History

Report	Contributions	Expenditures	Cash Balance	Debt
Affidavit	\$	\$	\$	\$
	\$	\$	\$	\$
	\$	\$	\$	\$

### Reason for Waiver

I was under the impression that we closed the account that was a mistake as we intend to keep it open.

### Division Comments

Grant, first request

### Administrator's Decision



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

---

## Waiver Request for Friends of Julian Haffner

1 message

---

**William Roberts** <roberts.wj@gmail.com>

Wed, Mar 1, 2017 at 8:15 AM

To: jared.demarinis@maryland.gov, victorica.smith@maryland.gov

Hello Mr. Demarinis and Ms. Smith,

I hope this first day of March finds you well! I'm writing about the fee running on the Friends of Julian Haffner account that I'm also the Treasurer on.

I was under the impression that we had closed or were closing the account before the filing deadline - that was a mistake and we intended to keep the account open. Therefore a timely affidavit should have been filed here as well. Once I noticed the error I corrected it immediately, but well after the deadline.

I'm writing to respectfully request that SBE issue a waiver of the late fees on that account as well. Please advise if that is possible when you can. Thank you in advance and I apologize for the confusion on my end.

Sincerely,

--  
William J. Roberts, Esq.  
267-471-6385 | Roberts.WJ@gmail.com

**"A lawyer's either a social engineer or ... a parasite on society" - Charles Hamilton Houston**

## Waiver Request Information Page

### General

<b>Account Name</b>	Lindner, Genevieve for State Delegate	
<b>CCF ID:</b>	01009651	<b>Status:</b> Active
<b>Date Established</b>	1/16/14	
<b>Date Waiver Requested</b>	5/01/17	
<b>Account Type</b>	Campaign Account	

### Officers

<b>Current Treasurer</b>	Brian Dent	<b>Start Date:</b> 1/16/14
<b>Responsible Treasurer</b>		
<b>Current Chairman</b>	Genevieve Lindner	1/16/14
<b>Responsible Chairman</b>		

### Waiver Request Dates

Late Report	Affidavit	Date Received	Fees	Total Fees
1/18/17		2/17/17	\$300	\$300
			\$	\$
			Total	\$300

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

### Prior Waiver and Fees

6/13/14 late fee \$20 paid
----------------------------

### Financial Activity History

Report	Contributions	Expenditures	Cash Balance	Debt
Affidavit	\$	\$	\$	\$
	\$	\$	\$	\$
	\$	\$	\$	\$

### Reason for Waiver

The treasurer was preoccupied as his wife gave birth to their first child.
--

### Division Comments

Grant
-------

### Administrator's Decision

--

Genevieve H. R. Lindner  
Genevieve Lindner for State Delegate  
1620 Hilltop Road  
Edgewater, MD 21037

April 27, 2017

RECEIVED

MAY 01 2017

STATE BOARD OF ELECTIONS

**VIA FIRST CLASS MAIL**

Linda H. Lamone, Administrator  
Maryland State Board of Elections  
PO Box 6486  
Annapolis, MD 21401

Re: Genevieve Lindner for State Delegate- Delinquent Fee  
CCF ID: 01009651

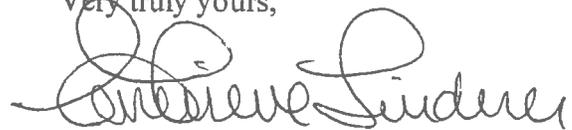
Dear Ms. Lamone:

I am writing in response to your letter from April 11, 2017 regarding the Notice to Show Cause for the delinquent fee of \$300.00. While I understand that the candidate report was filed late, I am writing to ask for the Board's forgiveness of the fees.

On January 16, 2017, the day before the report was due, Treasurer Brian Dent was preoccupied as his wife gave birth to their first child. After realizing that we had missed the January 17<sup>th</sup> deadline, I made an attempt to file the report, and in haste, inadvertently filed the "2018" report. Upon learning of my mistake, I filed the correct 2017 report as required.

