1. **Announcements & Important Meetings**

National Association of State Election Directors - Summer Meeting.
The virtual conference was over several days. The topics included effective voter education and balancing in-person and voting by mail on July 9; election worker recruitment efforts and accessibility on July 10; an update from the Cybersecurity and Infrastructure Security Agency (CISA) and 2020 lessons learned on July 16; and signature verification procedures on July 17. The last session to be held on July 24 is to discuss various items internal to the organization.

Baltimore City Council's Legislative Investigations Committee Hearing
On July 15, this committee held a virtual hearing on the June 2 and November 3 elections. SBE was represented by PJ Hogan, Linda Lamone, and Nikki Charlson, and the Baltimore City Board of Elections was represented by Bruce Luchansky, President of the Baltimore City Board of Elections, and Armstead Jones, Election Director for the Baltimore City Board of Elections. Most of the questions related to planning for and conducting the November 3 election. The Committee indicated that they may schedule another hearing in the fall.

National Active and Retired Employees Association's Virtual Town Hall
On July 21, Nikki participated in a virtual town hall hosted by the 4th Congressional District delegation of the National Active and Retired Federal Employees Association. About 70 individuals participated in this event, which included briefings on COVID-19 and the upcoming election. Congressman Brown shared his thoughts on the November election and how the U.S. Congress is supporting this election, and Nikki and Alisha Alexander, Election Director for the Prince George's County Board of Elections, shared experiences from the primary election and planning for the November election. The moderator offered to help with the election, and Nikki and Alisha both asked for individuals to sign up as election judges.

Election Directors' Meetings
We are meeting weekly with the Election Directors to plan for the upcoming election. Meeting summaries are included in the board meeting folder, and we will continue to provide them as they are finalized.

Election Advocacy Organizations' Working Group
Several advocacy organizations, including the League of Women Voters, Common Cause, the American Civil Liberties Union, the Baltimore City Chapter of the NAACP, created a working group to prepare for the upcoming election. The working group invited Nikki Charlson and a representative of the Governor's Office to attend the meetings, share information about the upcoming election, and receive feedback.

2. **Election Reform and Management**

Post-Election Audits
After each primary election, we perform a comprehensive audit and an automated ballot tabulation audit.

Work continues on the comprehensive audit for the 2020 Primary Election. Staff is collecting and reviewing various documentation from the local boards to complete their auditing tasks.

The automated audit of ballot images from the 2020 Primary Election is complete. Before certifying

election results, each local board received four reports comparing the voting system's results against the results from the independent tabulation performed by the automated audit software.

These reports showed that:

1. The voting system and audit system tabulated the same number of ballots (cards cast).
2. Any differences between the two systems' results were less than 0.5%.
3. The voting system accurately tabulated the results.

After the completion of the canvasses and prior to the State Board of Canvassers' certification of the election results, all ballot images were re-tabulated and the second set of reports were issued. These reports confirmed that the voting system accurately tabulated the ballot images from all canvasses. The comparison reports and automated audit results (generated before we provided the voting system's results) are posted on SBE's website. The public portal of ballot images and reports will be published soon.

"Mail-in Ballot" and "Mail-in Voting"

Earlier this year, the General Assembly passed SB145/HB37 - *Absentee Voting - References in Public Communications and Prepaid Postage for Return of Ballots*. This bill mandated the prepaid postage return envelope for ballots mailed to voters and changed the terminology from "absentee ballot" and "absentee voting" to "mail-in ballot" and "mail-in voting." We are updating our website, documentation, and communications to reflect that change.

Mail-in Ballot Application Mailer

An existing contract with the Department of General Services (DGS) is being modified to include the mailing of a mail-in ballot application to eligible voters who have not requested a mail-in ballot. Kathryn Summers from the University of Baltimore is assisting us with revising the application to increase the clarity and useability. The mailing is expected to be sent to eligible voters mid to late August.

"How to Request a Mail-in Ballot" Video

Cortnee Bryant is developing a new video showing voters how to use our online Voter Registration and Mail-in Ballot Request site to request a mail-in ballot. Once the video is finished, it will be disseminated using social media and posted to our website.

Emergency Solicitation - Ballot Printing, Inserting and Mailing

The emergency solicitation for ballot printing, inserting and mailing was posted to Maryland Marketplace on July 15. The pre-bid conference call was held on July 20. The deadline for vendors to submit sample ballot packets is July 28 and submit a written proposal is July 31.

Supply Ordering

Ordering of various supplies, such as "I Voted" stickers, provisional and contingency supplies, for the local boards will begin in preparation for the general election.

Call Center

The call center will once again be operational for the upcoming November election. The start date is still to be determined, but it is likely to coincide with the mailing of the mail-in ballot applications. So far, eleven local boards and SBE will be participating.

Ballot Drop Boxes

Currently, local boards are assessing their need for additional ballot drop boxes. To meet

manufacturing needs, the deadline to order more drop boxes is August 3.

Emergency Solicitation - Voter Education Campaign

The deadline for vendors to submit proposals for a statewide voter education campaign for the November election was July 13. We are currently reviewing these proposals and hope to have a contract in place next week.

3. Voter Registration

MDVOTERS

With the successful completion of mock election testing, the latest release will be moved into production the weekend of July 31. This release includes updates and enhancements to reports and exports across all facets of MDVOTERS, ERIC enhancements and a re-design of the electronic registration screens. Training for the local boards on this release will be conducted the week of July 27.

MVA Transactions

During June, MVA collected the following voter registration transactions:

New Registration - 3,499	Residential Address Changes - 11,867
Last name changes - 588	Political Party Changes - 2,178

MVA Data Comparison

MVA is performing a data comparison on three voter registration files. These files include ballots that were returned as "undeliverable" on the June 2 election, "inactive" voters, and voters who were sent a confirmation mailing due to undeliverable mail. If MVA has a more current address, SBE will send letters requesting the voters provide us with their most current address for voter registration purposes.

Electronic Registration Information Center (ERIC)

Reports from ERIC of deceased individuals have been distributed to the local boards for processing. The due date for completion is July 24. The next report of deceased voters will be distributed in August.

Non-Citizens

As a result of all resources focussing on election operation, no information is available at this time.

4. Candidacy and Campaign Finance (CCF) Division

Candidacy

The deadline to file a certificate of candidacy for petition, non-principal political parties and new political parties is August 3 at 5 pm. Candidates need to submit the petition or a certificate of nomination and the filing fees. Additionally, for any city or county office, a financial disclosure statement is required as well. We will manage the process remotely.

Enforcement

The CCF Division received payment for the following civil penalties:

1. Citizens for Sandy Rosenberg committee paid $50.00 on June 30, 2020, for self-reported authority line violation.
2. Friends for Sherone E. Thompson for Board of Education committee paid $200.00 on June 23, 2020, for failure to record all contributions and expenditures.

5. Project Management Office (PMO)

Inventory Management

At this time, 95.65% of equipment and supplies have been audited for FY2020. The PMO continues to reconcile the inventory not audited in preparation for the submission of the annual inventory reports to the Department of General Services in August and September.

FY2022 Pollbook Project

The PMO continued working on tasks related to the project that included:

- The completion of the development and review of the project management plans by SBE. The plans were submitted to the Department of Information Technology (DoIT) for their review,
- Continued developing and reviewing requirements for a pollbook solution
- Completing the onboarding of the three new members of the project team, Sidney Moore (Technical Writer), Charlotte Fox (Program Administration Specialist), and Brittany Davis (Business Process Consultant), and
- Continued work on the Contingency Plan document development, which included the discussions and determination of the level of support and licensing that would be needed to keep the legacy pollbook system operational and available if required for the 2022 election cycle.

Other

The PMO is coordinating the ordering and procurement of the additional privacy sleeves and precinct voting booths for the 2020 General Election.

6. Information Technology

Data Center Transition

Last year, we signed a contract with Koniag to host and manage the data center which hosts MDVOTERS, the statewide voter registration, candidacy and election management system; our online suite of voter services (i.e., online voter registration and ballot request system, voter look-up, polling place locator, and online ballot delivery system); and election night results reporting. Because of the special elections in February and April and the June 2 election, the transition of the data center from the current data center to Koniag's data center could not be accomplished until now.

Final preparations are being made this week for SBE's scheduled migration to its new primary Voter Registration Operations Center (VROC) located in Columbia, MD and a secondary data center for Continuity of Operations (COOP) in Dallas, TX over the weekend (July 24/July 26).

This project began in January of this year and has been managed and implemented by the MDVOTERS team under the guidance of Nikia Wilbon-Turner. The technical effort involved in designing, implementing, and testing two new data centers with failover/failback capability on a tight 6-8 month schedule was, to say the least, a great job. To do that during a year with multiple election events and a global pandemic that required completely redesigning how elections are conducted in Maryland is incredible. Once validated and completed, the new setup will enable SBE to fail over to the COOP in the event of an emergency with very little disruption to an election. Nikia and her team have done an amazing job.

MARYLAND

STATE BOARD OF ELECTIONS

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

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

Linda H. Lamone
Administrator

Nikki Charlson
Deputy Administrator

Memorandum

To: State Board Members

From: Tracey Hartman

Date: July 9, 2020

Re: Proposed Emergency Regulations – Subtitle 19

At the next board meeting, I will propose emergency changes to Subtitle 19 – Same Day Registration and Address Changes. The proposed emergency amendment changes the timeframe of the required public notice of the same day registration process. At the same time, I will also be submitting the same proposed regulations under the normal promulgation process. The emergency regulations are needed because the normal promulgation process will not be completed by the time the postcards would need to be printed and mailed.

Same Day Registration and Address Changes – Public Notice (33.19.02.01(A))
This amendment changes the requirement for the pre-election mailing to each pre-qualified voter be sent after voter registration but before election day. Moving the timeframe of the mailing after the close of voter registration will allow the information about the same day registration process to be fresh in the minds of pre-qualified voters.

If you have questions, please don't hesitate to ask. Thank you.

Title 33 STATE BOARD OF ELECTIONS

Subtitle 19 SAME DAY REGISTRATION AND ADDRESS CHANGES

Chapter 02 Public Notice

Authority: Election Law Article, §§2-102(b)(4), 2-202(b), and 3-305(d) and (e), Annotated Code of Maryland

.1 Minimum Requirements.

A. State Board. [Before] *After* the close of registration for each election *but prior to election day*, the State Administrator shall send a pre-election mailing to each pre-qualified voter, which shall either:

(1) Include the correct polling place for the pre-qualified voter's address; or

(2) Instruct the pre-qualified voter how to find the individual's correct polling place.

B. Local Board. A local board shall include in each specimen ballot information about how a voter can change the voter's address during early voting.

ASSISTANT ATTORNEY GENERAL'S REPORT
July 23, 2020

1. *Fusaro v. Davitt et al*., No: 1:17-cv-03582 (U.S. District Court, D. Md.). Plaintiff Dennis Fusaro brought a complaint in federal court alleging that Maryland violates the First and Fourteenth Amendments by limiting access to the voter list to Maryland voters and only for purposes related to the electoral process. On September 4, 2018, the State defendants' motion to dismiss the complaint was granted, and the plaintiff appealed. On July 12, 2019, the Fourth Circuit vacated the dismissal order, and remanded the case for further proceedings. The parties then conducted discovery and briefed dispositive summary judgment motions. On July 14, 2020, the Court awarded Summary Judgment to the defendants.

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

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

September 20, 2019, plaintiffs filed a motion for a preliminary injunction, seeking relief in time for the November 2020 election. On February 10, 2020, the court denied the defendants' motion to dismiss, and denied the plaintiffs' motion for preliminary injunction. On February 24, 2020, the Court entered a scheduling order governing the discovery period for the case, and on June 11, 2020, the Court modified that scheduling order following a joint motion by the parties. Discovery is now scheduled to close on November 9, 2020, and dispositive motions are due November 30, 2020.

4. *Hewes v. Alabama Sec'y of State et al.*, No. 1:19-cv-09158-JMF (U.S. District Court, S.D.N.Y.). No change from the last update. On October 3, 2019, plaintiff Henry F. Hewes, a putative candidate for the Democratic nomination for President for the 2020 election, sued the unnamed Secretaries of State of 43 states, (including Maryland), alleging that state-imposed limitations on ballot access for federal presidential candidates violate the First and Fourteenth Amendments to the U.S. Constitution. Plaintiff seeks an order compelling the defendants to place the name of the plaintiff and any other candidate who has registered with the Federal Election Commission on the primary ballots of the states named as defendants. The Defendants jointly filed a motion to dismiss asserting common arguments for dismissal on December 19, 2019. On January 23, 2020, the plaintiff filed an amended complaint, and the defendants thereafter renewed their joint motion to dismiss. The plaintiff's opposition to the motion to dismiss was due May 8, 2020, but the plaintiff has not served an opposition, nor does the docket reflect that an opposition was filed.

5. *Public Interest Legal Foundation, Inc. v. Lamone*, No. 1:19-cv-03564-ELH (D. Md.). No change from the last update. Plaintiff Public Interest Legal Foundation, Inc., filed a lawsuit against the State Administrator, the members of the State Board, and Erin Dennis, seeking access to Maryland's list of registered voters pursuant to the public inspection provisions of the National Voter Registration Act. Plaintiff alleges that the District Court's published decision in *Judicial Watch*, *supra*, entitles them to access, and that the issue left outstanding by the court in that case does not implicate their request since they are not seeking individuals' dates of birth as part of the information provided for each voter on the list. Plaintiffs filed a motion for summary judgment simultaneously with their complaint. On January 17, 2020, defendants answered the Complaint. On January 24, 2020, defendants moved for a stay of the proceedings pending the resolution of the *Judicial Watch* matter and any appeals therefrom, due to the similarity of the issues between the cases. The parties have now agreed to resolve the case on terms similar to the resolution of the *Judicial Watch* matter.

7. *Chong Su Yi v. Hogan*, Nos. 480720, 480721, 480722, 480723 (Cir. Ct. Montgomery Cty.). On March 6, 2020, plaintiff Chong Su Yi filed four apparently identical complaints in the Circuit Court for Montgomery County challenging the results of Maryland's 2018 elections, and naming Governor Larry Hogan as defendant. Specifically, Mr. Chong appears to be arguing that the results are invalid because of the use of religious facilities as polling places, that the State's use of "scanners" to tabulate ballots is unconstitutional and/or not permitted by federal law, and that the State's identification of candidates' party affiliations on the general election ballot is not permitted by State law. The complaints are substantially identical to complaints Mr. Chong filed in 2019, which the court dismissed with prejudice earlier this year. Defendant moved to dismiss the complaints on May 3, 2020. Beginning on May 15, 2020, Mr. Chong filed substantially identical amended complaints in these actions, this time adding the State of Maryland as a Defendant in addition to Governor Hogan. The Defendants have moved to dismiss these complaints, or in the alternative have sought summary judgment on plaintiff's claims. The Court has scheduled hearings for August 25, 2020 on defendants' motions in at least two of the four matters.

8. *Maryland Green Party, et al. v. Hogan et al.*, No. 1:20-CV-01253-ELH (U.S. District Ct., D. Md.). On May 19, 2020, the Maryland Green Party, its Chairman Steven Ellis, the Libertarian Party of Maryland, and its Chairman Robert S. Johnston, III, filed a lawsuit in federal court against Governor Hogan and State Administrator Lamone seeking relief from Maryland's statutory 10,000-signature petition requirement for new party petitions, and from Maryland's statutory signature verification standard for validating and counting petition signatures. The Maryland Green Party also sought damages. Plaintiffs claimed that the 10,000-signature requirement and the signature verification standard, as applied in the COVID-19 environment, violated their First and Fourteenth Amendment rights to obtain access to the ballot as non-principal parties. Plaintiffs sought a reduction in the signature amount required for new party petitions to 1,000, and a requirement that the State Board accept any signature on the petitions that the State Board can match to an actual Maryland voter, notwithstanding any technical non-compliance with the signature standard. On June 19, 2020, the Court entered a consent judgment reducing the signature requirement for new party petitions by 50%, to 5,000 signatures.

9. *The Committee for the Baltimore Regional Transportation Authority Mandate, Inc., et al. v. Lawrence J. Hogan, Jr., et al.*, (State Bd. or Elections June 15, 2020). On June 15, 2020, the Committee for the Baltimore Regional Transportation Authority Mandate, Inc., and Samuel Jordan, filed an Administrative Complaint with the

State Board of Elections against Governor Hogan, State Administrator Linda H. Lamone, and the State Board of Elections, alleging that the 10,000-signature requirement established by Article XI-A of the Maryland Constitution for petitions seeking to place a proposed amendment to a the Baltimore City Charter was impermissibly high in light of the restrictions imposed by the COVID-19 pandemic. The complaint also alleged that the lack of access to the internet by numerous Baltimore City residents renders the State Board's promulgation of SBE Policy 2020-01, which allows the use of electronic signatures on petitions, ineffective for Baltimore City petitions. Complainants sought a reduction in the constitutional signature amount to 500 signatures, and the establishment of at least two in-person sites in Baltimore City to permit voters to complete and sign petitions in support of the proposed charter amendment. The complainants also requested expedited consideration of their complaint. On June 26, 2020, the State Administrator, on behalf of the State Board, determined that a hearing was not necessary to decide the administrative complaint and issued a final determination dismissing the administrative complaint.

10. *The Committee for the Baltimore Regional Transportation Authority Mandate, Inc., et al. v. Lawrence J. Hogan, Jr., et al.*, (State Bd. or Elections June 30, 2020). On June 30, 2020, the Committee for the Baltimore Regional Transportation Authority Mandate, Inc., and Samuel Jordan, filed an Administrative Complaint with the State Board of Elections against Governor Hogan, State Administrator Linda H. Lamone, and the State Board of Elections, alleging that the 10,000-signature requirement established by Article XI-A of the Maryland Constitution for petitions seeking to place a proposed amendment to a the Baltimore City Charter was impermissibly high in light of the restrictions imposed by the COVID-19 pandemic. The complaint also alleged that the lack of access to the internet by numerous Baltimore City residents renders the State Board's promulgation of SBE Policy 2020-01, which allows the use of electronic signatures on petitions, ineffective for Baltimore City petitions. Complainants sought an order from Governor Hogan requiring that the proposed charter amendment be placed directly onto the ballot, and that the election be conducted by mail. On July 8, 2020, the State Administrator, on behalf of the State Board, issued a final determination dismissing the administrative complaint.

