

State of Maryland 

State Board of Elections – January 18, 2018 Meeting

Attendees: David McManus, Chair
Patrick J. Hogan, Vice Chair
Michael R. Cogan, Member
Kelley A. Howells, Member
Gloria Lawlah, Member
Linda Lamone, Administrator
Jeff Darsie, Assistant Attorney General
Nikki Charlson, Deputy Administrator
Donna Duncan, Assistant Deputy, Election Policy
Keith Ross, Assistant Deputy, Project Management
Paul Aumayr, Director, Voting System
Jared DeMarinis, Director, Candidacy and Campaign Finance
Stacey Johnson, MDVOTERS Project Manager, Voter Registration Division
Erin Perrone, Director, Election Reform and Management
Sarah Thornton, Technical Writer, Project Management Office
Janey Hegarty, IT Division
Cortnee Bryant, Deputy Director, Election Reform and Management

Also Present: Kevin Keene, Election Director, Harford County Board of Elections
Dale Livingston, Deputy Director, Harford County Board of Elections
Stephanie Taylor, Harford County Board of Elections
Mary Ann Keefe, Member, Montgomery County Board of Elections
Jacqueline Phillips, Member, Montgomery County Board of Elections
Margaret Jurgensen, Election Director, Montgomery County Board of Elections
Alisha Alexander, Election Director, Prince George's County Board of Elections
Guy Mickley, Election Director, Howard County Board of Elections
Lynn Garland
Ralph Watkins, League of Women Voters – Maryland
Richard Tabuteau, Schwartz, Metz & Wise, P.A.

DECLARATION OF QUORUM PRESENT

Mr. McManus called the meeting to order at 2:00 pm and stated that there was a quorum present. He stated that the meeting was being recorded.

RATIFICATION OF MINUTES FROM DECEMBER 2017 MEETING

Mr. Hogan made a motion to ratify the approved minutes from the December 7, 2017, meeting, and Ms. Lawlah seconded the motion. The motion passed unanimously.

ADMINISTRATOR'S REPORT

1. Announcements & Important Meetings

Election Directors' Meeting

On December 21st, we hosted an Election Directors' meeting via conference call, and all local boards participated. Topics included the revised contingency policy for the 2018 elections, general observations on the local boards' disaster recovery plans, electronic pollbook software and printer updates, training on and usage of the new inventory system, and various election supply and material updates. Summaries of the November and December meetings are included in the meeting folder.

Other Upcoming Meetings

On January 26th, the House Ways and Means Committee has scheduled a briefing on election administration and preparations for the 2018 Primary Election. Several SBE staff members and I will provide an update on State and local preparation activities.

The annual meeting of the Maryland Association of Election Officials will be held March 13 – 15, 2018, in Ocean City. The most current agenda and conference registration form are included in the meeting folder.

2. Election Reform and Management

Online Voter Registration (OLVR) - Absentee Ballot Request Page

At the September 29, 2017, meeting, the State Board approved language to request an absentee ballot for the 2018 elections. The “Absentee Ballot Request” page of the OLVR system was updated to reflect those changes. A copy of the screenshot was provided in the meeting folder.

Printing, Inserting & Mailing of Absentee Ballots

The kickoff meeting with the new vendor will be held this month to discuss the schedule of future tasks, ballot definitions, and training for an online portal for SBE and local board of elections’ users to track absentee ballot packets. Various staff from SBE and the vendor will attend the meeting.

Election Judges’ Manual

The local boards have begun customizing and submitting chapters of the *Election Judges’ Manual* to reflect local board-specific processes and supplies. Since some of the local boards begin training election judges in March, it is imperative that chapters are reviewed timely so local boards can begin printing copies of the manual.

3. Voter Registration

MDVOTERS

Software release 6.7 moved into production the weekend of December 16th. This release focused on candidacy enhancements for the February 27, 2018, candidate filing deadline.

Electronic Registration Information Center (ERIC)

ERIC’s newest members are Arizona and Missouri, which brings the total membership to 23.

On October 30, 2017, SBE distributed to the local boards the latest ERIC report for processing. The deadline to process this report was December 12th. The counts for these reports are:

- Cross State Report (another member state has newer information than MD): 14,051
- Potential Duplicates: 176
- In-State Updates (more recent information at MVA): 19,283
- Deceased (according to the Social Security Administration): 587
- NCOA (USPS National Change of Address program): 126,030

On January 2nd, SBE distributed to the local boards the next ERIC report for processing. The deadline to process this report is January 31st. We will report on those numbers at the next board meeting.