At this time, I am requesting that the Board waive all or part of the late fees on the account. Thank you for your time and understanding. I look forward to hearing from you soon.

Very truly yours,



Genevieve H. R. Lindner

Cc: Brian A. Dent  
649 Baystone Court  
Annapolis, MD 21409

## Waiver Request Information Page

### General

<b>Account Name</b>	Mechanical Contractors Association Of Maryland PAC	
<b>CCF ID:</b>	03008007	<b>Status:</b> Active
<b>Date Established</b>	10/01/02	
<b>Date Waiver Requested</b>	4/21/17	
<b>Account Type</b>	Pac Account	

### Officers

<b>Current Treasurer</b>	David Fischer	<b>Start Date:</b> 10/01/02
<b>Responsible Treasurer</b>		
<b>Current Chairman</b>	Fred Matusky	10/01/02
<b>Responsible Chairman</b>		

### Waiver Request Dates

Late Report	Affidavit	Date Received	Fees	Total Fees
1/18/17		4/25/17	\$500	\$500
			\$	\$
			Total	\$500

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

### Prior Waiver and Fees

9/03/10 late fee \$20 paid
----------------------------

### Financial Activity History

Report	Contributions	Expenditures	Cash Balance	Debt
1/18/17	\$855	\$1,375	\$11,007	\$0
	\$	\$	\$	\$
	\$	\$	\$	\$

### Reason for Waiver

I was not given accurate and proper information during my training.
---

### Division Comments

Grant
-------

### Administrator's Decision

--



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APR 27 REC'D

April 21, 2017

STATE BOARD OF ELECTIONS

Dear State Board of Elections,

It has come to my attention that Mechanical Contractors Association of Maryland PAC (MCA), has not completed the required 2017 Annual Finance Report. I received a letter dated April 11, 2017, a "Notice to Show Cause-Delinquent Report and Fee".

After reviewing the letter, I spoke with Vicki Molina, the IT Functional Analyst, located there in Annapolis, Md. Ms. Molina explained what needs to be completed for compliance. I am a new employee with MCA of Maryland. My predecessor assured me and the Executive Vice President that the report(s) were filed and that everything was current. I apologize on behalf of MCA of Maryland for this oversight and discrepancy. I was also advised by Vicki of the reports that are required for this Gubernatorial period, and we are now current with these reports.

I am respectfully requesting for the late penalty of \$500.00 be waived. Had I known about these requirements, I would have met the deadline. Unfortunately, I was not given accurate and proper information during my training.

Thank you for your time and consideration.

Sincerely,

Holly J. Boutaugh  
Office Manager

## Waiver Request Information Page

### General

<b>Account Name</b>	Oppenheim, Todd Equal Justice Group for	
<b>CCF ID:</b>	01011221	<b>Status: Active</b>
<b>Date Established</b>	10/28/15	
<b>Date Waiver Requested</b>	3/10/17	
<b>Account Type</b>	Campaign Account	

### Officers

<b>Current Treasurer</b>	Isabel Lipman	<b>Start Date:10/28/15</b>
<b>Responsible Treasurer</b>		
<b>Current Chairman</b>	Todd Oppenheim	10/28/15
<b>Responsible Chairman</b>		

### Waiver Request Dates

Late Report	Affidavit	Date Received	Fees	Total Fees
11/22/16		3/08/17	\$500	\$500
			\$	\$
			Total	\$500

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

### Prior Waiver and Fees

10/28/16 late fee \$100
-------------------------

### Financial Activity History

Report	Contributions	Expenditures	Cash Balance	Debt
Affidavit	\$	\$	\$	\$
	\$	\$	\$	\$
	\$	\$	\$	\$

### Reason for Waiver

I am requesting a hearing on the above fine imposed.
--

### Division Comments

Deny, no reason given.
------------------------

### Administrator's Decision

--

**OPPENHEIM**  
**EQUAL JUSTICE**

for Baltimore City Circuit Court Judge

**RECEIVED**

MAR 10 REC'D

**STATE BOARD OF ELECTIONS**

1521 E 35th Street,  
Baltimore, Maryland, 21218  
equaljustice@toforjudge.com  
4105911085

toforjudge.com

March 8, 2017

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

Re: Notice to Show Cause – Delinquent Report and Fee  
Oppenheim, Todd Equal Justice Group for  
**CCF ID: 01011221**  
Late Filing of 11/22/16 Report  
Fee owed: \$500

To the Board of Elections:

On behalf of the Equal Justice Group for Todd Oppenheim, I am requesting a hearing on the fine imposed in the above-referenced matter. I would like an opportunity to explain to the Board why the filing was delinquent and to appeal to the Board to waive some or all of the late-filing fee.