11. *Amber Ivey v. Linda H. Lamone*, No. 1:20-cv-01995-RDB (D. Md.). On July 7, 2020, Amber Ivey – who is seeking an unaffiliated nomination-by-petition to appear on the ballot in November as a candidate for election to the U.S. House of Representatives representing the 7th Congressional District – filed a lawsuit claiming that the statutory petition signature requirements for her candidacy violated her First and Fourteenth

Amendment rights, due to the impact of COVID-19 and government restrictions on public gatherings on the ability of candidates in her position to collect signatures in support of nomination. Ms. Ivey sought a 50% reduction in the required number of signatures, which under the law is the lesser of 1% of the number of voters eligible to vote in the election for which she is seeking office, or 10,000 signatures. On July 20, 2020, the Court entered a consent judgment reducing the signature requirement for candidates seeking the nomination by petition pursuant to Elec. Law § 5-703 for the 2020 Presidential General Election by 50%.

BEFORE THE MARYLAND STATE BOARD OF ELECTIONS

THE COMMITTEE FOR THE BALTIMORE REGIONAL TRANSPORTATION AUTHORITY MANDATE, *ET AL.*,

Complainants,

v.

LAWRENCE J. HOGAN, JR., *ET AL.*,

Respondents

FINAL DETERMINATION

Introduction

On June 30, 2020, the Maryland State Board of Elections ("State Board" or "SBE") received a second administrative complaint (the "Second Complaint") filed by The Committee for the Baltimore Regional Transportation Authority Mandate (the "Committee") and Samuel Jordan (together with the Committee, the "Complainants") against Governor Lawrence J. Hogan, Jr.; State Administrator of Elections Linda H. Lamone; and Baltimore City Election Director Armstead B.C. Jones, Sr., all named in their official capacities; and the State Board (together, the "Respondents"). The Second Complaint was filed pursuant to the Code of Maryland Regulations ("COMAR") 33.01.05, which provides administrative complaint procedures for, among other things, complaints "[b]rought by an individual who feels aggrieved by an action of a local board regarding

voter registration."[1] The Second Complaint is similar to an administrative complaint filed by the petitioner on June 18, 2020 (the "First Complaint"), which the State Board of Elections dismissed on June 26, 2020 because it did not state a claim that the State Board was authorized to adjudicate in an administrative hearing. *See The Committee for the Baltimore Regional Transportation Authority Mandate v. Hogan et al.*, Final Determination (State Bd. of Elections June 26, 2020) (the "First Final Determination," attached hereto as Exhibit A). Specifically, the State Board dismissed the First Complaint because it did not state a claim that any violation regarding voter registration had been committed by a local board of elections as a matter of law. *See generally id.*; COMAR 33.01.05.06C(1)(b), 33.01.05.06D(1)(b). Although the Second Complaint seeks different relief than the First Complaint and has added Mr. Jones as a Respondent, it suffers from the same legal defects. Accordingly, and for the reasons set forth in this Final Determination as well as in the First Final Determination, I have determined that a hearing is not necessary to decide the allegations presented in the Second Complaint because the allegations—even if accepted as true—do not state a claim that any violation regarding voter registration has been committed by a local board of elections. Accordingly, the State Board hereby dismisses the Second Complaint.

Statement of the Case

The background discussion on Charter Amendment petitions, the COVID-19 pandemic, the COVID-19 pandemic's impact on Maryland elections, administrative

[1] COMAR 33.01.05.01A(3).

complaint procedures, and the allegations of the First Complaint set forth in the First Final Determination is incorporated herein by reference. *See* Ex. A at 2-8.

The Allegations of the Second Complaint

On June 30, the complainants filed the Second Complaint. With regard to the violations alleged in the Second Complaint, they are substantially identical to those alleged in the First Complaint: the complainants allege that the lack of access by as many as 40% of Baltimore City registered voters to the internet, computers, electronic devices, or printers deprives them unlawfully of the ability to participate as signatories in the complainants' petition campaign, and therefore these voters are "aggrieved by an action of a local board regarding voter registration." Second Compl. 2. Where the Second Complaint departs from the First Complaint is in the relief sought. The Second Complaint requests that "Governor Hogan order the Baltimore City Board of Elections with the approval and assistance where appropriate of the Maryland State Board of Election, [to] conduct a mail-in vote for the November 3, 2020 General and Presidential Elections that includes the Committee's proposed amendment to the Baltimore City charter among the ballot options in the City of Baltimore." Second Compl. 2.

Analysis and Final Determination

The State Administrator must "determine[] that a hearing is necessary to decide a complaint alleging a violation of any provision of the Election Law Article . . . relating to . . . an action of a local board regarding voter registration" before a hearing can be held on the complaint. COMAR 33.01.05.06C(1)(b). I conclude that no hearing is necessary, and

that the Second Complaint must be dismissed, because the Second Complaint fails to allege any violation of law relating to an action of a local board regarding voter registration.

The Complainants contend that the City Board violated Baltimore City voters' rights as registered voters to participate in the electronic petition process by failing to "accommodate" those voters. Second Compl. 3. They do not allege what specific accommodation was required by the law, but even if they did, any alleged failure to provide such an accommodation is not "an action of a local board regarding voter registration." As stated in the First Final Determination, the City Board's alleged failure to facilitate voters' ability to sign petitions did not affect the registration status of any individual Baltimore City voter. *See generally* Ex. A at 9-10. For the same reasons stated in the First Final Determination, this alleged failure on the part of the City Board was not "an action of a local board regarding voter registration," and therefore is beyond the jurisdiction of the State Board to resolve in this administrative setting.

Conclusion

For all of the foregoing reasons, and pursuant to COMAR 33.01.05.06D(1) and D(5)(d), the Complaint is hereby dismissed.

Appeal Rights

Pursuant to Md. Code Ann. §3-602(c)(1) of the Election Law Article, a final determination issued under the administrative complaint procedures established by the State Board is generally not subject to judicial review. However, any final determination regarding the "eligibility of an individual to register to vote or remain registered to vote is subject to judicial review" in the Circuit Court for Anne Arundel County. *Id.* § 3-

602(c)(2)(i)(1). Such a petition must be filed no later than the third Tuesday preceding the next succeeding election, October 13, 2020. *Id.* § 30602(c)(2)(i)(2).

Dated: July 8, 2020

Linda H. Lamone

Linda H. Lamone
State Administrator of Elections

EXHIBIT A

BEFORE THE MARYLAND STATE BOARD OF ELECTIONS

_____

THE COMMITTEE FOR THE
BALTIMORE REGIONAL
TRANSPORTATION AUTHORITY
MANDATE, *ET AL.*,

Complainants,

v.

LAWRENCE J. HOGAN, JR., *ET AL.*,

Respondents

_____

FINAL DETERMINATION

Introduction

On June 18, 2020, the Maryland State Board of Elections ("State Board" or "SBE") received an administrative complaint (the "Complaint") filed by The Committee for the Baltimore Regional Transportation Authority Mandate (the "Committee") and Samuel Jordan (together with the Committee, the "Complainants") against Governor Lawrence J. Hogan, Jr. and State Administrator of Elections Linda H. Lamone, both named in their official capacities, and the State Board (together, the "Respondents"). The Complaint was filed pursuant to the Code of Maryland Regulations ("COMAR") 33.01.05, which provides administrative complaint procedures for, among other things, complaints "[b]rought by an

individual who feels aggrieved by an action of a local board regarding voter registration."[1] For the reasons set forth in this Final Determination, I have determined that a hearing is not necessary to decide the allegations presented in the Complaint because the allegations—even if accepted as true—do not state a claim that any violation regarding voter registration has been committed by a local board of elections. *See* COMAR 33.01.05.06C(1)(b), 33.01.05.06D(1)(b). Accordingly, the State Board hereby dismisses the Complaint.

Statement of the Case

Charter Amendment Petitions

In Maryland, the registered voters of a County or Baltimore City governed by a charter may petition for the inclusion on the general election ballot an amendment to that charter. *See* Md. Const. Art. XI-A, § 5. The petition must bear the signatures (in the case of Baltimore City) of 10,000 of the registered voters of the City and must be filed with the Mayor of Baltimore, *id.*, not later than the 99th day[2] before the general election at which the proposed charter amendment is to be voted on. Md. Code Ann., Elec. Law ("Elec. Law") § 7-104(b) (LexisNexis 2017 & 2019 supp.). Within 24 hours, and after determining that the petition is in conformance with the requirements of law, the Mayor must transmit the petition to the Baltimore City Board of Elections (the "City Board"). *Id.* § 6-205(a)(3).

[1] COMAR 33.01.05.01A(3).

[2] As set forth below, the State Board has extended this deadline to the 92nd day before the general election pursuant to authority granted by the Governor under his emergency powers. *See infra* at 6.

The COVID-19 Pandemic

On March 5, 2020, Governor Hogan issued a proclamation declaring a state of emergency, *see* Md. Code Ann., ("Pub. Safety") Pub. Safety § 14-303 (LexisNexis 2018), and the existence of a catastrophic health emergency, *see id.* § 14-3A-02, due to the outbreak of COVID-19 in Maryland. *See* Gov. Lawrence J. Hogan, Jr., *Proclamation, Declaration of State of Emergency and Existence of Catastrophic Health Emergency—COVID-19* (Mar. 5, 2020), *available at*: https://governor.maryland.gov/wp-content/uploads/2020/03/Proclamation-COVID-19.pdf (last visited June 25, 2020).[3]

After the Governor declares a state of emergency, he "has broad authority in the exercise of the police power of the State to provide adequate control over persons and conditions during impending or actual public emergencies." Pub. Safety § 14-302(a); *see also* 100 Md. Op. Att'y Gen. 160 (2015) (stating that the Governor "has significant authority to respond to a declared emergency," including "a public health catastrophe"). Among the constitutional and statutory sources of the Governor's authority, three statutes in particular give the Governor expansive emergency executive powers. Those statutes are the Maryland Emergency Management Agency Act ("MEMA Act"), Pub. Safety § 14-101 to -115; the Governor's Emergency Powers subtitle of the Public Safety Article (the "Governor's Emergency Powers Act"), *id.* § 14-301 to -309; and the Catastrophic Health Emergency Act ("CHE Act"). *Id.* § 14-3A-01 to -08. Among other things, these statutes

[3] All of the Governor's COVID-related orders and proclamations are available at https://governor.maryland.gov/covid-19-pandemic-orders-and-guidance/ (last visited June 25, 2020).

empower the Governor to "promulgate reasonable orders, rules, or regulations that the Governor considers necessary to protect life and property," including to "control the movement of individuals . . . into, in, or from" designated zones of emergency, "control places of amusement and places of assembly," "establish curfews," and "control individuals on public streets." Pub. Safety § 14-303(b)(3)-(6). The Governor may also "suspend the effect of any statute or rule or regulation of an agency of the State or a political subdivision" if the Governor "finds it necessary in order to protect the public health, welfare, or safety." *Id.* § 14-107(d)(1)(i).

Beginning on March 12, 2020, Governor Hogan issued a series of orders prohibiting gatherings and events of (at first) 250 people,[4] eventually ratcheting that threshold down to 10 people on March 23, 2020,[5] and finally ordering all Marylanders to stay home except for "essential activities" and other limited exceptions on March 30, 2020.[6] The Governor's "stay at home" order was lifted effective May 15, 2020, but Baltimore City continued to maintain "stay at home" orders for its residents until June 8, 2020.[7] Since then, Baltimore

[4] *See* Gov. Lawrence J. Hogan, Jr., *Order Prohibiting Large Gatherings and Events and Closing Senior Centers* (Mar. 12, 2020), *available at*: https://governor.maryland.gov/wp-content/uploads/2020/03/Prohibiting-Large-Gatherings.pdf (last visited June 25, 2020).

[5] *See* Gov. Lawrence J. Hogan, Jr., *Order No. 20-03-23-01* (Mar. 23, 2020), *available at*: https://governor.maryland.gov/wp-content/uploads/2020/03/Gatherings-THIRD-AMENDED-3.23.20.pdf (last visited June 25, 2020).

[6] *See* Gov. Lawrence J. Hogan, Jr., *Order No. 20-03-30-01* (Mar. 30, 2020), *available at*: https://governor.maryland.gov/wp-content/uploads/2020/03/Gatherings-FOURTH-AMENDED-3.30.20.pdf (last visited June 25, 2020).

[7] *See* Bernard C. Young, Mayor of Baltimore City, *Executive Order: Continuation of Governor's Stay at Home Order* (May 15, 2020), *available at*: https://mayor.baltimorecity.gov/sites/default/files/05152020155718-0001.pdf (last visited June 25, 2020); Bernard C. Young, Mayor of Baltimore City, *Executive Order:*

City has eased restrictions as to retail establishments (June 12, 2020),[8] and, more generally, other non-essential business and recreational activities (June 22, 2020).[9] The statewide state of emergency declared by the Governor remains in effect.

Also on March 12, 2020, Governor Hogan issued an order Extending Certain Licenses, Permits, Registrations, and Other Governmental Authorizations, and Authorizing Suspension of Legal Time Requirements (the "March 12 Suspension Order").[10] Among other things, this authorized the head of a State agency, to "suspend the effect of any legal deadline, [or] due date" upon a finding that "the suspension will not endanger the public health, welfare or safety, and after notification to the Governor," until no later than 30 days after the expiration of the declared state of emergency. *Id.* § III.a-b.

Continuation of Mayoral Stay at Home Orders Limited Opening of Religious Facilities, Personal Services Establishments, Youth Camps, Libraries, and Day Care (June 8, 2020), *available at*: https://www.baltimorecity.gov/sites/default/files/Mayor%20Executive%20Order%2006.08.20%20signed.pdf (last visited June 25, 2020).

[8] *See* Bernard C. Young, Mayor of Baltimore City, *Mayoral Executive Order: Limited Opening of Retail Establishments* (June 12, 2020), *available at*: https://www.baltimorecity.gov/sites/default/files/06122020160515-0001.pdf (last visited June 25, 2020).

[9] *See* Bernard C. Young, Mayor of Baltimore City, *Mayoral Executive Order: Opening of Non-Essential Businesses, Pools, Restaurants, Youth Camps, Authorizing Certain Gatherings* (June 22, 2020), *available at*: https://www.baltimorecity.gov/sites/default/files/06222020121733-0001.pdf (last visited June 25, 2020).

[10] *See* Gov. Lawrence J. Hogan, Jr., *Order Extending Certain Licenses, Permits, Registrations, and Other Governmental Authorizations, and Authorizing Suspension of Legal Time Requirements, available at*: https://governor.maryland.gov/wp-content/uploads/2020/03/Licenses-Permits-Registration.pdf (last visited June 25, 2020).

Elections in the Time of COVID-19

Elections have not escaped the impact of COVID-19. On March 17, 2020, Governor Hogan specified that the April 28, 2020 Special General Election to fill the vacancy in the 7th Congressional District would proceed principally as a "vote by mail" election, and postponed the 2020 Presidential Primary election to June 2, 2020.[11] Then, he ordered the June 2, 2020 election to be conducted principally by mail as well.[12]

Without question, the pandemic has also impacted the ability of political parties, unaffiliated candidates,[13] and organizations seeking to place questions on the November ballot,[14] to gather signatures in support of their petition efforts. On April 22, 2020, in recognition of the impact of the COVID-19 pandemic on petition gathering, the State Board exercised its authority[15] to accept electronic signatures on petitions. *See* Maryland State

---

[11] *See* Gov. Lawrence J. Hogan, Jr., *Proclamation, Renewal of Declaration of State of Emergency and Existence off Catastrophic Health Emergency — COVID-19* (Mar. 17, 2020), *available at*: https://governor.maryland.gov/wp-content/uploads/2020/03/Renewal-of-State-of-Emergency.pdf (last visited May 29, 2020).

[12] *See* Gov. Lawrence J. Hogan, Jr., *Proclamation, Renewal of Declaration of State of Emergency and Existence off Catastrophic Health Emergency — COVID-19* (Apr. 10, 2020), *available at*: https://governor.maryland.gov/wp-content/uploads/2020/04/Proclamation-Renewed-4.10.20.pdf (last visited May 29, 2020).

[13] *See* Elec. Law § 5-703(e)(1) (unaffiliated candidate must submit a petition with signatures of 1% of the total voters eligible to vote for the office in question).

[14] *See* Md. Const. art. XVI, § 3(a) (person seeking to petition an Act of the General Assembly to referendum must submit petition with signatures totaling 3% of the number of votes cast in the most recent election for Governor); Md. Const. art. XI, § 5 (person seeking to amend county charter must submit petition with signatures equal to the lesser of 10,000 or 20% of the eligible registered voters in the relevant jurisdiction).

[15] The Maryland Uniform Electronic Transactions Act allows a government agency "to determine whether, and to the extent to which, it will . . . rely upon electronic records and

Bd. of Elections, *SBE Policy 2020-01: Temporary Electronic Petition Signature Acceptance* (Apr. 22, 2020), *available at*: https://elections.maryland.gov/petitions/2020-01%20SBE%20Policy%20-%20Petition%20Signatures.pdf (last visited May 29, 2020). The new policy allows electronic signatures to be used to sign a petition on "[a]ny petition authorized by law to place the name of an individual or question on the ballot or to create a new political party pursuant to Title 6 of the Election Law Article of the Annotated Code of Maryland." *Id.* §§ 2.a, 2.b.

On June 18, 2020, pursuant to its authority under the March 12 Suspension Order, the State Board of Elections extended several deadlines associated with the filing of charter amendment petitions. *See SBE Policy 2020-02: Extension of Certain Petition-Filing Deadlines* (June 18, 2020), *available at*: https://elections.maryland.gov/about/meeting_materials/2020-02%20SBE%20policy%20-%20petition%20deadline%20extension.pdf (last visited June 25, 2020). In pertinent part, the filing deadline for such petitions was extended from the 99th day before the election to the 92nd day before the election, *id.*, or August 3, 2020 on this year's election calendar.

Administrative Complaint Procedures

The State Board is authorized by statute to receive and adjudicate administrative complaints asserting several specific kinds of claims:

(1) a person challenging an action of a local board regarding voter registration, Elec. Law § 3-602(a)(1);

---

electronic signatures." Md. Code, Comm. Law § 21-117(a).

(2) a local board of elections challenging the addition to or omission from the statewide voter registration list, other than by clerical error, of a specific registration, *id.* § 3-602(a)(2);

(3) a person challenging the action of an election official on the ground that the action violates the provisions of the Election Law Article relating to provisional ballots, *id.* § 11-305; and

(4) a person alleging a violation of Title III of the federal Help America Vote Act ("HAVA Title III"), 52 U.S.C. § 21112; *see* COMAR 33.01.05.01A(1).

The State Board is required to conduct a hearing on the record if the complaint alleges a violation of any provision of HAVA Title III, or the State Administrator determines that a hearing is necessary to decide a complaint alleging a violation of any provision of the Election Law Article relating to provisional ballots or an action of a local board regarding voter registration. COMAR 33.01.05.06C(1)(a)-(b). The hearing must take place within 10 and 30 days of the filing of the complaint, before the State Administrator or her designee. COMAR 33.01.05.06C(3)-(5). If the State Administrator (or her designee) determines that a violation has not occurred or that there is insufficient evidence to establish a violation, the State Administrator (or her designee) must dismiss the complaint. COMAR 33.01.05.06D(5)(d). The final determination must be in writing and must be issued within 90 days after the complaint was filed, unless the complainant consents in writing to an extension. COMAR 33.01.05.06D(6)-(7).