MVA Transactions

During the month of December 2017, MVA collected information on the following voter registration transactions:

New Registration: 8,616
Last name changes: 2,007

Residential Address Changes: 13,080
Political Party Changes: 2,788

Non-Citizens

Removal of non-citizens: 7

Removal of non-citizens who voted: 1

Removal of non-citizens who voted multiple times: 0

Non-citizens forwarded to the Office of the State Prosecutor: 7

4. Candidacy and Campaign Finance (CCF) Division

Candidacy

As of January 12th, 374 candidates have filed at SBE for the 2018 Gubernatorial Election. The deadline to file for office is 9 pm on February 27, 2018.

The CCF Division sent to all candidates for State office who filed a certificate of candidacy in 2017 emails and letters stating the need to file a financial disclosure statement by March 1, 2018. Failure to file a financial disclosure statement in the year of the election may result in the candidate's name not appearing on the ballot. The State Ethics Commission also sent out a reminder email.

Campaign Finance

On January 17th, the 2018 Annual Report was due. Currently, the CCF Division has over 2,000 active political committees. Failure to file timely will result in a fine of \$10 per day up to \$500. The late fee must be paid with campaign funds. Over 91% of committees filed timely.

The fundraising prohibition began on January 10th at 12 noon. The prohibition on raising or depositing funds covers the Governor, Lieutenant Governor, Attorney General, Comptroller, and members of the General Assembly. Office holders who are candidates for federal or local office are exempt from the prohibition. Additionally, a candidate that accepts public financing for Governor can fundraise in a limited fashion during session. A memo was sent to all the members of the General Assembly. A copy is in the board folder.

The CCF Division, with assistance of Ms. Bryant, produced a "how to" use MD CRIS video and posted it on YouTube. The video has over 1,000 views so far. This should be a great resource for filers at all hours of the day.

County Public Financing Programs

On December 19, 2017, the following committees filed documents under Montgomery County's public finance program.

1. George Leventhal for Montgomery County filed a request for additional public matching funds. The committee submitted qualifying contributions totaling \$4,321.00 and is eligible to receive \$20,372.00 in public matching funds.
2. Friends of Sidney Katz filed a request for additional public matching funds. The committee submitted 23 qualifying contributions totaling \$2,030.00 and is eligible to receive \$6,410.00 in public matching funds.
3. Friends of Reggie Oldak filed a request for additional public matching funds. The committee submitted 85 qualifying contributions with a monetary aggregate of \$8,100.00 and is eligible to receive \$26,000.00 in public matching.
4. Hoan Dang for County Council filed a request for additional request for public matching funds. The committee submitted 130 qualifying contributions with a

monetary aggregate of \$9,185.00 and is eligible to receive \$30,695.00 in public matching funds.

5. Chris Wilhelm for County Council qualified for public matching funds under the program. The initial request to receive a public contribution was based upon 415 qualifying contributions with an aggregate monetary total of \$26,809.00. On January 2, 2018, the committee submitted a request for additional public matching funds based upon 17 qualifying contributions with an aggregate monetary total of \$1,365.00. The total authorized amount to be distributed for the two reports was \$95,202.00.
6. Neighbors of Evan Glass qualified for public matching funds under the program. The initial request to receive a public contribution was based upon 421 qualifying contributions with an aggregate monetary total of \$29,588.00. The committee is eligible to receive \$100,882.00 in public matching funds.
7. Mohammad Siddique for MoCo filed a request for certification. However, the committee incorrectly entered on the report numerous qualifying contributions. The committee has until January 17th to amend the report for certification.

On January 2, 2018, the following committees filed documents under Montgomery County's public finance program.

8. Ed Amatetti 4 County Council filed a request for additional public matching funds. The committee submitted 7 qualifying contributions totaling \$385.00 and is eligible to receive \$1,630.00 in public matching funds.
9. Gabe Alborno for Council file a request for certification. However, the committee incorrectly entered on the report numerous qualifying contributions. The committee has until January 17th to amend the report for certification.
10. Shruti Bhatnager for Montgomery County filed a request for certification. The committee must amend its certification report. The committee failed to report all contributions received for its initial report. Once the amendment is filed, the report will be reviewed for sufficiency.

Committees may file matching fund requests on the first and third Tuesday of every month.