I can be reached at the above address, by phone at (410) 591-2746, or by email at isabel.lipman@gmail.com

Thank you:

Very truly yours,



Isabel Lipman  
Treasurer  
Equal Justice Group for Todd Oppenheim

## Waiver Request Information Page

### General

Account Name	Pickrum, William, Friends of	
CCF ID:	01010942	Status: Active
Date Established	2/14/14	
Date Waiver Requested	05/03/17	
Account Type	Campaign Account	

### Officers

Current Treasurer	Lauretta Freeman	Start Date:2/14/14
Responsible Treasurer		
Current Chairman	William Pickrum	2/14/14
Responsible Chairman		

### Waiver Request Dates

Late Report	Affidavit	Date Received	Fees	Total Fees
1/18/17		5/03/17	\$500	\$500
			\$	\$
			Total	\$500

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

### Prior Waiver and Fees

11/18/14 Late fee 410 paid  
6/13/14 late fee \$250 paid

### Financial Activity History

Report	Contributions	Expenditures	Cash Balance	Debt
1/18/17	\$0	\$0	\$-6.00	\$0
	\$	\$	\$	\$
	\$	\$	\$	\$

### Reason for Waiver

We thought the account had been closed after the last election. We have no interest in running for any office.

### Division Comments

Grant

### Administrator's Decision

# State of Maryland

## Late Fee Waiver Request Form

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

Campaign Account Name: Friends of William Pickens Account Number: 01010942

Date of Request: 5/3/17 Total Amount of late fees: \$ 500.00

Name of the Requestor(s)\*: William W. Pickens

The Requestor is the:  Chairman  Treasurer  Candidate

Waiver of late fees for the following Campaign Finance Report(s): 2017

The basis for the request: We thought that the account was closed at the end of the last election there is no interest in running for re-election or any other office.

William W. Pickens  
(Signature)

5-3-2017  
(Date)

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

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## RECONSIDERATION Waiver Request Information Page

### General

<b>Account Name</b>	Royalty, Ahmed The Citizens for	
<b>CCF ID:</b>	01011391	<b>Status:</b> Active
<b>Date Established</b>	2/01/16	
<b>Date Waiver Requested</b>	4/14/17	
<b>Account Type</b>	Campaign Account	

### Officers

<b>Current Treasurer</b>	Victoria Lee	<b>Start Date:</b> 2/01//16
<b>Responsible Treasurer</b>		
<b>Current Chairman</b>	Daisy Brown	2/01/16
<b>Responsible Chairman</b>		

### Waiver Request Dates

Late Report	Affidavit	Date Received	Fees	Total Fees
11/22/16		12/16/16	\$240	\$240
10/28/16		12/16/16	\$500	\$500
8/30/16		12/16/16	\$500	\$500
			Total	\$1240

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

### Prior Waiver and Fees

4/15/16 referred to OSP
-------------------------

### Financial Activity History

Report	Contributions	Expenditures	Cash Balance	Debt
Affidavit	\$	\$	\$	\$
	\$	\$	\$	\$
	\$	\$	\$	\$

### Reason for Waiver

I have had no contact with the candidate or treasurer in regards to any finances. I was misled in my role in this unsuccessful campaign. I am also unemployed this would be a hardship to pay.
--