The Allegations of the Complaint in this Matter

On June 18, the complainants filed the Complaint in this matter. According to the Complaint, the Committee is a "state-registered local ballot issue petition committee proposing to amend the Baltimore City Charter in the November 3, 2020 General and

Presidential elections." Compl. 2. The Complaint alleges that on June 8, 2020, the Committee requested that respondents Governor Hogan and Administrator Lamone, and Armstead Jones, Sr., Election Director for the Baltimore City Board of Elections (the "City Board"),[16] make two sites available in Baltimore City for voters to sign the Committee's petition, because 40% of Baltimore City's residents lacked access to the resources and equipment that would allow them to sign the petitions electronically, as permitted by *SBE Policy 2020-01*. Not having received a response to this request, the Committee instituted this action on the ground that the failure to provide such relief was "an action of a local board regarding voter registration," which action "denied the eligible voters [of Baltimore City] the right of participation in the electronic petitioning process – a violation which is occurring and about to occur." Compl. 3. Although unmentioned in the Complaint, the premise of the relief that complainants seek is likely that the restrictions on gatherings and the general social distancing climate caused by COVID-19 have impaired the Committee's ability to gather signatures by conventional methods.

Analysis and Final Determination

The State Administrator must "determine[] that a hearing is necessary to decide a complaint alleging a violation of any provision of the Election Law Article . . . relating to . . . an action of a local board regarding voter registration" before a hearing can be held on the complaint. COMAR 33.01.05.06C(1)(b). I conclude that no hearing is necessary,

[16] Neither Mr. Jones nor the City Board has been named as a respondent in this administrative action.

and that the Complaint must be dismissed, because the Complaint fails to allege any violation of law relating to an action of a local board regarding voter registration.

The Complainants contend that the City Board violated Baltimore City voters' rights as registered voters to participate in the electronic petition process by failing to establish sites for voters who lack access to electronic resources to sign the petitions themselves on their own. I accept the Complainants' factual allegations as true for purposes of this determination. Nevertheless, it is clear that the City Board's alleged failure to establish such sites—even if proven true, and even if amounting to some other violation of law, on which I express no views—is not "an action of a local board regarding voter registration." The City Board's alleged decision not to establish such sites did not affect the registration status of any individual Baltimore City voter. And even if Complainants are correct that numerous Baltimore City voters lack access to the resources that would allow them to sign the Committee's petition electronically, this, too, does not affect their status as registered voters or ability to participate as voters in the November 3, 2020 Presidential General Election. Complainants contend that the City Board's alleged decision impairs the ability of Baltimore City registered voters to participate in the *petition* process, but this is not "an action of a local board regarding voter registration." At most it is an action regarding petitions and signature-gathering, but the State Board is not authorized to resolve such matters via administrative complaint and hearing.

Without question, the COVID-19 pandemic has presented challenges to the election process in Maryland, including the process for collecting signatures in support of a charter

amendment petition. The Complainants should be commended for seeking out ways to facilitate the signing of petitions by eligible voters who are otherwise impeded from doing so due to the COVID-19 pandemic or a lack of access to electronic resources. I note that the relief Complainants ask of the City Board and the Respondents may be available through private entities or organizations that share the Committee's petition objectives, and that have space in Baltimore City that might be utilized to accomplish the Committee's goals. However, the State Board is not authorized hear the Complainants' administrative complaint for such relief in this setting.

Conclusion

For all of the foregoing reasons, and pursuant to COMAR 33.01.05.06D(1) and D(5)(d), the Complaint is hereby dismissed.

Appeal Rights

Pursuant to Md. Code Ann. §3-602(c)(1) of the Election Law Article, a final determination issued under the administrative complaint procedures established by the State Board is generally not subject to judicial review. However, any final determination regarding the "eligibility of an individual to register to vote or remain registered to vote is subject to judicial review" in the Circuit Court for Anne Arundel County. *Id.* § 3-602(c)(2)(i)(1). Such a petition must be filed no later than the third Tuesday preceding the next succeeding election, October 13, 2020. *Id.* § 30602(c)(2)(i)(2).

Dated: June 26, 2020

Linda H. Lamone

Linda H. Lamone
State Administrator of Elections

Carroll County Board of Elections

300 South Center Street, Room 212 Westminster, MD 21157-5366

410-386-2080
MD RELAY: Call 711 or 800-735-2258 (TTY)
Toll Free: 1-888-302-8978

ccboe@carrollcountymd.gov
elections.carrollcountymd.gov
FAX: 410-876-3925

To: Maryland State Board of Elections

From: Katherine Berry, Election Director

Date: July 16, 2020

Re: Request for 3rd early voting center

At its July 2019 Carroll County board meeting, the members of the board voted unanimously to move forward with establishing a third early voting center in the Presidential Primary Election. All required paperwork and surveys were completed and sent to the State Board for final approval. We were notified in August 2019 that because we had not yet met the minimum of 125,000 active registered voters, we were not allowed to establish the center. As of July 31, 2019, we had 123,751 voters. As of July 1, 2020, we now have 124,565 active registered voters and it is anticipated that we will register over 1,000 new voters before November.

We recognize that Election Law §10-301 states that counties with less than 125,000 active voters shall have one early voting location with an option for a second location; however, as we prepare for this highly publicized Presidential General Election, I am requesting that the board considers approval of establishing a third early voting center in Carroll County. All funds are available in the approved FY21 budget.

Thank you for your consideration.

Katherine Berry
Election Director
Katherine.berry@maryland.gov
(410)386-2958

Common Cause
Maryland
Holding Power Accountable

121 Cathedral Street
Annapolis, MD 21401
443.906.0442
www.commoncause.org/md

July 22, 2020

Members, Maryland State Board of Elections
151 West Street, Suite 200
Annapolis, MD 21401

Dear Chairman and Members of the Board

Common Cause Maryland believes that election security should be a priority in all of our elections. Currently, Maryland allows voters to receive their ballots through an email delivery system. We are concerned about the security of this system when used on a wide and general basis. We want to know what processes are in place to prevent bad actors from spoofing the identity of Maryland voters and getting emailed ballots sent electronically to spoofed email addresses?

Maryland is one of only three states that allows all voters to receive ballots electronically. Computer security experts have testified that there a number of ways that bad actors can access a voters' information on the dark web – social security numbers and birth dates – spoof an application, apply for an absentee ballot, and ensure an absentee ballot is sent to a spoofed email address.

While a number of states are instituting online absentee ballot request, few are offering electronic absentee ballot delivery. Instead those absentee ballots or vote by mail ballots are being sent to voters home physical addresses. With delivery of physical ballots to a voter's home address, the likelihood of a successful interception is mitigated.

On the national level, the Mueller Report and the Senate Select Committee on Intelligence review of Russian interference showed that in 2016 voter registration databases were routinely targeted and in the case of Illinois, 200,000 records were exfiltrated. Moreover, spoofing of identities has become extremely sophisticated.

While we believe that there is a need for electronic ballot delivery for specific voters and voters who are receiving ballots close to election day, we are concerned about the use of this system on a wide and general basis.

Thank you,

Tierra Bradford, Common Cause Maryland Policy Manager

MARYLAND DEPARTMENT OF TRANSPORTATION
MOTOR VEHICLE ADMINISTRATION

Larry Hogan
Governor
Boyd K. Rutherford
Lt. Governor
Gregory Slater
Secretary
Christine Nizer
Administrator

July 15, 2020

The Honorable Bill Ferguson
President of the Senate
State House, H-107
100 State Circle
Annapolis MD 21401

The Honorable Paul G. Pinsky
Chairman, Education, Health &
Environmental Affairs Committee
Miller Senate Office Building, 2 West Wing
11 Bladen Street
Annapolis MD 21401

Dear President Ferguson and Chairman Pinsky:

The State Board of Elections (SBE) shared a copy of your June 23, 2020 letter regarding the Primary Election and we want to take the opportunity to update you on the many steps the Maryland Department of Transportation Motor Vehicle Administration (MDOT MVA) and SBE have taken over the past several years to ensure the completeness and accuracy of voter registration data.

All customers completing an eligible transaction such as new, renewal, corrected, or duplicate driver's license or identification cards, or change of address in the branch, by mail, on the web, and on kiosk applications are prompted to complete the voter registration application. Customers with temporary lawful status or who cannot demonstrate lawful status are not asked the voter registration questions. Customers then receive a notice on their transaction receipt instructing them to contact SBE if they do not receive a voter card within three weeks.

The MDOT MVA and SBE worked to establish a direct link to the MDOT MVA database to allow SBE to pull voter registration information directly from MDOT MVA instead of MDOT MVA sending secure FTP files to SBE. This direct link is more secure than using the FTP process and makes the process more efficient. The SBE now receives all records, including those individuals who have declined to register to vote. The MDOT MVA also provide files to SBE in advance of early voting and to support same day registration.

A two-part auditing process was established in 2018 by the MDOT MVA to confirm voter registration transactions are transmitted correctly from MDOT MVA to SBE, followed by a review of the voter registration database to ensure the individual was properly registered. This process has continued, even during COVID-19-related closures, on a bi-weekly basis. The MDOT MVA and SBE also continue to meet on a monthly basis to review the audit and business processes between both agencies.

The MDOT MVA is not aware of any complaints about voter registrations changes that were not updated with SBE during the June 2020 primary election. If there are specific individuals who believe they had issues with their voter registrations completed at the MDOT MVA, we would be happy to investigate and follow up.

If you have additional questions or concerns, please contact me at 410-787-7830 or cnizer@mdot.maryland.gov. I will be happy to talk to you.

Sincerely,

Christine Nizer
Administrator, MDOT MVA

cc: Ms. Linda Lamone, Administrator, State Board of Elections
Mr. Gregory Slater, Secretary, Maryland Department of Transportation.

MARYLAND

STATE BOARD OF ELECTIONS

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

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

Linda H. Lamone
Administrator

Nikki Charlson
Deputy Administrator

July 15, 2020

Via Electronic Mail Only

The Honorable Bill Ferguson
President of the Senate
Annapolis MD 21401

The Honorable Paul Pinsky
Chairman, Education, Health and Environmental Affairs Committee
Senate of Maryland
Annapolis MD 21041

Dear President Ferguson and Chairman Pinsky:

In your June 23 letter, you requested information to ensure that appropriate address changes and registration changes collected by the Motor Vehicle Administration (MVA) are transferred to this office. You also requested that this information be provided no later than today.

Since this request concerned MVA's transfer of voter registration data, we thought it appropriate that the MVA explain how its data is transferred to this office and how MVA audits that the transferred data is processed by the appropriate local board of elections. In response, Chrissy Nizer, MVA's Administrator, submitted the attached correspondence.

We have monthly meetings with MVA to discuss issues related to sharing data and identify process improvements. We also work together to respond to voters' specific requests and would be happy to look into any specific reports that led to this request in your June 23 letter.

We continue working on all aspects of preparation for the November election and will continue to provide the requested periodic updates and reports. If you have any questions or would like more information, please do not hesitate to contact me.

Sincerely,

Linda H. Lamone

Linda H. Lamone
State Administrator

Maryland

Nikki Charlson -SBE- <nikki.charlson@maryland.gov>

Will Maryland be able to certify the November election by the Electoral College deadline?

1 message

From: Lynn Garland Tue, Jul 21, 2020 at 9:27 PM
Reply-To: Lynn Garland
To: "info.sbe@maryland.gov" <info.sbe@maryland.gov>
Cc: "linda.lamone@maryland.gov" <linda.lamone@maryland.gov>, "nikki.charlson@maryland.gov" <nikki.charlson@maryland.gov>

July 21, 2020

Dear Chair Cogan, Vice-Chair Hogan, and Members of the Board:

Unless the SBE adjusts the form for requesting absentee ballots, November's election results will be delayed for weeks because of the volume of manual ballot duplication required. Under the current plans for November's election, about 700,000 ballots will have to be duplicated because about a million voters will choose to receive their blank absentee ballots electronically.[i]Unlike ballots delivered by mail to voters, ballots delivered electronically to voters cannot be read by the voting machines. The Local Boards of Elections (LBEs) will have to manually duplicate these ballots - - a time consuming and error-prone process. In the June 2 primary, just 40,121 ballots were manually duplicated, and that was itself a huge burden. **With about 700,000 ballots to hand duplicate, Maryland may not have certified winners by December 14th, when the state's electors must vote as part of the Electoral College.**

A ballot that has been delivered electronically takes about an additional 5 team-member minutes to canvass.[ii]Based on previous experience, it could take Montgomery County about 57 days to duplicate ballots.[iii].

The SBE will be approving a new absentee ballot request form.**The SBE should make sure the new ballot request form strongly encourages voters to choose to receive their ballots by mail rather than electronically, so that the ballots can be read directly by voting machines.** Ballots mailed to the voters come with an easily returnable preprinted envelope with prepaid postage. The return envelope has a barcode and is trackable through the Post Office and Local Board of Elections. And the marked ballot is machine readable. By contrast, voters who receive their ballot electronically have to print them out and provide the return envelopes and stamps, and the LBEs have to manually duplicate them when they are returned.

In addition, the SBE should email all voters who have already asked for an electronically delivered ballot and request that they switch to receiving their ballots by mail, if receiving by mail is not a problem for them. Elected officials, community leaders and voter outreach should encourage voters to receive their absentee ballots by mail, not electronically.

Although this memo is focused on the time-delay consequences of manually copying all electronically delivered ballots, having so many blank ballots delivered electronically is also an enormous security risk. Top computer scientists have repeatedly warned the SBE about the vulnerabilities of electronic blank ballot delivery, especially because Maryland does not authenticate absentee voters by signature comparisons.[iv]

I hope that the Board takes prompt action and changes the paper and online ballot request form immediately because voters are already requesting their absentee ballots.

Sincerely,

Lynn Garland
Montgomery County citizen

---

[i]My estimate of over one million electronically requested ballots is derived from estimates for turnout, percent of voters voting absentee, and percent of those choosing to receive their blank absentee ballots electronically. Maryland

has 4 million registered voters. Assume that 3 million vote in November. With all registered voters receiving absentee ballot request forms and most voters eager to avoid the health risk of voting in person, the demand for absentee ballots will be extremely high - - perhaps 70% - 90%. (For reference, 97% of voters voted by mail or drop box in the June 2 election, when all voters were mailed a ballot.) In recent general elections, over one-third of absentee voters chose to have the blank ballot delivered to them electronically. (38.6% in 2016 and 36.3% in 2018). An even higher percentage of voters may select electronic delivery of their blank ballots in November's election because of concerns about the Post Office. For November's election, assume that 37% of absentee voters request electronic blank ballot delivery. The return rate for these electronically delivered ballots has been 71%. Putting that all together:

If demand for absentee ballots is very high:
3,000,000 voters x .90 absentee x .37 electronic = 999,000 requests for electronic delivery. With a 71% return rate, 709,000 ballots returned.

If demand for absentee ballots is not so high:
3,000,000 voters x .70 absentee x .37 electronic = 777,000 requests for electronic delivery. With a 71% return rate, 551,670 ballots returned.

[ii]The figure of 5 more team-member minutes is derived from Montgomery County's analysis of the 2018 election:

- 12,948 web delivery ballots returned: 1,718 canvass team member hours (8.0 team-member-minutes per ballot)
- 24,092 mail delivery ballots returned: 1,261 Canvass team member hours (3.1 team-member-minutes per ballot)
https://www.montgomerycountymd.gov/Elections/Resources/Files/pdfs/Board%20Information/Board%20Meeting%20Documents/March18VRServiceReport.pdf

[iii]In 2016, using 46 two-person duplication teams, Montgomery County received and duplicated 19,133 web delivered ballots (31 % of the 61,937 for the state). The duplication took 5 days. With 700,000 ballots statewide, if Montgomery County again has 31% of the load, Montgomery County will have about 217,000 ballots to duplicate. Assuming 46 teams, that would take about 57 days.

[iv]For the June 2 primary, the statistics presented in the June 18th Administrator's report are troubling: The SBE stated that it "sent emails to approximately 50,100 voters to download their ballot from the SBE website. Approximately, 32,932 of these voters logged into the online account." Yet, the table showing how the voters chose to mark their ballot had a total of 40,121 voters. How could there be so many if only 32,932 logged into the online account? https://elections.maryland.gov/about/meeting_materials/June_18_2020.pdf

ADRIENNE A. JONES
SPEAKER OF THE HOUSE

10th Legislative District
Baltimore County

H-101 State House
Annapolis, Maryland 21401-1991
410-841-3800 · 301-858-3800
800-492-7122 *Ext.* 3800

The Maryland House of Delegates

ANNAPOLIS, MARYLAND 21401-1991

July 21st, 2020
Governor Larry Hogan
100 State Circle
Annapolis, MD 21401

Governor Hogan,

We are writing to reiterate our concern about your decision to mail Maryland voters a vote-by-mail application for the November general election. This represents a significant and confusing change from the June 2nd primary election, when every Maryland voter was sent a vote by mail ballot. We urge you to reconsider your decision in light of the serious concerns being voiced by local election officials and the voters.

If you believe that every Maryland voter should receive an application instead of a ballot, the application must include pre-paid postage for the return to the boards of elections. This is the bare minimum we can do for Maryland voters. Having a stamp should not determine your ability to exercise your constitutional right.

It is our understanding that the State Board of Elections can implement prepaid postage but time and funding are in short supply. We ask you to provide the State Board of Elections with the necessary funding and direction to make sure every Maryland voter who wants to vote by mail can return their application for free.

This alone will not solve the problem, and we continue to believe that the best solution is to mail ballots directly to all Marylanders, as Maryland did in the June 2 primary to avoid voter confusion. This small time-sensitive step can help ameliorate some of the voter suppression of your approach. We look forward to working with you in the coming months to continue to mitigate issues as they arise from state and local officials, as we work together to make Maryland's general election accessible to all Marylanders.

Thank you,

Speaker Adrienne A. Jones

Speaker Pro-Tem Sheree Sample-Hughes

Majority Leader Eric Luedtke

Majority Whip Talmadge Branch

July 13, 2020

The Honorable Larry Hogan
Governor of the State of Maryland
100 State Circle
Annapolis, Maryland 21401

Dear Governor Hogan:

We are writing to express our concern regarding your direction to the State Board of Elections to "follow existing state law and conduct the November election with enhanced voting options." We are asking that you reconsider this directive and instead consider the "hybrid" vote-by-mail election with extended in-person voting centers, recommended to you by the Maryland Association of Election Officials (MAEO).