Enforcement

The following committees paid civil penalties:

1. Friends of Richard Impallaria paid \$100 civil penalty on December 11, 2017, for failing to include an authority line on its website.
2. Friends of David Ellin paid \$100 civil penalty on December 11, 2017, for failing to include an authority line on its website.
3. Larry Hogan for Governor paid \$250 civil penalty on December 28, 2017, for a violation of Election Law Article, § 13-235.
4. Friends of David Sloan paid a \$500 civil penalty on December 15, 2017, for making disbursements of funds with a vacant responsible officer position.

Mr. DeMarinis contacted the Republican Governors Association regarding the need for further information on the firewall. The Association's attorney is gathering the information and will forward it shortly.

5. Project Management Office (PMO)

Inventory: Excess Equipment Disposal

SBE continued to work with the Department of General Services (DGS) and the State's contract recycler to dispose of the TS-R6 voting system. To date, 7,623 TS-R6 units have been picked

up by the recycler.

Inventory System Updates

On December 4th, the local boards received training on and access to making updates and transferring equipment in the inventory test system. Over the next month, the local boards were provided the opportunity to become familiar with the system's functionality to prepare for production go-live date on January 8th. At that time, production update access was provided to those individuals that demonstrated an understanding of how to use the system.

Staffing

The PMO continues to work on the planning for the statewide staffing of temporary election support resources for the 2018 Primary Election as the result of the many issues that have arisen with the staffing procurement process.

Other

SBE continued to work with the Worcester County Board of Elections and the Worcester County administration to resolve the mold issues in the Worcester County Board of Elections' warehouse.

All the equipment and supplies were either cleaned or not cleaned and wrapped. Both the cleaned and not cleaned items were delivered to SBE's Central Warehouse on December 8th. The cleaned equipment and supplies will be transported back to Worcester County when a new warehouse facility is secured. The uncleaned equipment will be disposed of as per DGS' disposal requirements.

On January 16th, the Worcester County Board of Commissioners approved a 3-year lease of a facility for both the local board of elections' office and warehouse. The space approved is less than the combined space that has been in use. A meeting is scheduled this Friday with the Worcester County Administrator and the Election Director for the Worcester County Board of Elections to discuss the logistics and timeline for the move to the new facility. Also scheduled for that day is a tour of the Anne Arundel County Board of Elections' warehouse and SBE's Central Warehouse.

6. Voting Systems

Pre-Primary Testing

Pre-Primary testing is taking place this week and is scheduled to conclude on January 19th. This testing includes updated pollbook software for all the local boards as well as new hardware for Charles and Caroline Counties. This testing also includes refresher training on the rest of the voting system, including updated procedures for the DS850 high-speed central scanner.

This testing has involved a lot of planning and preparation by the voting system team, including the regional managers and the local boards. The test involved selecting of different types of data sets and election scenarios, development of ballots and election databases, data transfers between systems, pollbook databases, updated documentation and processes.

Electronic Pollbooks

The latest software version is being used in the pre-primary testing effort. If the software performs as expected, it will be installed on the pollbooks in the State's inventory and used in the 2018 Primary Election. The first batch of new tablet pollbooks have been acceptance

tested. The remainder of the tablet shipment is expected at SBE's Central Warehouse in February.

7. **Legislation - 2018**

SB 129 - Baltimore County - Polling Place on Campuses - Senator Zirkin.

Requiring the Baltimore County Board of Elections to establish at least one polling place at each public or private institution of higher education in the county that has residential student housing on its campus. Requires implementation by October 1, 2018.

SB 130 - Election of Circuit Court Judges - Nonpartisan Elections - Senator Zirkin.

Establishing a method of electing judges to the circuit court on a nonpartisan basis, without regard to political party affiliation; establishing a primary election for candidates for nomination for a circuit court judgeship to be administered in a certain manner under certain circumstances. Requires implementation by January 1, 2019.

HB 53 - Private Loan to Campaign Finance Entity of Candidate - Prohibited - Delegate Cluster.

Prohibiting a person other than a candidate or the candidate's spouse from making a loan to the campaign finance entity of a candidate. Requires implementation by July 1, 2019.

HB 63 - Ballots - Random Ordering of Names - Delegate Carr.

Repealing the requirement that the names of certain candidates for election be listed in alphabetical order by surname; requiring a local board of elections to conduct a random drawing of the names of the candidates for election to determine the order of names on the ballot; requiring the drawing to be conducted in the manner required by the State Board of Elections; defining "candidate" to include Governor and Lieutenant Governor unit. Requires implementation by July 1, 2019.