### Division Comments

Grant per OSP and close account.
----------------------------------

### Administrator's Decision

--

EMMET C. DAVITT  
STATE PROSECUTOR



OFFICE OF  
**THE STATE PROSECUTOR**

April 14, 2017

Suite 410  
Hampton Plaza  
300 East Joppa Road  
Towson, MD 21286-3152

Telephone (410) 321-4067  
1 (800) 695-4058  
Fax (410) 321-3851

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

Re: The Citizens for Royalty Ahmed - CCF ID: 01011391  
OSP File No.: 17-4790

Dear Mr. DeMarinis:

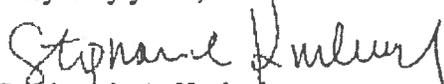
The above-referenced file was referred to the Office of the State Prosecutor for the failure of the campaign finance committee to timely and accurately file campaign finance report(s) and pay the associated late fee(s). Based on our review of the file and the documentation obtained from Mr. Ahmed Royalty, we have determined that prosecution is not warranted.

Mr. Royalty has worked cooperatively with prosecutors and investigators in our Office and filed all required campaign finance reports. As a result of Mr. Royalty's physical disability he is unable to work which has led to financial hardship. Currently pending in the District Court for Baltimore City is a \$15,000 judgment against Mr. Royalty as a result of a car accident. Further, Mr. Royalty's current address is 807 Sunset Drive in Hanover, Pennsylvania as he owes over \$2,000 to the City of Baltimore for outstanding property taxes.

Due to the satisfactory evidence provided by Mr. Royalty of his inability to pay, we exercise prosecutorial discretion and will not be pursuing the outstanding violations for the following reports: the 2016 Presidential Pre-General 1, the 2016 Presidential Pre-General 2, and the 2016 Presidential Post-General. As such, this Office recommends that the Campaign Finance Committee known as The Citizens for Ahmed Royalty be administratively closed.

Please feel free to contact me with any questions.

Very truly yours,

  
Stephanie A. Krulevitz

## Waiver Request Information Page

### General

Account Name	Scanlan, (Dorothy) Citizens for	
CCF ID:	01010000	Status: active
Date Established	2/24/14	
Date Waiver Requested	3/02/17	
Account Type	Campaign Account	

### Officers

Current Treasurer	Tom Scanlan	Start Date:2/24/14
Responsible Treasurer		
Current Chairman	Dorothy Scanlan	2/24/14
Responsible Chairman		

### Waiver Request Dates

Late Report	Affidavit	Date Received	Fees	Total Fees
1/18/17		1/31/17	\$130	\$130
			\$	\$
			Total	\$130

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

### Prior Waiver and Fees

1/21/15 late fee \$10
11/18/14 late fee \$10

### Financial Activity History

Report	Contributions	Expenditures	Cash Balance	Debt
Affidavit	\$	\$	\$	\$
	\$	\$	\$	\$
	\$	\$	\$	\$

### Reason for Waiver

I had believe my account was closed until I got the notification.

### Division Comments

Grant, first request.

### Administrator's Decision

RECEIVED

MAR 02 2018

State of Maryland

STATE BOARD OF ELECTIONS

Late Fee Waiver Request Form

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

Campaign Account Name: Citizens for Scanlan Account Number: 01010000

Date of Request: Feb 27, 2018 Total Amount of late fees: \$ 130.00

Name of the Requestor(s)\*: Dorothy G. Scanlan

The Requestor is the: [ ] Chairman [ ] Treasurer [X] Candidate

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

The basis for the request:

I am writing to respectfully request that you waive the late fee due to late filing. I had believed my campaign to be closed until I got the notification to file a report. I attempted on a number of occasions to access the system only to get the message that access was unauthorized. I then attempted on numerous occasions to call the Board of Elections office for assistance only to get an automated message each time that the office was experiencing a high volume of calls. I finally emailed the office on January 26. I am a teacher, and it is virtually impossible to handle personal business during the day, especially something of this nature. An employee called me and I learned that I had been using the wrong email address to try to access the system. Another employee, Patti Sullivan, walked me through the process of filing the report. She has also been a huge help in working to get my campaign account officially closed. I even took a day off to work on this. I am very grateful to the employees in your office for their professionalism and patience. I have put in many hours working to balance and ultimately close my campaign account and am still trying to figure out where my error is. Thank you very much for giving consideration to my request. It will be a huge relief to get this all behind me as I have no intention of running for office again.