The direction you have provided will require local Boards of Elections to, in essence, conduct two elections – a vote-by-mail election as well as a regular election. This is a herculean task that not only keeps local election boards from building on the success and lessons learned in the vote-by-mail primary election, but sets up a course for failure. We have only to look at the failures across the country of states that required vote-by-mail ballot applications in which millions of additional dollars had to be spent, elections staff overwhelmed with last minute applications that could not be processed in time for Election Day, and the resulting need to extend voting hours as voters were forced to the polls.

Our own experience tells us that people will be standing together for prolonged periods indoors as they wait to receive and then cast their ballots. And, as we saw in primaries across the country, the volume of voters at polls makes it difficult for voters to effectively practice physical distancing.

We are also very concerned about the capacity to support the necessary number of polling places, as facility use may be limited. Many of our traditional polls are housed at K-12 public schools to which we have not had access during the pandemic. Based on feedback we have already begun to receive, we believe there will be limited availability of private venues, like places of worship, community centers, nursing homes and senior centers, due to health and safety concerns.

Further, we expect there will be a need for an increased number of poll workers in order to adequately extend voting hours and opportunity. Those staffing polling centers will also have to perform the necessary enhanced cleaning and sanitizing required to comply with CDC and health department guidelines. While this level of staffing would be difficult in a typical year, health and safety concerns of volunteers due to COVID-19 will drastically impact the ability of election boards in this area. This shortage of poll center staff will be further exacerbated by the fact that many of our long-standing volunteers and election judges are older and, therefore, more vulnerable.

Your directive may cause a hardship for voters. We are worried that voters will be challenged by the timeline in having to submit a vote-by-mail application in order to receive a ballot in time. We are concerned there will be confusion among voters who voted with the process used during the primary election. And we are most especially concerned that voters, unable to meet the ballot application deadline, will be forced to go to the polls, putting themselves and others at undue health risk.

We are aware of the concerns that have been raised with regards to mailing ballots to voters. However, we have confidence in the professional expertise and judgement of our local Boards of Elections and support their suggestions which address these concerns with specific remedies. These include increasing access to in-person vote centers during Early Voting and on Election Day, sending a special mailing to active and inactive voters to verify addresses, and sending a mailing to inactive voters that can be forwarded.

Thank you for your consideration of our request, which we believe will achieve our shared goal to ensure all Marylanders have the opportunity to vote easily and safely.

Respectfully,

Steuart Pittman
Anne Arundel County Executive

Bernard C. "Jack" Young
Mayor of the City of Baltimore

Johnny Olszewski, Jr.
Baltimore County Executive

Jan H. Gardner
Frederick County Executive

Calvin Ball
Howard County Executive

Marc Elrich
Montgomery County Executive

Angela Alsobrooks
Prince George's County Executive

c: Steve Schuh, Governor's Office
Michael R. Cogan, Esq., Chair, State Board of Elections
Linda H. Lamone, Esq., State Administrator, State Board of Elections
The Honorable Bill Ferguson, President, Maryland State Senate
The Honorable Adrienne A. Jones, Speaker of the House, Maryland State Senate
Sharon Green Middleton, President, MACo

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

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

Linda H. Lamone
Administrator

Nikki Charlson
Deputy Administrator

July 20, 2020

Via Electronic Mail Only

The Honorable Anne Kaiser, Chair
House Ways and Means Committee
6 Bladen Street, Room 131
Annapolis MD 21401

The Honorable Alonzo Washighton, Vice-Chair
House Ways and Means Committee
6 Bladen Street, Room 131
Annapolis MD 21401

Dear Chair Kaiser and Vice-Chair Washington:

Thank you for the opportunity to respond to your June 29 letter and 18 questions accompanying your letter. Answers to each of the questions are below[1].

You also requested a description of important changes being planned for the November 3 election, the timeframe to implement these changes, and plans to collaborate with the local boards of elections and stakeholders. Since many of your questions relate to planned changes, our answers to these questions provide the requested information. Additionally, our report on the June 2 election includes 24 "next steps" that we will implement for the November 3 election. We meet regularly with the local boards of elections ("local boards") and are working together to plan for a traditional election with an expected high number of mail-in ballots, fewer voting locations, and fewer election judges.

Questions Concerning Preparations for the General Election

1. Is SBE confident that it has the staff in place to manage the general election? Has SBE considered bringing in outside assistance or consulting to help it administer the general election? Are structural changes needed within SBE to ensure better performance in the general election?

   We are using existing staffing contracts to expand support for the printing and mailing of mail-in ballots and providing support to voters. The call center will support State and local election officials for more days leading up to the November 3 election and will have more representatives working to support this contract.

[1] This letter was originally submitted on July 17, but one question - the question under "Miscellaneous" was omitted. On July 20, the missing question was added and answered and this letter was re-submitted.

2. What quality control checks could be performed internally at SBE to prevent simple administrative errors, such as the incorrect information regarding postage that was included in the ballot materials for the April 28 special congressional election?

   It is important to remember the timeline of Senate Bill 145 and House Bill 37, the legislation requiring pre-paid postage for voted mail-in ballots. This legislation became emergency legislation on March 16 and passed on March 18. Four days later, we provided the printer with the revised instructions and revised return envelope templates for each local board. Several references to postage were removed but one was missed for the April Special election but were corrected for the June primary.

   Typically, documents are reviewed by multiple State and/or local board employees before they are submitted for printing. Due to the unique circumstances and short time between the legislation's enactment and printing deadlines, there was not time to perform the normal proofing process and one reference was missed.

3. How does SBE plan to address the overloaded call center phone lines for voters trying to learn how to vote or to find or track their ballot?

   Over the years, we and the participating local boards had great success partnering with the call center to answer election questions. These questions include "am I registered to vote," "where is my polling place," and "what times are the polls open." Because of the call center, we are able to provide assistance to exponentially more voters than we could without the call center. This frees staff to assist voters with more complex questions[2] and continue preparing for the election.

   When planning for call center support for the June 2 election, we used prior call volumes as a guide. Since at least 2010, we and the local boards in Baltimore City and Anne Arundel, Baltimore and Prince George's Counties have participated in the call center.

   The June 2 election changed the level of support we and the local boards needed. Eleven additional local boards joined the call center, there was a statewide public awareness campaign encouraging voters to call if they had not received a ballot in the mail, and the ballots in some jurisdictions were delivered later than expected, generating calls from concerned voters. In mid-May, the call center recruited, trained and assigned new representatives almost daily,

   As we prepare for November 3, the call center has assured us that they are prepared to quickly respond to any changes to the election process and add more representatives to support an increased volume of calls. To help with the planning, we have also requested the local boards notify us earlier of their intent to join the call center.

4. Has SBE considered a more expedited process for requesting an absentee ballot through the online portal? Many constituents complained about the multi-step process. How could SBE make it easier to verify voting information and request a ballot?

[2] The call center transfers more complex calls to the appropriate person at the State Board of Elections.

Before the November election, we plan to streamline the current online system for voters who are using it to request a mail-in ballot. It will include many of the same steps of the current system (*e.g.*, steps to authenticate the user[3] (driver's license and social security verification) and identifying information) but will exclude some of the steps (*e.g.*, interest in serving as an election judge and assistance at voting locations).

5. How much would it cost to mail every voter a vote by mail ballot request form in September?

   We are currently working with a vendor to obtain a quote for this effort. The mailing will include an application to request a mail-in ballot and two envelopes - an envelope to mail the voter the application and a return envelope with pre-paid postage for the voter to return the application. The vendor estimates $0.99 - $1.42 per mailpiece to produce and mail approximately 4 million applications. Since we intend to mail the request for a mail-in ballot form to all active voters who have not already requested a mail-in ballot and inactive voters, the estimated cost to prepare and mail the application is $3.96 million to $5.68 million.

   Since we plan to send the application with a return envelope with pre-paid postage, we need to include the estimated cost for the return postage. This rate ranges from $0.65 to $1.00. Since we only pay the return postage if the voter uses the return envelope, we have to estimate the number of voters who will respond to the mailing. The table below shows cost estimates for the return postage.

Response Rate	Estimated Cost for Return Postage
25%	$650,000 - $1,000,000
50%	$1,300,000 - $2,000,000
75%	$1,950,000 - $3,000,000

6. What steps must the state take to secure enough personal protective equipment (PPE) for election workers in the event all precincts were open on Election Day?

   State and local election officials are currently procuring PPE and other safety supplies for the November 3 election. Some of the supplies may be obtained from the Department of General Services, while others will be procured from other entities. Since all federal CARES Act funds have been spent, the local boards will be required to pay 100% of the costs of these supplies unless additional federal funds are provided.

List maintenance procedures

1. What specific actions does SBE plan to take to improve list maintenance before the general election? Is it possible for SBE to perform expedited list maintenance either in house or through a vendor?

[3] Section 9-305(b) of the Election Law Article requires all users to provide certain information to authenticate themselves.

The Motor Vehicle Administration has agreed to compare addresses in our database for voters whose ballots for the June 2 election were returned by the USPS as undeliverable and inactive voters against addresses in its database. We will send correspondence to the alternate address and ask voters to confirm their current address.

List maintenance is an ongoing process performed daily by the local boards of elections. These processes include updating addresses, changing political party affiliations and cancelling registrations due to death, felony conviction, and moving out of state. Maryland is a member of the Electronic Registration Information Center (ERIC) which provides extensive voter registration information. ERIC membership allows Maryland to update and cancel voter registration records.

Only the local boards and the State Board of Elections are authorized to perform list maintenance. As a result, no vendor has access to the statewide voter registration database.

2. Has SBE considered using a National Change of Address database to target voters and update voter registrations?

   As a member of ERIC, the National Change of Address database is a source of information that is received and processed for list maintenance purposes.

Relationship with mail vendor

1. Will you require the mail vendor for the general election, whether it is SeaChange or another vendor, to undergo an on-site inspection by state officials or an independent audit to ensure quality control?

   The current contract with SeaChange does not require an on-site inspection by state officials or an independent auditors. We can, however, make this request of SeaChange.

   On July 15, we issued a request for proposal for additional vendors to print, prepare and mail ballot packets. This document does not require an on-site inspection or an independent quality assurance audit, but it can be added. Adding an independent audit may increase the cost of the project if the vendor does not already have one performed.

   Performing an onsite inspection would require traveling to the facility or facilities where the work is being performed. This may not be prudent under the current pandemic for an election official to travel to make an on-site inspection.

2. Will you require the mail vendor for the general election, whether it is SeaChange or another vendor, to provide ample documentation of their work and proof that the ballots were mailed on time?

   Yes. The request for proposal issued on July 14 includes additional information and reporting requirements. These include:

1. Written status reports three times a week until mailings start
2. Written status reports daily once mailings start
3. Upon request, copies of documents establishing transfer of ballot packets from the vendor to the United States Postal Service (USPS)
4. The name and location of all facilities where work will be performed
5. The postal facility where the ballot packets will be delivered
6. Evidence that the vendor coordinates and cooperates with the postal facility where ballot packets will be delivered
7. Provide the name and contact information for a primary and secondary contact at the postal facility where ballot packets will be delivered

Outreach to "inactive" voters and voters with "undeliverable" addresses

1. The state did not send ballots to "inactive" voters for the primary. However, some "inactive" voters are still Maryland residents and have the right to vote. Please describe the customized mailings SBE is considering sending to " inactive " voters in the general election. Would SBE consider sending "inactive" voters instructions on how to request an absentee ballot or an absentee ballot request form, as other states are doing?

   We plan to send “inactive” voters the form to request a mail-in ballot. We are working with the MVA to identify alternate addresses for these voters and will attempt to contact them at any alternate address.

Process to determine the number of vote centers and ballot drop off locations

1. Will the State Board consider opening many more polling places in the general election, considering that many businesses have now reopened and many states have opened many or all of their usual polling places during the pandemic? Will the Board especially consider opening more polling places in jurisdictions where demand for in-person voting was particularly high in the primary, such as Prince George's County and Baltimore City?

   In accordance with the Governor’s letter dated July 8, 2020, all early voting centers and polling places will be open for the November election. The local boards are currently surveying the facilities used as voting locations to determine whether they will be available for the November 3 election.

2. The ballot drop boxes were popular with voters. Parking lots became jammed at some drop boxes on primary day and some voters were unable to drop off their ballots in time. In permanent vote by mail states, the large majority of voters choose to drop off their ballots in person rather than mailing them. The federal Cybersecurity and Infrastructure Security Agency's Joint COVID Working Group on elections recommends one ballot drop box for every 15,000 to 20,000 registered voters. That would require at least 179 drop boxes statewide in Maryland, but there were only 66[4] drop boxes in the primary election. Will SBE add more drop boxes for the general election, and if so, how many? If large metal drop boxes are not available in sufficient

[4] In the June 2 election, 75 ballot drop off boxes were used.

numbers, would SBE consider using smaller, less durable drop boxes that could be set up and staffed by election workers during daylight hours only, as is done in other states?

The underlying assumption of the "Ballot Drop Box" document issued by the Cybersecurity and Infrastructure Security Agency's Joint COVID Working Group is that the jurisdiction is conducting a primarily vote-by-mail election. One of the opening paragraphs informs the reader that the document provides information to know or consider if you are "standing up a temporary vote-by-mail program statewide or locally, or you plan to develop a permanent program of voting primarily by mail."

Since the November 3 election is not a vote-by-mail election, the ratio of ballot drop off boxes to registered voters must be adjusted based on considerations relevant to a primarily in-person election with an unknown - but expected high - number of voters choosing to request and vote a mail-in ballot. These considerations include the added cost of ballot drop off boxes ($1,350 each), provide continuous and adequate security and monitoring of the containers, resources to simultaneously close all boxes at 8 pm on election day, and resources to pick up ballots at least twice a day while also supporting in-person election[5].

As we stated in our report on the June 2 election, we will increase the number of ballot drop off boxes for the November 3 election and use data from the June 2 election and population data to guide where ballot drop off boxes may be accessible for voters. We expect to add over 25 ballot drop off boxes for the November 3 election and will work with the local boards on the placement of these boxes and any resources they might need to pick up ballots at least twice a day and close them at 8 pm on election day.

Ballot canvassing process

1. How can the public observe the canvass when they can't be there in person and the livestreams are showing the canvass from a distance so that it isn't possible to clearly see what is going on? How will this be improved for the general election? Will SBE allow limited in person observation of the canvass in the general election, perhaps by one representative per campaign? Will problems with the quality of the livestreams be corrected by the general election? Will SBE ensure that all the local boards follow uniform policies on public observation of the canvass, in keeping with the State ' s general strong policy preference for uniformity in election administration?

   Generally, public observation of the canvassing process is driven by the size and layout of the room used by the local board for canvassing. For this reason, the local boards must have discretion on the set-up of the room as long as they are providing meaningful public observation. Some local boards have the capacity to allow observers to stand behind or in

[5] In a primarily vote-by-mail election, the costs related to staffing and supplying hundreds of voting locations and preparing, testing, and transporting large quantities of voting equipment are reduced and allows election officials to invest in equipment, like ballot drop off boxes, that are traditionally used in primarily vote-by-mail elections. Costs are not reduced when election officials conduct an election with 78 early voting centers, 1,600 polling places, and an unknown - but expected to be high - percentage of voters participating by mail.

front of canvassing teams, while others do not and observers in these counties observe the process from a distance.

Whether in-person observation of canvasses will be available for the November 3 election will depend on whether the facilities in which the canvassing occurs are open to the public. If remote observation is necessary in response to the public health pandemic, we will continue to work with the local boards to provide remote access to the canvasses.

If members of the House of Delegates have specific complaints about the remote viewing of canvasses from the June 2 election, please share them so that we can address them. Information such as the county, the day the issue was observed, and a description of the issue would be helpful in responding.

2. For the general election, would SBE consider having bipartisan teams open each ballot and make an initial determination of whether the ballot should be accepted, as has been done in past elections before social distancing became a priority?

   The emergency regulations authorizing one individual to determine timeliness, verify the presence of a signature on the oath, and determine whether the ballot can be scanned expire on July 30. Without further action, a team of bipartisan officials will perform these tasks for the November election.

3. Are there any plans to modify the process regarding missing signatures for the general election?

   Based on data from the June 2 election, educating voters about the importance of signing the oath and contacting voters who did not sign the oath were successful in reducing the number of ballots rejected for lack of signature. Since the 2012 Primary Election, the average percentage of ballots rejected for not having a signature was 13.0%. For the June 2 election, the percentage of ballots rejected for not having a signature was 9.41%.

   A key message in the voter education campaign planned for the November election will include the importance of signing the oath. We are reviewing options to make the signature line more visible to voters (*e.g.*, use color to highlight the signature line) and intend to keep in place the procedures to contact voters who return the oath without signing it.

4. Voters can look upon the State Board's website whether their ballot has been received and counted. However, this information is difficult to find. It is under a link called " Look up your voter information" in the lower-left corner of the State Board' s homepage. Can the link be put in a more prominent place and more clearly labeled as " Ballot status information"? Also, the information on whether a ballot has been counted is not updated until many days after the election even if the ballot was counted early in the canvass. Why isn' t this information updated in real-time?

   In addition to the box with “Look up your voter information,” there is a box with “track my ballot.” While both boxes take voters to the same system, we added the “track my ballot” box several elections ago, so voters could more easily access the system with this information. We will move the row of blue boxes higher on the web page as the election approaches.

Ballot status data comes from the database used to manage mail-in voting. The local boards enter information related to rejected mail-in ballots and when canvassing is over, initiate a process to accept all other ballots[6]. Once the ballots are accepted, the data is available for on the website.

We are exploring how ballots can be "accepted" in the database in more real-time. Our initial assessment is that it will require some programming changes to the database, and we need to balance the level of effort to make this change against other requested changes, such as precinct-level results for the November 3 election.

Miscellaneous

1. The state's call center erroneously told some voters that in addition to signing the oath on the ballot envelope, they also had to print their name below their signature, on a preprinted line labeled "Printed Name of Voter". This caused anxiety for some voters who forgot to print their name. Since the printed name is not actually required and serves no real purpose, why not remove the "Printed Name of Voter" line from the ballot envelopes to avoid confusion?

   While the printed name is not required by law or regulation, it does serve a purpose. The local boards use the printed name when they are receiving ballots into the database we use for mail-in voting. It is needed to give the proper voter credit for voting if the barcode printed on the return envelope is not readable or if there is a question whether voters used the correct envelopes to return their ballots.

If you have any questions or would like additional information, please contact me.

Sincerely,

Linda H. Lamone

Linda H. Lamone
Administrator

cc: Members, State Board of Elections

[6] This is the most efficient process for the local boards, because the number of rejected ballots is very small when compared to the number of accepted ballots.