HB 152 - Secure and Accessible Registration Act - Delegate Luedtke, *et al.*

Provides that electronic voter registration agencies will automatically register the customer or update the customer's voter registration record unless the customer declines or is determined not to be eligible to register to vote. Requires implementation by July 1, 2019.

Mr. Hogan stated that SB 221 was recently introduced. It would create a 12 year term for the State Administrator but did not establish term limits, and at the end of the term, the incumbent serves until a successor is appointed.

In response to questions from Mr. McManus, Ms. Duncan explained that SBE did not request any department bills and that, when requested, staff members provide administrative and fiscal information on legislation but do not support or oppose legislation without the members of the State Board taking action. In response to questions from Ms. Howells, Ms. Duncan explained that this policy is not in writing and that the departmental bill process is the process by which the agency can address issues with current law. Ms. Duncan stated that the agency generally avoids legislation that changes how an election is administered in the middle of an election cycle.

Ms. Charlson recognized Mr. DeMarinis and the staff members of the CCF Division for their work supporting committees for the recent filing deadline and the Voting System Division and Voter Registration Division, SBE's contract support team, and the local boards of elections during this week's pre-election training effort. Both activities required extensive planning and coordination to implement.

ASSISTANT ATTORNEY GENERAL'S REPORT

Mr. Darsie submitted the following report:

1. *Benisek v. Lamone*, No. 17-333, October 2017 Term (Supreme Court). On December 8, 2017, the Supreme Court granted certiorari to review the denial of the Plaintiffs' Motion for Preliminary Injunction by the three-judge court. The case involves claims that the State's congressional districting map is an unconstitutional political gerrymander. Briefing before the Supreme Court is ongoing and it is expected that oral argument will be scheduled for a date sometime in March. Assistant Attorneys General Sarah Wright and Jen Katz have been representing the State Board in this litigation.
2. *In the Appeal of Kennedy Services, LLC*, MSBCA 3064 (Md. State Bd. of Contract Appeals). On December 28, 2017, the Board of Contract Appeals upheld the bid protest of Kennedy Services challenging the State Administrator's award of a staffing contract to another vendor. A Second Amended Order was issued January 5, 2018, remanding the case to the Procurement Officer "for award of the contract, after obtaining any approval required by law, to the remaining responsible offeror whose proposal is determined to be the most advantageous to the State considering the evaluation factors set forth in the [Request for Proposals] . . ." Order, p. 5. Assistant Attorney General Douglas Carrey-Beaver, Principal Counsel for the Contract Litigation Unit, is representing the State Board in this matter.
3. *In re Petition of the Maryland State Board of Elections*, No. 24-C-17-005677 (Cir. Ct., Baltimore City, January 12, 2018). The State Board on January 18 filed a petition for judicial review of a decision of the Board of Contract Appeals holding that SBE had breached its contract with Star Computer Supply ("Star") when it sought to recover money it had paid Star through an offset against other amounts payable to Star by the State of Maryland under unrelated contracts. Assistant Attorney General Jonathan Pomerance is representing the State Board.
4. *Fusaro v. Davitt et al.* (U.S. District Court, D. Md.). Plaintiff Dennis Fusaro has 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. The State defendants are preparing a motion to dismiss the complaint, due January 26, arguing that the statute governing access to Maryland's voter registration list is constitutional. Assistant Attorney General John Grimm is representing the State Board in this litigation.
5. *Claudia Barber v. Maryland Board of Elections*, No. C-02-CV-17-001691 (Cir. Ct. Anne Arundel Cnty.) The Circuit Court on January 11, 2018, granted the State defendants' motion to dismiss the complaint. Ms. Barber sought damages and judicial review of, among other things, the State Board's decision not to issue a declaratory ruling permitting her to use campaign funds to pay for litigation costs she incurred in her unsuccessful attempt to retain her position as an administrative law judge in the District of Columbia. Ms. Barber was ruled ineligible for that position due to her candidacy in 2016 for Judge of the Circuit Court for Prince George's County, Maryland. Assistant Attorney General Jen Katz represented the State Board in this litigation.

In response to a question, Ms. Lamone explained that the Court of Appeals heard arguments challenging the qualifications of a Prince George's County Circuit Court judge who was elected in 2016. No decision has been issued.