Dorothy G. Scanlan (Signature)

Feb 27, 2018 (Date)

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

Maryland State Board of Elections
Division of Candidacy and Campaign Finance
P.O. Box 8486 • 151 West Street, Suite 200 • Annapolis, MD 21401-0486
410-269-2880 • 800-222-8683 • MD Relay 800-735-2258 • www.elections.state.md.us

## Waiver Request Information Page

### General

<b>Account Name</b>	Wicomico Co. Fraternal Order of Police Lodge III PAC Fund	
<b>CCF ID:</b>	03008444	<b>Status:</b> Active
<b>Date Established</b>	4/01/10	
<b>Date Waiver Requested</b>	5/01/17	
<b>Account Type</b>	PAC Account	

### Officers

<b>Current Treasurer</b>	Shelly Lewis	<b>Start Date:</b> 4/01/10
<b>Responsible Treasurer</b>		
<b>Current Chairman</b>	Nick Amendolagine	4/01/10
<b>Responsible Chairman</b>		

### Waiver Request Dates

Late Report	Affidavit	Date Received	Fees	Total Fees
1/18/17		1/19/17	\$10	\$10
			\$	\$
			Total	\$10

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

### Prior Waiver and Fees

No priors
-----------

### Financial Activity History

Report	Contributions	Expenditures	Cash Balance	Debt
1/18/17	\$2,782	\$500	\$15,069	\$
	\$	\$	\$	\$
	\$	\$	\$	\$

### Reason for Waiver

During the time of this filing our finance were under investigation due to an alleged theft.
--

### Division Comments

Grant, committee was one day late.
------------------------------------

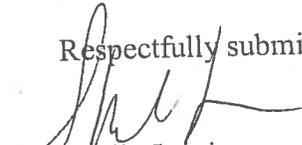
### Administrator's Decision

--

To: Linda H. Lamone, Administrator  
From: Shelly Lewis FOP 111 PAC Fund Treasurer  
Date: 4/29/17

I am requesting a waiver of the \$10.00 late fee for the 2016 filing due on 1/18/17. During the time this filing was due our finances were under forensic investigation due to an alleged theft. Our lodge was also experiencing changes in board members due to the alleged theft. This made it difficult for me to obtain the appropriate information needed to complete the process. Please inform me if this letter is sufficient to have the fee waived.

Respectfully submitted,



Shelly Lewis

RECEIVED

MAY 01 REC'D

STATE BOARD OF ELECTIONS

## Waiver Request Information Page

### General

<b>Account Name</b>	Wilson, Thea Friends of	
<b>CCF ID:</b>	01009510	<b>Status:</b> Active
<b>Date Established</b>	11/14/13	
<b>Date Waiver Requested</b>	4/25/17	
<b>Account Type</b>	Campaign Account	

### Officers

<b>Current Treasurer</b>	Casandra Fields	<b>Start Date:</b> 3/04/14
<b>Responsible Treasurer</b>		
<b>Current Chairman</b>	Thea Wilson	4/15/14
<b>Responsible Chairman</b>		

### Waiver Request Dates

Late Report	Affidavit	Date Received	Fees	Total Fees
1/18/17		4/24/17	\$500	\$500
			\$	\$
			Total	\$500

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

### Prior Waiver and Fees

No priors
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### Financial Activity History

Report	Contributions	Expenditures	Cash Balance	Debt
Affidavit	\$	\$	\$	\$
	\$	\$	\$	\$
	\$	\$	\$	\$

### Reason for Waiver

Since losing the election in 2012, I don't plan to run again and will be closing out this account. Additionally I no longer live in PG county, paying this fee would be a hardship.
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### Division Comments

Grant
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### Administrator's Decision

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April 18, 2017

Maryland State Board of Elections  
C/O Linda Lamone, Administrator  
P.O. Box 6486  
Annapolis, MD 21401-0486