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

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

Linda H. Lamone
Administrator

Nikki Charlson
Deputy Administrator

Memorandum

TO: State Board Members

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

DATE: July 23, 2020

SUBJECT: Waiver of late filing fees standards

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

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

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

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

Pursuant to Election Law Article §13-337 (b) (3), the State Administrator has denied four waiver request, for the month of July. No Board action is required on the denials. Late fees collected year to date for Late Fee Waivers are $28,625.00

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

Waiver request July 23, 20

1. Ajaz, Haroon Citizens for
2. Asphalt Political Action Committee, Maryland
3. AT&T PAC MD
4. Bramble, Philip Committee to Elect
5. Chaudhry, Anil Committee for
6. Dhillon Jr., Kahan S. Friends of
7. Fire Fighters For A Safer Baltimore Super PAC
8. Heath, Dianne for Board of Education
9. Howard County Police Supervisors Alliance PAC
10. Keen, Dawn Citizens for on BOE
11. Kowalski, Mary, Citizens for
12. Physical Therapists Of Md PAC
13. Powery, Erik People for
14. Printing Industries Of Maryland PAC
15. Realtors Political Action Committee of Harford Co. Assn
16. T.I.G.E.R-Truth In Government Election Reform PAC
17. Zokle, George Friends of

Denied

1. Bricklayers Local No. 1 Political Action Committee
2. Friends of Chimes PAC, The
3. Next Generation PAC
4. Thomas, Clarence J. Friends of
5. Tyson, (Quron) Campaign

Waiver Request Information Page

General

Account Name	Ajaz, Haroon Citizens for	
CCF ID:	01013381	**Status: Active**
Date Established	1/24/20	
Date Waiver Requested	6/4/20	
Account Type	Candidate Account	

Officers

Current Treasurer	Joe Cianos	**Start Date: 1/24/20**
Responsible Treasurer		
Current Chairman	Haroon Jaz	1/24/20
Responsible Chairman		

Waiver Request Dates

Late Report	Affidavit	Date Received	Fees	Total Fees
5/22/20		6/4/20	$	$350
4/28/20		5/22/20	$	$885
				Total:$1205

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

Prior Waiver and Fees

Report	Late Fee	Waiver/payment	Referred OSP
N/A			

Recent Financial Activity History

Report	Contributions	Expenditures	Cash Balance	Outstanding/ Loans/ Obligations
5/22/20	$0	$38.74	$00	$0
	$	$	$	$
	$	$	$	$

Reason for Waiver

This is our first time running and we misinterpreted the filing date.

Division Comments

Grant 1st request.

Administrator's Decision

Late Fee Waiver Request Form

Maryland State Board of Elections – Division of Candidacy and Campaign Finance
P.O. Box 6486 • Annapolis, MD 21401-0486
410-269-2880 • 800-222-8683

Campaign Account Name: Citizens for Haroon Ajaz

Account Number: 01013381 Date of Request: 6/4/2020

Name of the Requestor(s)*: Haroon Ajaz

The Requestor is the: ☑ Chairman ☐ Treasurer ☐ Candidate

Waiver of late fees for the following Campaign Fund Report(s): 2020 Presidential Pre-Primary 1
2020 Presidential Pre=Primary 2

Total Amount of late fees: $ 1,235

The basis for the request: I would like to request a waiver for the penality levied for late filing of the 2 reports. This is the first time I was running for office and we somehow misinterpreted that the filing date had been moved up from April 28, 2020 to May 22, 2020 due to COVID-19. We tried to file in May and after spending countless hours, we filed the affidavit ALCE thinking this was the correct thing to file since we were reporting on campaign fund less $1000. I am very grateful to Victorica Smith for guiding me through the entire reporting process today so we could submit the reports. We raised $200 and paying the penalty of $1,235 would be a financial hardship for me specially in such difficult times I would therefore, please request that these charges be waived as they were a result of our inexperience and was a mistake in true faith and was not in any way intentional. Thank you and hoping you will allow us this one mistake

Haroon ajaz — (Signature)

6/4/2020 — (Date)

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

Form Available online at **www.elections.state.md.us**

Waiver Request Information Page

General

Account Name	Asphalt Political Action Committee, Maryland	
CCF ID:	03008442	**Status: Active**
Date Established	9/19/96	
Date Waiver Requested	5/04/20	
Account Type	Candidate Account	

Officers

Current Treasurer	Robert Scrivener	**Start Date: 1/15/19**
Responsible Treasurer		
Current Chairman	Jeffrey Graf	2/22/17
Responsible Chairman		

Waiver Request Dates

Late Report	Affidavit	Date Received	Fees	Total Fees
4/28/20		5/4/20	$120	$120
			$	$
				Total:$120.00

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

Prior Waiver and Fees

Report	Late Fee	Waiver/payment	Referred OSP
N/A			

Recent Financial Activity History

Report	Contributions	Expenditures	Cash Balance	Outstanding/ Loans/ Obligations
4/28/20	$0	$2	$30,149	$
	$	$	$	$
	$	$	$	$

Reason for Waiver

I thought I had filed before the March 24 deadline but perhaps I didn't hit the right buttons I'm new in this position and this is only the second time I'm filing. I'm attaching an original preview that I had generated prior to when
the new deadline was set

Division Comments

Grant 1st request

Administrator's Decision

Maryland

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

Fwd: Reporting Error

3 messages

info sbe -SBE- <info.sbe@maryland.gov> Mon, May 4, 2020 at 9:36 AM
To: Victorica Smith -SBE- <victorica.smith@maryland.gov>

---------- Forwarded message ---------
From: <
Date: Mon, May 4, 2020 at 9:32 AM
Subject: Reporting Error
To: <info.sbe@maryland.gov>

Good morning,

I hope you and your loved ones are doing well.

I was forwarded a notice that my contribution report was late and that my PAC would be assessed a late fee (I do not get the direct emails) from my treasurer. I thought I had filed before the March 24 deadline but perhaps I didn't hit the right buttons I'm new in this position and this is only the second time I'm filing. I'm attaching an original preview that I had generated prior to when the new deadline was set.

Since our office is closed. I did not receive any notifications regarding the new timeline. I'm attaching the report I just filed (I had thought I had filed on March 18 but maybe I didn't). I tried to call but the mailbox was full.

If there is anything I can do to eliminate or delay the fee, I would appreciate it. We have had a long history of filing our reports on time, and I can guarantee this will not happen again.

Thank you for any assistance you can give me.

Margaret (Meg) EG Tran

Communications / Office Manager

410-761-2160

Maryland Asphalt Association

2408 Pepper Mill Drive; Suite G

Glen Burnie, Maryland 21061

The Maryland Asphalt Association

America's Most Recycled Product

Waiver Request Information Page

General

Account Name	AT&T PAC MD	
CCF ID:	03007710	**Status: Active**
Date Established	7/30/84	
Date Waiver Requested	6/5/20	
Account Type	PAC Account	

Officers

Current Treasurer	Vernette White	**Start Date: 7/30/84**
Responsible Treasurer		
Current Chairman	Edward Nurse	7/30/84
Responsible Chairman		

Waiver Request Dates

Late Report	Affidavit	Date Received	Fees	Total Fees
4/28/20		5/11/20	$350	$350
			$	$
				Total:$350

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

Prior Waiver and Fees

Report	Late Fee	Waiver/payment	Referred OSP
9/1/06	250	Waived	N/A

Recent Financial Activity History

Report	Contributions	Expenditures	Cash Balance	Outstanding/ Loans/ Obligations
5/22/20	$872	$0	$8,396	$0
	$	$	$	$
	$	$	$	$

Reason for Waiver

Given the disruption of the COVID-19 pandemic to our workforce and our organization, we respectfully request a one-time waiver of the late fee for the tardy filing of the 2020 Pre-Primary 1 campaign fund report.

Division Comments

Grant 1st request.

Administrator's Decision

Late Fee Waiver Request Form

Maryland State Board of Elections – Division of Candidacy and Campaign Finance
P.O. Box 6486 • Annapolis, MD 21401-0486
410-269-2880 • 800-222-8683

Campaign Account Name: AT&T PAC MD

Account Number: 03007710 Date of Request: 06/05/2020

Name of the Requestor(s)*: Edward C. Nurse

The Requestor is the: ✓ Chairman ☐ Treasurer ☐ Candidate

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

2020 Pre-Primary 1 Presidential

Total Amount of late fees: $ 350.00

The basis for the request:

Given the disruption of the COVID-19 pandemic to our workforce and our organization, we respectfully request a one-time waiver of the late fee for the tardy filing of the 2020 Pre-Primary 1 campaign fund report. This is an employee PAC that is organized, funded and operated by company employees. We would note that we otherwise have a perfect record of timely reporting and take this regulatory obligation seriously, as our record of compliant performance demonstrates. We also note that the PAC made no political contributions during this reporting period. Thank you for your consideration of this waiver request and please feel free to contact me if you have any questions or would like any additional information.

Edward C. Nurse 06/05/2020

(Signature) (Date)

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

Form Available online at **www.elections.state.md.us**

Waiver Request Information Page

General

Account Name	Bramble, Philip Committee to Elect	
CCF ID:	01013422	**Status: Active**
Date Established	1/23/20	
Date Waiver Requested	6/22/20	
Account Type	Candidate Account	

Officers

Current Treasurer	Emma Bramble	**Start Date: 1/23/20**
Responsible Treasurer		
Current Chairman	Philip Bramble	1/23/20
Responsible Chairman		

Waiver Request Dates

Late Report	Affidavit	Date Received	Fees	Total Fees
5/22/20		5/27/20	$100	$100
			$	$
				Total:$100

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

Prior Waiver and Fees

Report	Late Fee	Waiver/payment	Referred OSP
3/22/12	250	Waived	N/A
10/22/10	20	paid	N/A

Recent Financial Activity History

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

Reason for Waiver

I attempted to file the report several times but was unable to. I still managed to post the required document to your office by post..

Division Comments

Grant

Administrator's Decision

June 18, 2020

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

Dear Ms. Lamone:

I am writing in response to a letter I received titled "Fee Running Notice – Campaign Finance Due." In the letter, it says "... the State Board of Elections has not received the Campaign Finance Report for date and account listed above."

I would like to state for the record that I attempted several times to file the report online but was unable to do so. Failing that, I still managed to post the required documentation to your office by the deadline.

I have documented my good-faith attempt at compliance with the requirements of the State Board of Elections. The attached spreadsheet documents that compliance, including the sending of the required report and its receipt by your office. As such, I hope it will prove to be satisfactory to the board of elections, and that no further action will be required in this matter.

Yours truly,

Philip L. Brambe

Philip L. Brambe

Candidate for Board of Education
Dorchester County
CCFID: 01013422

Waiver Request Information Page

General

Account Name	Chaudhry, Anil Committee for	
CCF ID:	01013380	**Status: Active**
Date Established	1/24/20	
Date Waiver Requested	6/3/20	
Account Type	Candidate Account	

Officers

Current Treasurer	Sushila Sheoran	**Start Date: 1/24/20**
Responsible Treasurer		
Current Chairman	Anil Chaudhry	1/24/20
Responsible Chairman		

Waiver Request Dates

Late Report	Affidavit	Date Received	Fees	Total Fees
4/28/20		4/29/20	$20	$20
			$	$
				Total:$20

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

Prior Waiver and Fees

Report	Late Fee	Waiver/payment	Referred OSP
N/A			

Recent Financial Activity History

Report	Contributions	Expenditures	Cash Balance	Outstanding/ Loans/ Obligations
Affvidait	$	$	$	$
	$	$	$	$
	$	$	$	$

Reason for Waiver

We were unable to reset the candidate password to submit the report.

Division Comments

Grant 1st request.

Administrator's Decision

Maryland

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

Fwd: Late Fee Bill for the 4/28/20 Pre Primary 1 Report

1 message

info sbe -SBE- <info.sbe@maryland.gov> Wed, Jun 3, 2020 at 8:31 AM
To: Victorica Smith -SBE- <victorica.smith@maryland.gov>, Ebony Parran -SBE- <ebony.parran@maryland.gov>

---------- Forwarded message ---------
From: **Neil** [redacted]
Date: Wed, Jun 3, 2020 at 8:26 AM
Subject: Re: Late Fee Bill for the 4/28/20 Pre Primary 1 Report
To: info.sbe@maryland.gov <info.sbe@maryland.gov>

Ms. Smith,

Per our conversation yesterday, I am hoping that you and your team will consider waiving the late fee as the late submission was due to the fact that the candidate website would not let us reset the password on the evening of the deadline to complete the submission in a timely manner. We will strive to submit all future reports before the evening of the deadline. Thank you for your consideration.

All the best.

Anil Chaudhry

From: info.sbe@maryland.gov <info.sbe@maryland.gov>
Sent: Monday, June 1, 2020 12:15:08 PM
To [redacted]
Subject: Late Fee Bill for the 4/28/20 Pre Primary 1 Report

To Candidate, Chair, and Treasurer,

This is to notify you that the 4/28/20 Pre Primary 1 Report was received late and that the campaign committee has a late fee assessed for this report.

Attached you will find a copy of the Late Fee Bill and a hard copy of the bill will be followed up to you in the mail. You can pay over the phone with a credit card if MasterCard or Visa by calling Vicky Smith at 410.269.2871 or Ebony Parran at 410.269.2922.

If you have any questions, please feel free to contact us at 410.269.2840. The State Board of Elections has a call center currently in place helping SBE with the amount of calls coming in, so please be patient and ask to speak with someone in the Campaign Finance Division and they will transfer you over to us or email us at info.sbe@maryland.gov

Thank you.

Sincerely,

Waiver Request Information Page

General

Account Name	Dhillon Jr., Kahan S. Friends of	
CCF ID:	01013374	**Status: Active**
Date Established	1/22/20	
Date Waiver Requested	5/28/20	
Account Type	Candidate Account	

Officers

Current Treasurer	Stephan Hanley	**Start Date: 5/20/20**
Responsible Treasurer		
Current Chairman	Kahan Dhillon	1/22/20
Responsible Chairman		

Waiver Request Dates

Late Report	Affidavit	Date Received	Fees	Total Fees
4/28/20		5/01/20	$60	$60
			$	$
				Total:$60.00

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

Prior Waiver and Fees

Report	Late Fee	Waiver/payment	Referred OSP
N/A			

Recent Financial Activity History

Report	Contributions	Expenditures	Cash Balance	Outstanding/ Loans/ Obligations
5/22/20	$0	$10	$55,017	$0
	$	$	$	$
	$	$	$	$

Reason for Waiver

As we discussed this is due to the fact we attempted for weeks to hear from someone at the SBE to assist us with the process of logging in and filing our Campaign's first report. As the 04/28 report was the first report our
Campaign has ever filed we needed more assistance with understanding how the CRIS system worked.

Division Comments

Grant 1st request.

Administrator's Decision

Maryland

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

Fwd: Late Filing Fees Removal Request

2 messages

Ebony Parran -SBE- <ebony.parran@maryland.gov> Thu, May 28, 2020 at 3:18 PM
To: Victorica Smith -SBE- <victorica.smith@maryland.gov>

---------- Forwarded message ---------
From: **Kahan S. Dhillon, Jr**
Date: Thu, May 28, 2020 at 3:00 PM
Subject: Late Filing Fees Removal Request
To: <ebony.parran@maryland.gov>

Ebony,
I hope this email finds you well. As per our conversation I am following up to request that our late filing fees for our 04/28 Campaign filing fee be removed. As we discussed this is due to the fact we attempted for weeks to hear from someone at the SBE to assist us with the process of logging in and filing our Campaign's first report. As the 04/28 report was the first report our Campaign has ever filed we needed more assistance with understanding how the CRIS system worked. As you will find this was a one time occurrence as our subsequent 05/21 filing was filed on time. I thank you for your assistance with this as per our conversation. All the best.

With Regards,
Kahan S. Dhillon, Jr.
Mayor of Baltimore City - Candidate

*In Balti**MORE** it is time to stop accepting less. And Expect **MORE**!*

To donate to our Historic campaign please visit the link below.
Every dollar makes a difference.
www.DhillonForBaltimore.com/donate

--

Ebony R. Sherbert-Parran

Maryland State Board of Elections

Division of Candidacy and Campaign Finance

151 West Street, Suite 200, P.O. Box 6486

Annapolis, Maryland 21401-0486

410-269-2922

Waiver Request Information Page

General

Account Name	Fire Fighters For A Safer Baltimore Super PAC	
CCF ID:	13011451	**Status: Active**
Date Established	4/04/16	
Date Waiver Requested	6/17/20	
Account Type	PAC Account	

Officers

Current Treasurer	John Burke	**Start Date: 4/03/16**
Responsible Treasurer		
Current Chairman	Charles Hoffman	4/03/16
Responsible Chairman		

Waiver Request Dates

Late Report	Affidavit	Date Received	Fees	Total Fees
4/.28/20		5/06/20	$175	$175
			$	$
				Total:$175.00

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

Prior Waiver and Fees

Report	Late Fee	Waiver/payment	Referred OSP
N/A			

Recent Financial Activity History

Report	Contributions	Expenditures	Cash Balance	Outstanding/ Loans/ Obligations
4/28/20	$0	$0	$213	$0
	$	$	$	$
	$	$	$	$

Reason for Waiver

We request that the fee be waived as we are still learning the process for submitting reports, we were unaware we had to file report since no contributions were received.

Division Comments

Grant, 1st request.

Administrator's Decision

BALTIMORE CITY
Firefighters
LOCAL 734

1202 RIDGELY STREET, BALTIMORE, MARYLAND 21230-2601 – 410-234-0734 – FAX: 410-837-0733

RICHARD ALTIERI
President

RUSSELL LICHTENBERG
1st Vice President

RICHARD LANGFORD
2nd Vice President

LORI UNDERWOOD.
Secretary-Treasurer

BEN LICHTENBERG
Recording Secretary

June 11, 2020

Maryland Campaign Finance
Annapolis, Maryland

To whom this may concern,

My name is Lori Underwood, the Secretary-Treasurer for Baltimore Fire Fighters. The Baltimore Fire Fighters, Local 734 SuperPAC, CCF ID: 13011451, received a non-compliance notice for not filing the 2020- Pre-Primary 1 Presidential report due 4/28/2020. This report covered the time period 01/09/2020 thru 4/21/2020. We are requesting that the fee of $175.00 be waived since we are still learning processes for submitting SuperPAC reports. We are not using this account and were unaware that we had to file since there was no contribution or expenditure activity. We are now aware and the report has been submitted, 5/6/2020.

Thank you for your assistance.

Sincerely,

Lori Underwood

Lori Underwood.-Secretary-Treasurer
Baltimore Fire Fighters, Local 734

Waiver Request Information Page

General

Account Name	Heath, Dianne for Board of Education	
CCF ID:	01013294	**Status: Active**
Date Established	12/05/19	
Date Waiver Requested	6/2/20	
Account Type	Candidate Account	

Officers

Current Treasurer	Nicole Racine	**Start Date: 12/05/19**
Responsible Treasurer		
Current Chairman	Dianne Heath	12/05/19
Responsible Chairman		

Waiver Request Dates

Late Report	Affidavit	Date Received	Fees	Total Fees
5/22/20		5/26/20	$80	$80
			$	$
				Total:$80

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

Prior Waiver and Fees

Report	Late Fee	Waiver/payment	Referred OSP
N/A			

Recent Financial Activity History

Report	Contributions	Expenditures	Cash Balance	Outstanding/ Loans/ Obligations
Affadavit	$	$	$	$
	$	$	$	$
	$	$	$	$

Reason for Waiver

I was unable to file on 5/22 because of work related issues.

Division Comments

Grant 1st request.

Administrator's Decision

Late Fee Waiver Request Form

Maryland State Board of Elections – Division of Candidacy and Campaign Finance
P.O. Box 6486 • Annapolis, MD 21401-0486
410-269-2880 • 800-222-8683

Campaign Account Name: Heath, Dianne for Board of Education

Account Number: 01013294 Date of Request: June 2, 2020

Name of the Requestor(s)*: Nicole Racine

The Requestor is the: ☐ Chairman ☑ Treasurer ☐ Candidate

Waiver of late fees for the following Campaign Fund Report(s): 5/22/2020

Total Amount of late fees: $ 80.00

The basis for the request:

The report due Friday, May 22, 2020 was filed on Tuesday, May 26, 2020 following the Memorial Day holiday weekend.

This campaign account is for a seat on the Board of Education, and has not raised campaign funds to date.

I was unable to file on 5/22 for work related reasons. For the same reason, I did not communicate to the other responsible party that I did not file the report.

We ask for grace under the current circumstances and thank you for your consideration.

Nicole Racine 6/2/2020

(Signature) (Date)

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

Form Available online at **www.elections.state.md.us**

Waiver Request Information Page

General

Account Name	Howard County Police Supervisors Alliance PAC	
CCF ID:	03008528	**Status: Active**
Date Established	2/04/11	
Date Waiver Requested	6/29/20	
Account Type	PAC Account	

Officers

Current Treasurer	Eric Ward	**Start Date: 1/15/20**
Responsible Treasurer		
Current Chairman	Todd McGill	2/12/14
Responsible Chairman		

Waiver Request Dates

Late Report	Affidavit	Date Received	Fees	Total Fees
5/22/20		6/08/20	$535	$535
			$	$
				Total:$535.00

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

Prior Waiver and Fees

Report	Late Fee	Waiver/payment	Referred OSP
N/A			

Recent Financial Activity History

Report	Contributions	Expenditures	Cash Balance	Outstanding/ Loans/ Obligations
5/22/20	$996	$0	$12,051	$0
	$	$	$	$
	$	$	$	$

Reason for Waiver

Because of teleworking this caused a delay in the timely attention to delivered mail notices, which lead to a late response to the finance report.

Division Comments

Grant

Administrator's Decision

Late Fee Waiver Request Form

Maryland State Board of Elections – Division of Candidacy and Campaign Finance
P.O. Box 6486 • Annapolis, MD 21401-0486
410-269-2880 • 800-222-8683

Campaign Account Name: Howard County Police Supervisors Alliance PAC

Account Number: 03008528 Date of Request: 5/22/2020

Name of the Requestor(s)*: Eric Paul Ward

The Requestor is the: ☐ Chairman ☒ Treasurer ☐ Candidate

Waiver of late fees for the following Campaign Fund Report(s): 2020 Preprimary 2 Presidential

Total Amount of late fees: $ 535.00

The basis for the request: Due to the Covid-19 Pandemic and subsequent adjustments made throughout the state of Maryland and Howard County, members of our police department (sworn and civilian) began to telework and no longer responded to the district stations or offices for their workdays. This caused a delay in the timely attention to delivered mail notices, which led to the late response to the campaign finance report.

E R W
(Signature)

6/29/2020
(Date)

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

Form Available online at **www.elections.state.md.us**

Waiver Request Information Page

General

Account Name	Keen, Dawn Citizens for on BOE	
CCF ID:	01013446	**Status: Active**
Date Established	1/17/20	
Date Waiver Requested	5/27/20	
Account Type	Candidate Account	

Officers

Current Treasurer	Angie Hill	**Start Date: 1/17/20**
Responsible Treasurer		
Current Chairman	Dawn Keen	1/17/20
Responsible Chairman		

Waiver Request Dates

Late Report	Affidavit	Date Received	Fees	Total Fees
4/28/20		5/8/20	$245	$245
			$	$
				Total:$245.00

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

Prior Waiver and Fees

Report	Late Fee	Waiver/payment	Referred OSP
N/A			

Recent Financial Activity History

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

Reason for Waiver

Miss the due date due to a misunderstanding the affidavit doesn't require the bank account.

Division Comments

Grant 1st request.

Administrator's Decision

Late Fee Waiver Request Form

Maryland State Board of Elections – Division of Candidacy and Campaign Finance
P.O. Box 6486 • Annapolis, MD 21401-0486
410-269-2880 • 800-222-8683

Campaign Account Name: Citizens for Dawn Keen for BOE

Account Number: 01013446 Date of Request: 5/27/2020

Name of the Requestor(s)*: Dawn Keen

The Requestor is the: ☐ Chairman ☐ Treasurer ☑ Candidate

Waiver of late fees for the following Campaign Fund Report(s): 4/28 affadavit

Total Amount of late fees: $ 245.00

The basis for the request: Missed the date due to misunderstanding the affidavit does not require the bank account. I have been unable to get an EIN due to the virus pardemic, Please excuse the late fee as there was nothing to file other than the form. We were misguided to think that if we filed the form, we could not ever raise funds. Thank you to your associates for the clarification.

Dawn Keen (Signature) 5/27/2020 (Date)

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

Form Available online at www.elections.state.md.us

Waiver Request Information Page

General

Account Name	Kowalski, Mary, Citizens for	
CCF ID:	01010849	**Status: Active**
Date Established	2/25/14	
Date Waiver Requested	5/2920	
Account Type	Candidate Account	

Officers

Current Treasurer	Paul Crone	**Start Date: 2/25/14**
Responsible Treasurer		
Current Chairman	Mary Kowalski	2/25/14
Responsible Chairman		

Waiver Request Dates

Late Report	Affidavit	Date Received	Fees	Total Fees
5/22/20		5/26/20	$80	$80
			$	$
				Total:$80

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

Prior Waiver and Fees

Report	Late Fee	Waiver/payment	Referred OSP
N/A			

Recent Financial Activity History

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

Reason for Waiver

We didn't recive the pre report notice until the day report was due.

Division Comments

Grant 1st request.

Administrator's Decision

#01010849

May 26, 2020

Maryland State Board of Elections
Division of Candidacy and Campaign Finance
151 West Street, Suite 200
P.O. Box 6486
Annapolis, MD 21401-0486

RECEIVED
MAY 29 2020
STATE BOARD OF ELECTIONS

My campaign files paper reports and we always receive a green pre-report notice before they are due. However, this time, apparently due to COVID-19 virus, we did not get the green pre-report notice until the actual due date. (Then, we were caught in the holiday weekend.)

My treasurer recently retired from the Post Office, and he said the post office is stressed and having some delivery problems due to COVID-19, but they are doing their best.

We are asking that you please waive any associated late fees for this Affidavit (report).

I tried calling the State Board of Elections several times at 410-269-2880, but I couldn't reach anyone and the recording said the "mailbox is full."

If you have any questions, my phone # is (410) 848-3408.

Thank you so much,

Mary Kowalski, Chairman
Citizens for Mary Kowalski

P.S. Enclosed is the Affidavit.

Waiver Request Information Page

General

Account Name	Powery, Erik People for	
CCF ID:	01013437	**Status: Active**
Date Established	1/17/20	
Date Waiver Requested	6/1/20	
Account Type	Candidate Account	

Officers

Current Treasurer	Paul Griffiths	**Start Date: 1/17/20**
Responsible Treasurer		
Current Chairman	Erick Powery	1/17/20
Responsible Chairman		

Waiver Request Dates

Late Report	Affidavit	Date Received	Fees	Total Fees
4/28/20		5/1/20	$60	$60
			$	$
				Total:$60.00

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

Prior Waiver and Fees

Report	Late Fee	Waiver/payment	Referred OSP
N/A			

Recent Financial Activity History

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

Reason for Waiver

I am running a self-financed campaign. I am deeply in debt. And this debt has only been exacerbated
through lack of income due to Covid-19, tenant hardships and rent freezes.

Division Comments

Grant 1st request.

Administrator's Decision

Maryland

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

Fwd: Late Fee Bill for the 4/28/20 Pre Primary 1 Report

1 message

Ebony Parran -SBE- <ebony.parran@maryland.gov> Mon, Jun 1, 2020 at 2:00 PM
To: Victorica Smith -SBE- <victorica.smith@maryland.gov>

---------- Forwarded message ---------
From: **Mayor Powery**
Date: Mon, Jun 1, 2020 at 1:39 PM
Subject: Fwd: Late Fee Bill for the 4/28/20 Pre Primary 1 Report
To: Ebony Parran -SBE- <ebony.parran@maryland.gov>

Greetings from Erik Powery Mrs. Parran. Please waive the late fees I have been assessed by The Honorable Maryland State Board of Elections. I am running a self-financed campaign. I am deeply in debt. And this debt has only been exacerbated through lack of income due to Covid-19, tenant hardships and rent freezes. Thank you very much for your grace and mercy Mrs. Parran during these tumultuous times.

Sincerely yours,
Erik Powery
1701 Moreland Avenue
Baltimore, MD 21216-3708
(516) 939-7056

---------- Forwarded message ---------
From: <info.sbe@maryland.gov>
Date: Mon, Jun 1, 2020, 12:17 PM
Subject: Late Fee Bill for the 4/28/20 Pre Primary 1 Report
To

To Candidate, Chair, and Treasurer,

This is to notify you that the 4/28/20 Pre Primary 1 Report was received late and that the campaign committee has a late fee assessed for this report.

Attached you will find a copy of the Late Fee Bill and a hard copy of the bill will be followed up to you in the mail. You can pay over the phone with a credit card if MasterCard or Visa by calling Vicky Smith at 410.269.2871 or Ebony Parran at 410.269.2922.

If you have any questions, please feel free to contact us at 410.269.2840. The State Board of Elections has a call center currently in place helping SBE with the amount of calls coming in, so please be patient and ask to speak with someone in the Campaign Finance Division and they will transfer you over to us or email us at info.sbe@maryland.gov

Thank you.

Waiver Request Information Page

General

Account Name	Physical Therapists Of Md PAC	
CCF ID:	03007862	**Status: Active**
Date Established	3/16/84	
Date Waiver Requested	6/15/20	
Account Type	Candidate Account	

Officers

Current Treasurer	Lee Miller	**Start Date: 3/16/84**
Responsible Treasurer		
Current Chairman	Irvin Miller	3/16/84
Responsible Chairman		

Waiver Request Dates

Late Report	Affidavit	Date Received	Fees	Total Fees
4/28/20		5/14/20	$485	$485
			$	$
				Total: $485.00

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

Prior Waiver and Fees

Report	Late Fee	Waiver/payment	Referred OSP
1/27/12	$250	Paid	No
3/29/12	$20	Paid	No
	$		

Recent Financial Activity History

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

Reason for Waiver

I am asking for a waiver of the late fee, our office was closed because of COVID19 and we were not able to access materials to file report. As soon as we were able to get to the office we filed the report

Division Comments

Grant first request.

June 10, 2020

State Board of Elections, Finance department
Annapolis, MD 21401-0486

RE: Late fee for 202 Pre-Primary1 Presidential report for Physical Therapists of MD, PAC.CCF ID 03007862

To Whom It May Concern:

I am writing this letter to ask for re-consideration to waive the late fee for late filing of this report. The office has been closed due to COVID19 and we were not able to get into the office to access materials to file the report. As soon as we were able to get to the office we filed the report.

Lee Miller, treasurer

Waiver Request Information Page

General

Account Name	Printing Industries Of Maryland PAC	
CCF ID:	03007883	**Status: Active**
Date Established	9/15/78	
Date Waiver Requested	6/25/20	
Account Type	PAC Account	

Officers

Current Treasurer	Paul Foster	**Start Date: 7/13/07**
Responsible Treasurer		
Current Chairman	Kirk Swain	3/19/19
Responsible Chairman		

Waiver Request Dates

Late Report	Affidavit	Date Received	Fees	Total Fees
5/22/20		5/26/20	$80	$80
			$	$
				Total:$80

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

Prior Waiver and Fees

Report	Late Fee	Waiver/payment	Referred OSP
11/2018	60.00	Waived	N/A
4/15/16	60.00	paid	N/A
10/24/14	20.00	paid	N/A

Recent Financial Activity History

Report	Contributions	Expenditures	Cash Balance	Outstanding/ Loans/ Obligations
5/22/20	$12	$0	$45,897	$0
	$	$	$	$
	$	$	$	$

Reason for Waiver

Our offices are closed, our bookkeeper only logs in once a week, the email with the notice came after that, when she saw the notice she filed the report right away.

Division Comments

Grant

Administrator's Decision

Printing Industries of Maryland PAC
9160 Red Branch Rd
Columbia, MD 21045

To Whom It May Concern:

I noticed that our 5/22/20 report was submitted 4 days late. The reason this happened was because our office is closed due to the state guidelines for COVID-19. Our bookkeeper who updates the website is only able to login once a week on Mondays to her computer and the reminder notice was emailed after she logged off last week. Being that this Monday was Memorial Day, she only logged on today, the 26th, and realized the report was due so she submitted it right away.

We would appreciate if any late fees can be waived at this time because of the above-mentioned circumstances. We are very good about reporting on time and we hope you can waive this fee for us.

If you have any questions, please contact Esther or Paul at 410-319-0900.

Thank you for your help,

Paul Foster
Treasurer

Waiver Request Information Page

General

Account Name	Realtors Political Action Committee of Harford Co. Assn	
CCF ID:	03007974	**Status: Active**
Date Established	4/11/90	
Date Waiver Requested	6/25/20	
Account Type	PAC Account	

Officers

Current Treasurer	Edward Garono	**Start Date: 10/28/13**
Responsible Treasurer		
Current Chairman	Vernita Deitz	10/28/13
Responsible Chairman		

Waiver Request Dates

Late Report	Affidavit	Date Received	Fees	Total Fees
5/22/20		6/02/20	$280	$280
			$	$
				Total:$280.00

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

Prior Waiver and Fees

Report	Late Fee	Waiver/payment	Referred OSP
8/17/10	$20	Paid	N/A

Recent Financial Activity History

Report	Contributions	Expenditures	Cash Balance	Outstanding/ Loans/ Obligations
5/22/20	$0	$0	$9,929.00	$0
	$	$	$	$
	$	$	$	$

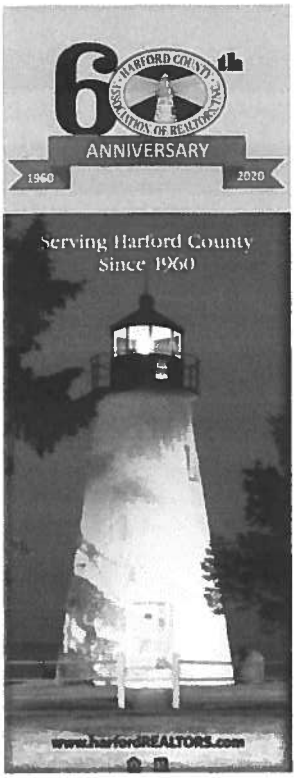
Reason for Waiver

In light of COVID 19, a remote work situation, and email server issues, I am requesting that the late fees be abated.

Division Comments

Grant

Administrator's Decision



Celebrating 60 Years

Guiding the Way...Yesterday, Today, and Tomorrow

June 25, 2020

Jared DeMarinis, Director
Division of Candidacy and Campaign Finance
State Board of Elections
PO Box 6486
Annapolis, MD 21401

RE: REALTORS POLITICAL ACTION COMMITTEE OF HARFORD CO. ASSN

Dear Mr. DeMarinis:

We are in receipt of a Late Fee Bill, CCF ID 03007974. In light of COVID-19, a remote work situation, and email and server issues, I am respectfully requesting that the late fee be abated for this filing. This is the first time the PAC has been late on a filing.

Please advise.

Thank you.

Sincerely,

Kathy J. McFadden
Chief Executive Officer

REALTOR®

Harford County Association of REALTORS®, Inc. * 2227 Old Emmorton Road, Ste 117, Bel Air, MD 21015
410-569-0750 * FAX: 410-569-9654 *

EQUAL HOUSING OPPORTUNITY

Waiver Request Information Page

General

Account Name	T.I.G.E.R-Truth In Government Election Reform PAC	
CCF ID:	03013191	**Status: Inactive**
Date Established	4/22/19	
Date Waiver Requested	5/27/20	
Account Type	PAC Account	

Officers

Current Treasurer	James Appel	**Start Date: 5/9/19**
Responsible Treasurer		
Current Chairman	David Knupp	4/22/19
Responsible Chairman		

Waiver Request Dates

Late Report	Affidavit	Date Received	Fees	Total Fees
5/22/20		5/27/20	$100	$100
			$	$
				Total:$100.00

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

Prior Waiver and Fees

Report	Late Fee	Waiver/payment	Referred OSP
N/A			

Recent Financial Activity History

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

Reason for Waiver

I would like to request a waiver on these penalties, I have filed a final closing affidavit for this account. This PAC never raised any funds

Division Comments

Grant 1st request.

Administrator's Decision

Maryland

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

Fwd: FW: Fee Running Notice for the 5/22/2020 Pre Primary 2 Report transactions ending 5/17/2020

2 messages

Jared DeMarinis -SBE- <Jared.DeMarinis@maryland.gov> Mon, Jun 1, 2020 at 3:51 PM
To: Victorica Smith <victorica.smith@maryland.gov>

Waiver request.

-------- Forwarded message --------
From:
Date: Wed, May 27, 2020 at 11:29 AM
Subject: FW: Fee Running Notice for the 5/22/2020 Pre Primary 2 Report transactions ending 5/17/2020
To: Jared DeMarinis <jared.demarinis@maryland.gov>

Jared,

I would like to request a waiver on these penalties. I have filed a final closing avadavat for this account. This PAC never raised nor spent any funds.

Thank you,

James

202-510-7545

From: info.sbe@maryland.gov <info.sbe@maryland.gov>
Sent: Tuesday, May 26, 2020 11:08 AM
To:
Subject: Fee Running Notice for the 5/22/2020 Pre Primary 2 Report transactions ending 5/17/2020

To Candidate, Chair, and Treasurer,

This is to notify you that the 5/22/2020 Pre-Primary 2 Report has not been received and that the campaign committee has late fees being assessed for this report.