Re: Wilson, Thea Friends of; CCF ID - 01009510

Dear Ms. Lamone,

I am writing to ask for a waiver of the \$500 late fee assessed to the Wilson, Thea Friends of; CCF ID: 01009510. I did not receive a notice to file the report and neither did my treasurer, Casandra Denise Fields. The PO Box referenced on the letter is active and a notice was not received to alert us to file. I have not raised nor plan to raise any funds for this account since losing the election I ran in 2012 and will be closing it – it should have been closed in 2012. Additionally, I no longer live in Prince George's County Maryland and do not have \$500 personally nor thru campaign funds to pay this fee.

I received the notice to show cause – delinquent report fee on 4/15/17 through USPS forwarding mail service and immediately contacted Victoria Molina today who advised me to write this letter and gave me instructions for how to amend the 2014 filing that was improperly filed by my treasurer, along with how to file the 2017 affidavit and to close the account.

I hope you will consider and grant my request.

Sincerely,



Thea A. Wilson  
POB 4352  
Upper Marlboro, MD 20775

RECEIVED  
APR 25 REC'D  
STATE BOARD OF ELECTIONS

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

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



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:** May 18, 2017

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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.

## REQUEST TO ADMINISTRATIVELY CLOSE CAMPAIGN ACCOUNT

<b>Account Name</b>	Mills, Ronald Anthony Friends of
<b>CCF ID Number</b>	01004759
<b>Account Established Date</b>	6/30/2006
<b>Outstanding Debts/Loans</b>	\$0.00
<b>Cash Balance</b>	\$458.75 (from 2009 Annual Report – last CFR filed)
<b>Last Filed Campaign Finance Report (CFR) / Affidavit of Limited Contributions and Expenditures (ALCE)</b>	2014 Annual (ALCE)
<b>Outstanding Late Fees *</b>	\$500.00 (for not filing the 2017 Annual CFR)
<b>Office of the State Prosecutor (OSP) Action/s Taken:</b>	
The OSP cannot pursue action against the committee due to responsible officers cannot be located after multiple attempts. The OSP also determined that there is no money left in Mr. Mills' bank account.	
<b>List name and address of last known officers:</b>	
<b>Candidate</b> Ronald Anthony Mills 2422 Keyworth Avenue Baltimore, MD 21215	<b>Chairman</b> Same as Candidate
<b>Treasurer</b> Tanya Ira Snow 4509 Craddock Avenue Baltimore, MD 21212	
<b>Briefly describe why this committee should be closed:</b>	
<p>This committee should be closed due to the following:</p> <ol style="list-style-type: none"> <li>1. The OSP closed the late fee violations. The OSP did multiple attempts to contact the committee, but has been unsuccessful.</li> <li>2. The OSP determined that there is no money left in the bank account of Mr. Mills.</li> <li>3. The Treasurer has resigned since 1/28/2008.</li> </ol> <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.

## REQUEST TO ADMINISTRATIVELY CLOSE CAMPAIGN ACCOUNT

<b>Account Name</b>	Pearson, (Michael) People For
<b>CCF ID Number</b>	01009027
<b>Account Established Date</b>	3/19/2012
<b>Outstanding Debts/Loans</b>	\$0.00
<b>Cash Balance</b>	\$0.00
<b>Last Filed Campaign Finance Report (CFR) / Affidavit of Limited Contributions and Expenditures (ALCE)</b>	ALCE – 2016 Annual (None of the ALCEs and CFR filed from 2013 to 2016 were marked final)
<b>Outstanding Late Fees *</b>	\$720.00
<b>Office of the State Prosecutor (OSP) Action/s Taken:</b>	
The OSP performed investigation, and recommends the committee be administratively closed.	
<b>List name and address of last known officers:</b>	
<b>Candidate</b> Michael Tyrone Pearson 4024 Old Frederick Road Baltimore, MD 21229	<b>Chairman</b> Same as candidate
<b>Treasurer</b> Matthew Aaron Pearson 1150 North Longwood Street Baltimore, MD 21216	
<b>Briefly describe why this committee should be closed:</b>	
<p>This committee should be closed due to the following:</p> <ol style="list-style-type: none"> <li>1. The OSP has been unsuccessful despite multiple attempts to locate and contact the Chairperson/Candidate and the Treasurer. The Chairperson/Candidate no longer reside within the State of Maryland.</li> <li>2. The OSP determined that the campaign bank account had no funds to pay late fees.</li> </ol> <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.