Attached you will find a copy of the Fee Running Notice and a hard copy of the letter will be followed up to you in the mail.

You can pay over the phone with a credit card if MasterCard or Visa by calling Vicky Smith at 410.269.2871 or Ebony Parran at 410.269.2922.

If you have any questions, please feel free to contact us. The State Board of Elections has a call center currently in place helping SBE with the amount of calls coming in, so please be patient and ask to speak with someone in Campaign Finance and they will transfer you over to us.

Thank you.

RECONSIDERATION
Waiver Request Information Page

General

Account Name	Zokle, George Friends of	
CCF ID:	01009197	**Status: Active**
Date Established	3/12/13	
Date Waiver Requested	4/30/20	
Account Type	Candidate Account	

Officers

Current Treasurer	Boris Savitskiy	**Start Date: 2/22/18**
Responsible Treasurer		
Current Chairman	George Zokle	3/12/13
Responsible Chairman		

Waiver Request Dates

Late Report	Affidavit	Date Received	Fees	Total Fees
1/15/20		4/28/20	$1000	$1000.00
			$	$
				Total: $1000.00

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

Prior Waiver and Fees

Report	Late Fee	Waiver/payment	Referred OSP
1/16/19	$500	Waived	Yes
11/20/18	$500	Waived	Yes
10/26/18	$500	Waived	Yes

Recent Financial Activity History

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

Reason for Waiver

I filed the 2021 report by mistake instead of the 2020

Division Comments

The fee will be reduced to $80.00 the amount of days the 2021 report was filed.

June 26, 2020

Maryland State Board of Elections
151 West Street, Suite 200
Annapolis, MD 21401

Dear Members of the State Elections Board:

Please consider this letter my request for reconsideration of the May 29, 2020 letter from Linda Lamone denying my request for a few waiver of the $1,000.00 fine issued therein.

My campaign committee filed an affidavit in January 2020 to satisfy the requirement for the Annual Report due January 15, 2020. The campaign committee did not raise any funds or make any expenditures that would have made filing an affidavit inappropriate.

When I first learned that a $1000.00 fine had been imposed upon the campaign committee, the Board of Elections told me it was because I clicked the 2021 affidavit form instead of the affidavit form for 2020. Even though both forms had the identical filing requirements and the information I filed would not have changed on either form, the Board denied my request for a fee waiver.

Pursuant to §13-327(b)(1) of the Election Law Article, Annotated Code of Maryland, the Board "shall notify the responsible officers in writing of the *particular deficiencies*." However, the campaign committee did not receive any notice from the Board stating why the committee was deficient until after the Board assessed $1,000 maximum fine to the committee for clicking the 2021 affidavit instead of the 2020 form. The Board office assisted me over the telephone once I first discovered that the information the campaign committee filed in January 2020 was correct but needed to be included on the form that said "2020," even though the information contained would have been identical.

I am unaware of the reason why the Board of Elections made available a 2021 affidavit form if it served no purpose; making the 2021 affidavit form available online for campaign committees to select when filing a report created confusion. The Board of Elections office told me that the 2021 affidavit form was not meant to be selected as a filing option for approximately one more year and that, in the future, the Board would try to avoid this confusion by not posting forms online that are not meant to satisfy current filing requirements.

In addition to the affidavit filing process listed above, I have personally experienced a number of hardships between 2019 and the present day. Most daunting has been the inability to secure housing absent of health hazards between December 2019 and April 2020. During this time, the pipes in my apartment building flooded my basement unit on four separate occasions, spreading sewage and human feces throughout my unit creating unlivable conditions. Not having a safe place to call home and having to rely on unemployment benefits to secure housing caused me severe hardship. Furthermore, I was transported to the hospital via ambulance in early February 2020 after exhibiting signs of a stroke. My recovery process has been my primary focus since February.

At this time, I am trying to gain greater stability in order to move forward personally. Having to pay a $1000.00 fine would nearly exhaust my limited funding and create a tremendous setback in my ability to pay rent, my hospital bills, and living expenses. I cannot risk being evicted from my new and current residence for my inability to pay rent. I simply do not have another option for a place to live at this time.

I kindly ask that the Board grant this request for reconsideration of the denial of my previous request to waive the $1000.00 fine. Alternatively, I ask the Board that if any fine need be imposed, that it reflects the day count between the January 15, 2020 Annual Report due date and the date I filed the 2021 Affidavit. Thank you for your time.

Sincerely,

George Zokle

Waiver Request Information Page

General

Account Name	Bricklayers Local No. 1 Political Action Committee	
CCF ID:	03007481	**Status: Active**
Date Established	8/17/98	
Date Waiver Requested	6/25/20	
Account Type	PAC Account	

Officers

Current Treasurer	N/A	**Start Date:**
Responsible Treasurer	Matt Redabaugh	4/14/16
Current Chairman	Todd Buckner	6/8/17
Responsible Chairman		

Waiver Request Dates

Late Report	Affidavit	Date Received	Fees	Total Fees
5/22/20		5/27/20	$100	$100
			$	$
				Total:$100.00

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

Prior Waiver and Fees

Report	Late Fee	Waiver/payment	Referred OSP
9/22/17	60	paid	N/A
11/18/14	40	paid	N/A
11/27/14	20	paid	N/A

Recent Financial Activity History

Report	Contributions	Expenditures	Cash Balance	Outstanding/ Loans/ Obligations
5/22/20	$14	$2,019	$113,442	$00
	$	$	$	$
	$	$	$	$

Reason for Waiver

We made several attempts to login to the system but were denied access.

Division Comments

Deny committee has a history of non-compliance.

Administrator's Decision

Bricklayers & Allied Craftworkers
Local #1 MD, VA & DC

June 25, 2020

Jared DeMarinis
151 West Street Suite 200
Annapolis, MD 21401

Dear Mr. DeMarinis,

My name is Todd Buckner and I'm the Chairman of the PAC Fund with the Bricklayers Local #1 of MD /VA /DC. I'm writing to respectfully request a waiver of the $100.00 fine we were assessed for submitting the May 22nd report late. We made several attempts to log in on time to submit said report and we were denied access to the site each time. If you require any additional information please don't hesitate to contact me. Thank you.

Todd Buckner
Field Representative
Bricklayers Local #1
MD / VA / DC
Camp Springs, MD 20746
O - 240-695-9463
C - 240-216-1854

Waiver Request Information Page

General

Account Name	Friends of Chimes PAC, The	
CCF ID:	03007600	**Status: Active**
Date Established	8/9/99	
Date Waiver Requested	6/18/20	
Account Type	PAC Account	

Officers

Current Treasurer	Mary Collard	**Start Date: 7/18/02**
Responsible Treasurer		
Current Chairman	Bobby Edmondson	02/26/07
Responsible Chairman		

Waiver Request Dates

Late Report	Affidavit	Date Received	Fees	Total Fees
5/22/20		6/30/20	$1000	$1000
4/28/20		6/30/20	$1000	$1000
1/15/20		6/30/20	$1000	$1000
1/16/19		6/30/20	$1000	$1000
				Total:$4000.00

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

Prior Waiver and Fees

Report	Late Fee	Waiver/payment	Referred OSP
6/15/18	500	Paid	No
5/22/18	150	Paid	No
7/22/19	500	outstanding	Yes

Recent Financial Activity History

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

Reason for Waiver

Report was mark final in 2018, and bank account closed I was advised nothing futher was do.

Division Comments

Denied, committee received several letter stating report marked final was not accepted and changes were needed to close out account, SBE received no response.

Administrator's Decision

THE FRIENDS OF CHIMES PAC
4815 Seton Drive
Baltimore, Maryland 21215
410-358-4325

June 15, 2020

Ms. Linda H. Lamone
Administrator
State Board of Election
151 West Street
Suite 200
Annapolis, MD 21401

RE: CCF ID: 03007600
Report: 5/1/20

Dear Ms. Lamone:

Please permit this letter to reply to yours of May 1, 2020 wherein you advise that the state has not received the Campaign Finance Report for the period due date of April 28, 2020 and needs to assess a fine.

I filed the Final Report for this PAC on November 13, 2018 and the PAC was marked "Inactive". The bank account with Bank of America has been closed as well. I recall that I even spoke with Vicky Molina at the State Board of Elections who advised that there was nothing further to do since the account was marked "Inactive". But for the staff of the state telling me that there was nothing further to do, I would have certainly gone into the website and filed the necessary report in April 2020.

Chimes International Limited is a not for profit that provides housing and services to individuals who are intellectually and developmentally disabled. Our services have been severely disrupted due to Covid19. The members of the PAC have not been involved with Chimes in several years and the PAC has, in fact, been inactive and the bank account closed. There has been no activity. We are currently working with the Board to close it. We are respectfully requesting that the fines and penalties be waived as it will be an unfair burden on the members of the PAC since they believed in good faith based on statements from the Board of Elections that the PAC was in fact closed.

Sincerely,

Gail K. Rossmark

Gail K. Rossmark

Waiver Request Information Page

General

Account Name	Next Generation PAC	
CCF ID:	03008344	**Status: Active**
Date Established	1/24/07	
Date Waiver Requested	6/5/20	
Account Type	PAC Account	

Officers

Current Treasurer	John Mack	**Start Date: 2/05/15**
Responsible Treasurer		
Current Chairman	Brendon Laster	1/24/07
Responsible Chairman		

Waiver Request Dates

Late Report	Affidavit	Date Received	Fees	Total Fees
1/15/20		1/28/20	$350	$350
			$	$
				Total:$350.00

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

Prior Waiver and Fees

Report	Late Fee	Waiver/payment	Referred OSP
8/28/18	$350	Waived	Yes
5/22/18	$60	Waived	Yes
1/17/18	$10	Waived	Yes

Recent Financial Activity History

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

Reason for Waiver

This account has a toal value of less than$1400 the $350 penalty presents a serious hardship.

Division Comments

Deny committee has a history of non-compliance.

Administrator's Decision

Next Generation PAC
9806 Gay Drive
Upper Marlboro, MD 20772

April 22, 2020

Campaign Finance
State Board of Elections
151 West Street, Suite 200
Annapolis, MD 21401

Dear Administrator Lamone,

This letter is being submitted as a request for a waiver of fines currently being levied against the Next Generation PAC in the amount of $350 due to late reporting of the 2020 Annual Report.

This account qualified for an Affidavit of Limited Transactions given that no transactions occurred during the designated time frame in 2019. Considering that this account has a total value of less than $1400.00, the $350 fine presents a serious hardship for the Committee.

In addition, after this matter is resolved, the administration of the Next Generation PAC will implement pro-active controls to ensure that all future reports are submitted both timely and completely, and we fully anticipate that no further waiver requests will be required.

Therefore, we seek your forbearance and support for a waiver of this fine.

Sincerely,

Brendon Laster, Chair

Waiver Request Information Page

General

Account Name	Thomas, Clarence J. Friends of	
CCF ID:	01013293	**Status: Active**
Date Established	12/04/19	
Date Waiver Requested	5/15/20	
Account Type	Candidate Account	

Officers

Current Treasurer	Tim Lyles	**Start Date: 12/04/19**
Responsible Treasurer		
Current Chairman	Sunni Rahman	12/04/19
Responsible Chairman		

Waiver Request Dates

Late Report	Affidavit	Date Received	Fees	Total Fees
5/22/20		N/A	$1000	$1000
4/28/20		N/A	$1000	$1000
1/15/20		N/A	$1000	$1000
				Total:$3000

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

Prior Waiver and Fees

Report	Late Fee	Waiver/payment	Referred OSP
N/A			

Recent Financial Activity History

Report	Contributions	Expenditures	Cash Balance	Outstanding/ Loans/ Obligations
N/A	$	$	$	$
	$	$	$	$
	$	$	$	$

Reason for Waiver

Treasurer has not been able to file report.

Division Comments

Deny report has not been filed.

Administrator's Decision

5-9-20

RECEIVED
MAY 15 2020
STATE BOARD OF ELECTIONS

To Ms. Linda H. Lamone
c/o State Board of Elections.

I am Clarence J. THOMAS (Running for City Council - District B##
Since Jan. 2020 we my team have been filing at proper financial report however my treasure whose certified accountant/treasure has been trying to get in to do proper procedure affividavit etc its not letting him do it Keeps rejecting him, Timmy Lyles spoke to Ms. Victoria last week and we asking for a waiver of the fine that was sent to my campaign. of amount$1,000 Cov-19 has damaged it but not deterred my run I was able to have my fundraisers while I

Waiver Request Information Page

General

Account Name	Tyson, (Quron) Campaign	
CCF ID:	01013187	**Status: Active**
Date Established	4/07/19	
Date Waiver Requested	6/25/20	
Account Type	Candidate Account	

Officers

Current Treasurer	Thaddius Bradford	**Start Date: 4/07/19**
Responsible Treasurer		
Current Chairman	Quron Tyson	4/07/19
Responsible Chairman		

Waiver Request Dates

Late Report	Affidavit	Date Received	Fees	Total Fees
5/22/20		6/25/20	$1000	$1000
4/28/20		6/25/20	$1000	$1000
1/15/20		6/25/20	$1000	$1000
				Total:$3000.00

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

Prior Waiver and Fees

Report	Late Fee	Waiver/payment	Referred OSP

Recent Financial Activity History

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

Reason for Waiver

Committee has no income and treasurer didn't know how to submit reports.

Division Comments

Deny, committee has made no attempt to be in compliance.

Administrator's Decision

Maryland

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

Fwd: Waiver Form - Tyson, Quron Campaign

1 message

info sbe -SBE- <info.sbe@maryland.gov> Fri, Jun 26, 2020 at 8:46 AM
To: Victorica Smith -SBE- <victorica.smith@maryland.gov>

---------- Forwarded message ---------
From: **Quron Curtis** < >
Date: Thu, Jun 25, 2020 at 1:30 PM
Subject: Waiver Form - Tyson, Quron Campaign
To: < >

Attached is a Waiver Form for the Tyson, Quron Campaign (#0101387) .

Late Fee Waiver Request Form

Maryland State Board of Elections – Division of Candidacy and Campaign Finance
P.O. Box 6486 • Annapolis, MD 21401-0486
410-269-2880 • 800-222-8683

Campaign Account Name: Tyson, Quron Campaign

Account Number: 01013187 Date of Request: 6-25-2020

Name of the Requestor(s)*: Quron Tyson

The Requestor is the: ☑ Chairman ☐ Treasurer ☐ Candidate

Waiver of late fees for the following Campaign Fund Report(s): 2020 Presidential Pre-Primary 2
2020 Presidential Pre-Primary 1
2020 Annual

Total Amount of late fees: $ 3,000

The basis for the request: Campaign has no income; and Treasurer did not know how to submitt filings. Also, we are still looking for sponsors.

LEAGUE OF WOMEN VOTERS® OF BALTIMORE CITY

July 20, 2020
The Honorable Lawrence J. Hogan, Jr.
Governor of Maryland

Dear Governor Hogan,

The League of Women Voters of Baltimore City supports a hybrid vote-by-mail election in November that includes adequate number of in-person voting centers. This is consistent with the proposal the Maryland Association of Election Officials sent to you on June 26, 2020. We think that a hybrid November election is the only practical solution to voting that will ensure the safety of both voters and election judges, many of whom are at high risk of contracting Covid-19.

We think sending a vote-by-mail application to all voters requiring them to request a ballot will create confusion among voters and strain the capacity of election boards to process vote-by-mail ballot requests. The cost of processing vote-by-mail ballot applications subjects voters to an unnecessary extra interaction with a bureaucratic process and would predictably suppress voter turnout, regardless of the intent. Requiring that all polling locations be open during a pandemic complicates the task of securing sufficient polling places, finding sufficient election judges, and providing enough personal protective equipment. A hybrid vote-by-mail election minimizes these concerns.

Baltimore City has had two prior experiences with vote-by-mail: the special election for the 7th Congressional District on April 28, 2020, and the presidential primary election on June 2, 2020. Both of these elections resulted in a record number of votes cast by Baltimore City voters. Indeed, we are hearing from many voters that they now prefer voting by mail, having experienced it.

While some problems emerged from these elections, these can be addressed in ways that are cost effective and will minimize the confusion that is likely to result from holding a traditional election. The primary revealed that more than six voting centers and additional ballot drop boxes are needed in Baltimore City. The number of both voting centers and drop boxes should be expanded. In addition, voting centers should be available for early voting, and all voting centers should be well equipped to protect election judges and voters from coronavirus contagion. Finally, the problem of undeliverable ballots can be addressed by sending postcards before mailing ballots to test deliverability.

CONTACT

6600 YORK RD. BALTIMORE, MARYLAND 21212 410-377-7738 INFO@LWVBALTIMORECITY.ORG

The State Board of Elections June 18 meeting showed that the Board is clearly addressing these and other problems from the June 2 primary, such as the date and printing errors. We appreciate the Board's efforts to make sure everyone can vote during this unique situation and view the June 2 Baltimore City turnout as a success and one worth building on.

We urge you to adopt a hybrid vote-by-mail election in November, with ballots (rather than vote-by-mail applications) sent to all registered voters and adequate voting centers. This is what the state and local boards of election are asking, and it is what will best serve Maryland voters. Thank you for your consideration of our concerns.

Sincerely yours,

Flo Valentine and Nancy Lawler, Co-Presidents

Cc:

Baltimore City Members of the Maryland General Assembly

Adrienne A. Jones, Speaker of the Maryland House of Delegates

Baltimore City Elected Officials

Baltimore City Board of Elections

Maryland State Board of Elections

Congress of the United States
Washington, DC 20510

July 9, 2020

The Honorable Lawrence J. Hogan Jr.
Governor
State of Maryland
100 State Circle
Annapolis, Maryland 21401

Dear Governor Hogan:

We write to express our concern regarding your order to the State Board of Elections on how to proceed with the November 3 general election. Maryland voters expect and deserve free, fair, and safe elections, and we are alarmed that your directive does not meet that basic standard. We call on you to rescind the directive and issue new guidance designed to maximize both safety and voter participation by mailing ballots for the general election to all registered voters, as was done in the primary.

Specifically, we are distressed by your decision to reverse course on the issue of mailed ballots. As you know, during the June 2 rescheduled primary election your office required the State Board of Elections to send all registered voters ballots proactively. Under your new directive, the State Board of Elections will be required to mail Maryland voters a ballot application for completion to receive a ballot.