## Welcome

All local boards participated in the meeting (either in person at SBE or via conference call).

## Administrative Information

Nikki announced that Chrissy Jones is the Acting Election Director for the Queen Anne's County Board of Elections and asked that any communications that would have previously been sent to the Election Director be sent to Chrissy.

## Voter Registration

1. *Printing of VRAs:* We will be printing VRAs soon. Existing VRAs can still be used.
2. *Closing of Spirit Issues:* Mary asked the local boards work with the Help Desk to close Spirit issues. In response to a question, Mary will look into how to separate enhancements from fixes.
3. *List Maintenance:* Perform required list maintenance to prepare for the 2018 elections.

## Voting Systems

1. *System Upgrade:* Paul explained the reasons for the decision to use the current voting system version (EVS 5.2.0.3) for the 2018 elections. (EVS 5.2.2.0 is the upgraded version.)
  - a. EVS 5.2.2.0 allows for two columns of candidate names per ExpressVote screen but does not address the navigation issues (e.g., "more," "previous," and "next" buttons).
  - b. Upgrading requires upgrading *every* piece of equipment (all DS 200 units, DS 850 units, Express Vote units, servers, and work stations), not just the ExpressVote units.
  - c. EVS 5.2.2.0 is not backward compatible. This means that data from the 2016 election databases cannot be accessed using EVS 5.2.2.0.
  - d. There is a significant cost to upgrade to EVS 5.2.2.0. This includes ES&S services to upgrade the software and independently verifying that software upgrade.

If both versions (EVS 5.2.0.3 and EVS 5.2.2.0) were used in 2018, SBE would need to manage two elections – one in EVS 5.2.0.3 and one in EVS 5.2.2.0. Before a local board can deploy only ExpressVote units (no paper ballots) for early voting, the State Board will need to change its prior position and allow this type of deployment.

2. *Network Testing by ES&S:* ES&S hired a company to review its current network and make recommendations on how to improve performance. We expect to receive this month a preliminary report. Some recommendations may require EAC certification.
3. *Additional Voting Equipment:* The Regional Managers will work with the local boards to identify additional equipment needs. Costs related to additional voting system equipment will be shared equally between the State and counties, but costs related to electronic pollbooks (e.g., modems (est. \$600) and routers (est. \$100)) are county costs.
4. *Electronic Pollbooks*
  - a. Software Update: We expect to receive from ES&S an alpha release in May 2017. (This is a very early software release that has not been fully tested.) The software version we expect to use in the 2018 elections is expected later in 2017.
  - b. CMOS Batteries: SBE will be ordering CMOS batteries for all of the pollbooks and expects delivery in July 2017. The batteries can be installed when they are received or installed when the new software version is installed.
  - c. Same Day Registration – Pre-Qualified List: If a county thinks an individual should have been on the "pre-qualified list" for same day registration and address change, please send

Paul and Andrew the individual's information and they will look into why that individual was not included on the list.

5. *Election Night Results*: Because ES&S is no longer offering its election night results product and support, SBE is looking at other solutions. Paul suggested that a possible solution of working with the county IT department to use EXP's XML exports to display election night results.
6. *GAO Survey*: SBE provided several local boards with answers to some of the questions in the recent GAO survey. If a local board received the GAO survey and hasn't received SBE's answers, please contact Paul. Nikki apologized for the confusion about the GAO survey. SBE pre-tested a survey but wasn't aware that the GAO had two surveys. Survey responses are past due.
7. *Regional Managers' Computer Audits*: The Regional Managers have started reviewing computers in local boards' offices that either are State computers or use a State application. This audit verifies that the latest software versions are installed and will be performed at each local board.