This decision inherently introduces numerous new choke points that could lead to voters being disenfranchised. We fully expect that mail-in ballots will again result in a larger number of voters in the November election and could set record levels of voter turnout. We would urge you to reverse that decision and have ballots mailed directly to voters, without the need to request them. If the decision is made to proceed with a two-step process, which we hope will not happen, this two-step process will likely confuse many voters who rightly expect – given their recent experience with the June primary – that they will be mailed ballots proactively. If the decision is made to proceed with this two-step process, we urge you to provide every necessary resource to educate the public, ensure citizens can easily obtain a ballot, and help county boards of election process applications in a timely manner. We also urge you to provide adequate resources to ensure that this decision can be carried out by our state and local election administrators. As you know, the mailing of applications will strain already-under-resourced state and local elections administrators. In fact, local election administrators warned that this decision will lead to "devasting consequences,"[1] exhausting limited resources on additional printing and on the processing of applications. This will have the unfortunate impact of reducing the pool of resources available to provide Marylanders with a safe and accessible election.

[1] July 6, 2020, letter from David Garreis, President, Maryland Association of Election Officials to Governor Lawrence J. Hogan & Michael Cogan, Chair, MD State Board of Elections

While we agree with your decision to maintain early voting and in-person voting locations, we hope that you will maintain maximum flexibility in determining those locations. As you work with the State Board of Elections to ensure that the in-person voting experience in November proceeds as smoothly as possible, you should consider how best to ensure an adequate number of poll workers are trained and ready to conduct the election. We believe that we need to assemble a dedicated workforce for this purpose – for example, by recruiting young Marylanders – and to identify large facilities (such as sports arenas, University of Maryland system facilities, and other state assets that have ample parking and plenty of room for social distancing) to be used as voting centers. We stand ready to work with you to accomplish these objectives.

As you know, Congress continues to consider additional election preparedness assistance. Maryland has already received $7,452,501 in supplemental election assistance under the CARES Act. On May 15, the House of Representatives passed the HEROES Act, which would provide an additional $3.6 billion in election assistance to the states. This legislation is awaiting consideration by the Senate. We understand that this election must receive the resources needed to ensure that every Marylander who is eligible to vote can cast a ballot, and we urge you to use all options at your disposal to help make certain that this election is fully funded.

We look forward to continuing to work with you to protect the right of every Marylander to cast a ballot safely, securely, and without undue hindrance in November.

Sincerely,

/s/ Steny. H. Hoyer
Member of Congress

/s/ Benjamin L. Cardin
United States Senator

/s/ Chris Van Hollen
United States Senator

/s/ C.A. Dutch Ruppersberger
Member of Congress

/s/ John P. Sarbanes
Member of Congress

/s/ Anthony G. Brown
Member of Congress

/s/ Jamie Raskin
Member of Congress

/s/ David Trone
Member of Congress

/s/ Kweisi Mfume
Member of Congress

PRINCE GEORGE'S COUNTY GOVERNMENT

Angela D. Alsobrooks
County Executive

July 7, 2020

RECEIVED
JUL 13 2020
STATE BOARD OF ELECTIONS

The Honorable Larry Hogan
Governor
State of Maryland
100 State Circle
Annapolis, Maryland 21401

Dear Governor Hogan:

We are writing to express concerns about the possibility of conducting a traditional, in-person election for the November 3, 2020, Presidential General Election. If such an election were conducted, the Prince George's County Board of Elections (PGCBOE) would be faced with untenable challenges.

One concern would be securing polling places to conduct the in-person election. Many owners of the private facilities that have historically served as polling places have withdrawn from participating in the upcoming election because they are not prepared to host an election during the COVID-19 pandemic. Most of the venues that have withdrawn include churches, senior centers, and private halls.

Another significant issue is recruiting and training viable Election Judges that are willing to manage the enormous task of working during a pandemic with a lack of resources and personnel. According to many news reports, recent primary elections in other states that offered regular, in-person voting were significantly flawed because their Boards of Elections had insufficient numbers of Election Judges, last-minute precinct changes, and consolidations. Many polls opened late or not at all because there was no one to staff them. Additionally, it would be impossible for PGCBOE to conduct in-person training for the over 3500 Election Judges needed to staff 245 polling places while properly following social distancing guidelines.

Although we acknowledge that the Vote by Mail with limited vote centers conducted during the June 2, 2020, Presidential Primary Election cycle had its challenges, we firmly believe that if the issues from the primary election are remedied, it would be in the best interest of the voters to continue voting by mail with increased in-person voting. This methodology would be, to a great extent, like the vote by mail election that you authorized during the primary election. It would require that every registered voter be mailed a ballot to the address listed in the voter registration database. We suggest that there should be more in-person vote centers and additional drop boxes than were utilized in the primary election. In addition, we also propose that vote centers open from Thursday, October 29, 2020, through Election Day, November 3, 2020, for early voting to accommodate voters who may not receive a mailed ballot and individuals with disabilities who would prefer to vote independently.

For the above reasons, we respectfully urge you to continue your support for a Vote by Mail election with increased in-person voting to ensure that every eligible voter in Maryland can exercise his/her right fairly and ethically in the 2020 Presidential General Election.

Sincerely,

Angela D. Alsobrooks
County Executive

Todd M. Turner
County Council Chair

cc: The Honorable Bill Ferguson, President, Maryland State Senate
The Honorable Adrienne A. Jones, Speaker of the House, Maryland House of Delegates
Mr. J.B. Jennings, Senate Minority Leader
Mr. Steve Hershey, Senate Minority Whip
Mr. Nicholaus Kipke, House Minority Leader
Mrs. Kathy Szeliga, House Minority Whip
Ms. Linda H. Lamone, Esq., Administrator, Maryland State Board of Elections
Mr. Michael Cogan, Chairman, Maryland State Board of Elections
Ms. Alisha L. Alexander, Director, Prince George's County Board of Elections
Mrs. Terry L. Bell, Liaison, Prince George's County Council
Members, Prince George's County Council

MARYLAND

STATE BOARD OF ELECTIONS

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

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

Linda H. Lamone
Administrator

Nikki Charlson
Deputy Administrator

July 21, 2020

Via Electronic Mail Only

The Honorable David Brinkley
Secretary, Department of Budget and Management
Annapolis MD 21401

The Honorable Guy Guzzone
Chair, Senate Budget and Taxation Committee
Annapolis MD 21401

The Honorable Maggie McIntosh
Chair, House Appropriations Committee
Annapolis MD 21041

Dear Secretary Brinkley, Senator Guzzone, and Delegate McIntosh:

As we prepare for the November 3 election, I would like to share with you important information about the State Board of Elections' FY21 budget. First, we plan to submit an FY21 budget amendment of about $20 million to conduct the upcoming election. Second, using the federal Help America Vote Act funds to support the upcoming election will require an increase in general fund appropriations in FY21 and future fiscal years.

State and local election officials are planning to provide in-person voting during early voting and on election day. Early voting will be conducted from October 22 through October 29 at 78 locations, and voting at about 1,600 neighborhood polling places is being planned for November 3[1]. Due to the public health pandemic, however, election officials expect the number of voters requested and receiving a ballot by mail will significantly increase from prior elections. The fiscal impact of the primary election was reduced due to the federal CARES Act funding and election officials' ability to transfer funds needed for a primarily in-person election to a primarily vote-by-mail election[2]. There are no federal CARES Act funding left, and there will not be sufficient savings to apply to the expected increase in mail-in ballots.

Expected FY21 Budget Amendment

Because our FY21 budget is not sufficient to conduct the November 3 election, we will submit a request for a FY21 budget amendment. The table below itemizes the estimated expenses that will be included in the request.

[1] This assumes that facilities are willing to be used as voting locations and election judges are willing to serve.
[2] For example, the local boards of elections were able to perform themselves (i.e.., not rely on temporary staffing) pre-election testing on election equipment because the amount of equipment needed for the June 2 election was significantly less than a traditional election. Similarly, less funds were needed to transport the equipment since there were 44 voting locations, not the 1,700 voting locations for a traditional election.

Description	Est. Amount
Cost to print and mail form to request a mail-in ballot	$5,600,000
Cost to print and mail vote-by-mail packets to requesting voters[3]	$5,500,000
Pre-paid postage for voters to return mail-in ballot requests and voted ballots	$1,800,000[4]
Cost to expand the call center & support remote viewing of canvasses	$802,500
Additional ballot drop off boxes	$40,500
Additional SBE resources to support mailings and related contracts	$58,552
Additional SBE resources to assist local boards with recruiting election judges	$58,552
Hire additional election judges to supplement local election official efforts[5]	$201,875
Statewide voter education campaign	$4,000,000
Additional voting equipment carts, precinct booths & privacy sleeves	$736,521
Mailings to inactive voters and eligible but not registered voters	$300,000
Buy cleaning, PPE supplies, stanchions, and social distancing decals	$1,505,760
Approximate FY21 Budget Amendment	**$20,604,260**

We expect that there may be additional costs associated with processing the expected large volume of forms requesting a mail-in ballot. To address that concern, we are exploring whether there are data entry centers available to perform this work. We are in the early stages of exploring this option and do not have any cost estimates to provide.

We also understand that federal funds authorized and appropriated under the Help America Vote Act may be used to supplement our FY21 budget. These federal funds were awarded to states for election security improvements. To date, we have used these funds for SQL licenses, two- factor authentication, network routers for same date registration, network & cyber security consultants, pollbook servers, statewide tabletop exercises, and other related information technology security upgrades and training and we have several contracts using these funds. They include:

- Annual data services for the routers for same day registration – $530,000
- Information security expertise through December 2024 – $4,100,000
- Annual software licenses – $95,000
- Annual software subscription – $245,000

Using these funds for non-election security items means that State funds will be needed to replace the federal funds or our efforts to enhance how we protect our election systems and data will be impacted.

[3] This assumes that 50% of eligible voters will request and vote by mail.
[4] This represents one-half of the estimated costs of the return mail for the two mailings. The local boards of elections pay the full cost of the postage, and we reimburse the local boards for one-half of the postage costs.
[5] Under a current staffing contract, individuals could be recruited to serve as election judges. The lowest hourly rate under this contract is $23.75. The estimate cost assumes that 500 election judges are recruited from current staffing contract and work 17 hours a day.

If you have any questions or would like additional information, please do not hesitate to contact me.

Sincerely,

Linda H. Lamone

Linda H. Lamone
State Administrator

MARYLAND

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

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

Linda H. Lamone
Administrator

Nikki Charlson
Deputy Administrator

Memorandum

TO: State Board Members

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

DATE: July 23, 2020

SUBJECT: Waiver of late filing fees – Persons Doing Public Business, Title 14 of the Election Law Article

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

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

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

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

§ 14-107(c) Late Filing Fees

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

Pursuant to COMAR 33.20.07.01C, the State Administrator has denied 2 late fee waiver request and 1 grant. No Board action is required on the denials.

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

Business Contribution Disclosure System
Waiver Request– Late Fees

Grant/Reduced

1. Adventist HealthCare

Denials

1. O T Neighoff & Sons, Inc.
2. Bricklayers and Allied Craftworkers Local 1 MD, VA

Business Contribution Disclosure System
Waiver Request Information Page – Late Fees

General

Account Name	Bricklayers and Allied Craftworkers Local 1 MD, VA
BID ID:	14000164
Date Established	1/01/2015
Date Waiver Requested	7/13/2020
Account Type	Title 14 – Employing a Lobbyist

Officers

Current Filer	Margaret Giordano	Start Date: 1/01/2015
Principal Officer	Scott Garvin	Start Date: 1/01/2015

Waiver Request Dates

Late Report	Date Received	Fees	Total Fees
5/31/2020 Spring Report	6/07/2020	$80	$80
		$	$
		Total	$80

Prior Waiver and Fees

11/30/16 Fall – Rcvd 12/01/16 $10 late fee, referred to OSP
11/30/15 Fall – Rcvd 12/07/15 $70 late fee, waived

Reason for Waiver

They were not able to access the website. They kept getting denied.

Agency Comments

After speaking to them on the phone I had discovered that the chair of the registered PAC, Todd Buckner, was trying to log in with his information for CRIS in the BCDS. He is not listed as Principal Officer/Filer for the business.

Deny

Bricklayers & Allied Craftworkers
Local #1 MD, VA & DC

July 9, 2020

Mrs. Vicki Molina
151 West Street Suite 200
Annapolis, MD 21401

Dear Mrs. Molina,

My name is Todd Buckner and I'm the Chairman of the PAC Fund with the Bricklayers Local #1 of MD /VA /DC. I'm writing to respectfully request a waiver of the $80.00 fine we were assessed for submitting the Contribution Disclosure Report 5 days late. We made several attempts to log in on time to submit said report and we were denied access to the site each time. Please, if you require any additional information don't hesitate to contact me. Thank you.

Todd Buckner
Field Representative
Bricklayers Local #1
MD / VA / DC
C - 240-216-1854
O - 240-695-9463
Tbuckner@baclocal1.org

Business Contribution Disclosure System
Waiver Request Information Page – Late Fees

General

Account Name	Adventist HealthCare
BID ID:	14000244
Date Established	1/01/2015
Date Waiver Requested	7/14/2020
Account Type	Title 14 – Employing a Lobbyist

Officers

Current Filer	Andrew Nicklas	Start Date: 1/01/2015
Principal Officer	Terry Forde	Start Date: 1/01/2015

Waiver Request Dates

Late Report	Date Received	Fees	Total Fees
5/31/2020 Spring Report	6/09/2020	$175	$175
		$	$
		Total	$175

Prior Waiver and Fees

11/30/16 Fall – Rcvd 12/19, $190 late fee, referred to OSP, late fee paid
5/31/18 Spring – Rcvd 6/1/18, $10 Late fee, referred to OSP, late fee paid
5/31/19 Spring - $500 Late fee, referred to OSP

Reason for Waiver

The lateness of this report is due solely to the overwhelming nature of our COVID19 response. Given the unprecedented nature of these events, I respectfully request a waiver of this late fee.

Agency Comments

Grant

Maryland

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

Late Fee Bill - Waiver Request

1 message

Andrew Nicklas <ANicklas@adventisthealthcare.com> Tue, Jul 14, 2020 at 2:31 PM
To: "vicki.molina@maryland.gov" <vicki.molina@maryland.gov>

Hi Vicki,

I received the attached Late Fee Bill for my contribution disclosure report from Spring of 2020. I filed a report on behalf of Adventist HealthCare 6/9/2020, nine days after the due date. I fully admit that the report was late and apologize for any inconvenience this caused. I respectfully request a waiver of the late fee in light of the exigent circumstances created by the COVID19 outbreak.

As a comprehensive healthcare company, Adventist HealthCare was on the front lines of the response to COVID19. Our three hospitals are located in Montgomery and Prince George's Counties – two of the hardest hit counties in Maryland. Collectively, Our hospitals, on average, had 250 COVID19 patients per day throughout the peak of the epidemic. To meet the demand for this unprecedent viral outbreak, we worked tirelessly to adjust our operations, expand our capacity and maintain our supply chains. This took tremendous effort from our team, often pulling people into new or expanded roles. The impact of COVID19 on our operations cannot be overstated. Unfortunately, the Contribution Disclosure Report was due during this highly disruptive time. As a result, I was simply unable to gather timely contribution information from my executives.

The lateness of this report is due solely to the overwhelming nature of our COVID19 response. Given the unprecedented nature of these events, I respectfully request a waiver of this late fee.

Thank you for your consideration.

Andrew

Andrew R. Nicklas

Deputy General Counsel &

Director of Government Relations

Adventist HealthCare, Inc.

820 W. Diamond Avenue

Gaithersburg, MD 20878

301-315-3215 (office)

301-639-7726 (mobile)

This email and its attachments may contain privileged and confidential information and/or protected health information (PHI) intended solely for the use by Adventist HealthCare and the recipient(s) named above. If you are not the recipient, or the employee or agent responsible for delivering this message to the intended recipient, you are hereby notified that any review, dissemination, distribution, printing or copying of this email message and/or any attachments is strictly prohibited. If you have received this transmission in error, please notify the sender immediately by calling the sender and permanently delete this email and any attachments. Thank You.

Late Fee Bill Spring 2020.pdf
161K

Business Contribution Disclosure System
Waiver Request Information Page – Late Fees

General

Account Name	O T Neighoff & Sons, Inc.
BID ID:	14001121
Date Established	3/27/2020
Date Waiver Requested	7/07/2020
Account Type	Title 14 – Persons Doing Business With the State

Officers

Current Filer	Alan James Hoyas	Start Date: 3/27/2020
Principal Officer	Alan James Hoyas	Start Date: 3/27/2020

Waiver Request Dates

Late Report	Date Received	Fees	Total Fees
5/31/2020 Spring Report	6/07/2020	$40	$40
		$	$
		Total	$40

Prior Waiver and Fees

n/a

Reason for Waiver

They only registered to try and get a contract, which they did not. They didn't know of additional reporting.

Agency Comments

PRN was emailed out on 5/01/2020 and when it was filed, it was marked as Closeout.

Deny

Maryland

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

FW: Late Fee Bill for the 5/31/20 Spring Report

Pat Gill <pgill@otneighoff.com> Tue, Jul 7, 2020 at 1:53 PM
To: "vicki.molina@maryland.gov" <vicki.molina@maryland.gov>

Good Afternoon,

I was wondering if you could help us with. We are so new to this. We did not know we had to file before May 31, 2020. Which ended up with a late fee.

We only registered with The State Board of Elections, because we had a contact with the state and it was required. We ended up not even doing the contract with the State, because of MBE requirements.

Can we get a waiver on the late fees? What do we need to do to not have to file in the future?

Thank you,

Pat

Patricia Gill

Office Manager

410-766-6775-Direct Line

410-766-3000-Office

410-766-5263-Fax

pgill@otneighoff.com

Visit us at www.otneighoff.com

O.T. NEIGHOFF & SONS, INC.
PAINTING & CONSTRUCTION SERVICES

From: Alan Hoyas
Sent: Tuesday, July 7, 2020 11:12 AM
To: Pat Gill <pgill@otneighoff.com>
Subject: FW: Late Fee Bill for the 5/31/20 Spring Report

Alan Hoyas Sr.

President

O.T. Neighoff & Sons, Inc.

410-766-3000

From: info.sbe@maryland.gov [mailto:info.sbe@maryland.gov]
Sent: Tuesday, July 7, 2020 9:30 AM
To: Alan Hoyas <ajh@otneighoff.com>
Subject: Late Fee Bill for the 5/31/20 Spring Report

To Principal Officer and Filer,

This is to notify you that the 5/31/20 Spring Report was received late and that the business has a late fee assessed for this report.

Attached you will find a copy of the Late Fee Bill. You can pay over the phone with a credit card if MasterCard or Visa by calling Vicky Smith at 410.269.2871 or Ebony Parran at 410.269.2922. If by check or money order, make it payable to the State Board of Elections and you can mail it to P.O. Box 6486, Annapolis, MD 21401.

Thank you,

Maryland State Board of Elections

Division of Candidacy and Campaign Finance

Phone: 410.269.2880

Email: infp.sbe@maryland.gov

Late Fee Bill.pdf
157K