### **Project Management Office**

1. *Cart Locks*: Keith explained that the issues the LBEs may experience could lead to lock mechanism being replaced or repaired. (A common issue is the lug nut falling off, which causes the latch to fall off.) Continue to add to the LBE Issue Tracker spreadsheet any issues with carts (including locks).
2. *Inventory*
  - a. Disposal of Legacy Equipment: The first round of TS units and blue carts are at auction. GovDeals.com is conducting the auction, and it closes May 3, 2017. Proceeds from the sale of any equipment will be shared equally between the State and counties. Because the equipment was purchased with federal funds, SBE and the local boards need to comply with federal disposal requirements. If the equipment is not sold during the auction, SBE, with guidance from DGS, may repackage the equipment and try to auction it again, recycle it, or dispose of it.
  - b. SBE Inventory Dashboard: Keith has shared a link to SBE's Inventory Dashboard, which will be the one location to gain access to any inventory related documents and links and to be used to track the ongoing inventory process.
  - c. Disposal of IT Equipment: We will create a process where a local board can obtain IT equipment that another local boards no longer needs. This process will be included in the SBE inventory dashboard.
  - d. New Inventory System: We expect to finish the data conversion process within in the next few weeks. Each local board's equipment and supply items will initially have the Election Director recorded as the "Accountable Officer" in the system.
  - e. FY2017 Annual Inventory
    - i. This process is a collaborative process between the local boards and SBE. SBE will provide resources (one or more teams of 3-6 people), but each local board must also provide resources. All equipment must be scanned and supplies counted based on the State requirement that all equipment and supplies must be physically recorded within three months of the end of the fiscal year (June 30); reconciling inventory databases is not sufficient.
    - ii. SBE will visit each local board to conduct the FY2017 inventory. Visits are being planned from May 15, 2017, through June 30, 2017. Please let Keith know if there are any dates in that window that your office will **not** be available for a visit.
    - iii. SBE will provide instructions on counting supplies not in the black carts. Counting these supplies can begin before the visit.
    - iv. Step 1: Pre-Inventory Meeting/Conference Call: Likely day before visit.
    - v. Step 2: Staging equipment
    - vi. Step 3: Scanning equipment and counting supplies

- vii. Step 4: Returning equipment
- viii. Step 5: Reconciliation: This will occur before SBE's team leaves.
- f. Insurance Certificates - SBE must have a current copy of each LBE's insurance certificate(s) that covers the entire cost of SBE equipment and supplies located at the LBE.

### **Election Reform**

1. *Election Judge Workgroup* will meet on April 26<sup>th</sup> at the Anne Arundel County Board of Elections. (This is the group Erin led in the 2016 elections and Rick led in previous elections. This is a different group than the MAEO group.) At this meeting, the members will review lessons learned, discuss the training program, revisions to the manual and forms, and set a timeline for the 2018 elections.
2. *2016 Election Audit Reports* will be distributed as soon as a local board's audit report is complete. Several local boards received their audit reports this week. Each local board will have about four weeks to respond to any findings.

### **Legislation**

Mary recognized the great collaborative effort between SBE and MAEO this legislative session.

1. Both of SBE's departmental bills passed.
2. Upon signature by the Governor, 16 year olds will be able to serve as election judges.
3. HB 879 changes how ethics financial reports must be submitted and verified before certain candidates file for office. This has an October 1, 2017, effective date.
4. The constitutional amendment authorizing same day registration and address change on election day (SB 423) did not pass but is expected to return in the 2018 session.
5. Candidates may place signs at voting locations starting at 5 pm (instead of 7 pm) the day before voting starts. (SB 882)
6. The requirement to provide precinct level results (SB 960) did not pass.
7. The process of changing an address during early voting now mirrors election day. (HB 1626)
8. SBE and the local boards will have new notice requirements for certain actions by board members (HB 353). We will review the bill and provide guidance.

No constitutional amendments were passed, and no referendum petitions are expected. We will offer a refresher training on processing petitions in anticipation of new party petitions.