APPROVAL OF REQUESTS FOR WAIVERS OF LATE FEES AUTHORIZED BY TITLE 14

Mr. DeMarinis presented a request from the American Federation of State, County and Municipal Employees to waive \$10 in late fees incurred by the committees.

Ms. Lawlah made a motion to approve the request from American Federation of State, County and Municipal Employees, and Mr. Hogan seconded the motion. The motion passed unanimously.

APPROVAL OF REQUESTS FOR CONFIDENTIALITY

Mr. DeMarinis presented requests from four voters to designate certain information confidential and protected from public disclosure. Three of the voters are sitting judges, and the fourth voter is person being threatened. Mr. DeMarinis stated that there was not a document to prove the threat.

Ms. Howells made a motion to grant the requests from the sitting judges and table the request from the fourth voter until SBE has proof to establish the threat, and Mr. Cogan seconded the motion. The motion passed unanimously.

FAIR CAMPAIGN FINANCING FUND – 2018 CERTIFICATION OF FUNDS

Mr. DeMarinis referenced a handout explaining how the expenditure limit for the Fair Campaign Financing Fund for the 2018 election is calculated. The formula is established in Election Law Article, § 15-105 and includes adjusting for inflation the expenditure per Maryland resident. Mr. DeMarinis stated that the calculated expenditure limit for the 2018 elections is \$2,798,369.83.

Ms. Lawlah made a motion to certify that \$2,798,369.83 is the expenditure limit for the Fair Campaign Financing Fund 2018 elections, and Mr. Hogan seconded the motion. The motion passed unanimously.

FINAL ADOPTION OF PROPOSED REGULATIONS

Mr. DeMarinis reported that the proposed regulations adopted at the September 2017 meeting were published in the November 13, 2017, edition of the *Maryland Register* (Vol. 44, Issue 23). The public comment period closed on December 13, 2017, and no public comments were received.

Ms. Howells made a motion to adopt the proposed regulations as published, and Mr. Hogan seconded the motion. The motion passed unanimously.

2018 ELECTION – CHANGE TO EARLY VOTING CENTER – HARFORD COUNTY

Ms. Perrone presented a replacement early voting center for Harford County for the 2018 elections. The previously approved center, The University Center (formerly HEAT Center), is no longer available, and the Harford County Board of Elections proposed the Aberdeen Senior Center as the replacement center. The replacement center is located close to the previously approved center. Since the proposed replacement center meets the applicable requirements for early voting centers, Ms. Perrone recommended accepting the replacement early voting center proposed by the Harford County Board of Elections.

Kevin Keene, Election Director for the Harford County Board of Elections, stated that renovations to The University Center mean that it is not available for use in the 2018 election and that the proposed replacement center is more centrally located. According to Mr. Keene, the County will move to another senior center the activities scheduled at the Aberdeen Senior Center during the early voting period.

Ms. Lawlah made a motion to replace The University Center with the Aberdeen Senior Center for the 2018 elections, and Mr. Hogan seconded the motion. The motion passed unanimously.

ONLINE BALLOT DELIVERY SYSTEM – REVIEW OF TEXT

Ms. Charlson referenced a handout with screenshots from the online ballot delivery system used in the 2016 elections and reviewed the suggested changes for each screenshot. She explained that the suggested changes on the “Decide how to make your voting selections” page reflect the language proposed by Ms. Howells at the August 2017 meeting.

There was discussion about whether the checkbox on the “Decide how to make your voting selections” page should remain, and the consensus was to keep the checkbox and revise the statement associated with the checkbox to include references to secrecy of the ballot when a voter marks his or her ballot online with a computer.

Ms. Howells proposed additional changes on the “Welcome to Maryland’s Online Ballot Delivery System” and “Read About Your Two Options” pages and expressed her concern that the words “mail” and “postmark” lead users to believe that mailing is the only option to return a voted ballot. She shared that she delivers her voted ballot because she distrusts the U.S. Postal Service. Ms. Charlson explained that each voter prints with the voted ballot detailed instructions on how voted ballots can be returned.

In response to a question from Mr. McManus, Ms. Charlson explained that usability experts from the University of Baltimore had reviewed and tested the language used in the online ballot delivery system, including the screenshots being reviewed. Mr. McManus stated his desire to retain the tested language unless voters have had problems because of the language.

After discussion, Ms. Charlson reviewed the agreed-upon changes.

1. On the “Welcome to Maryland’s Online Ballot Delivery System” page, delete the sentence “State law says that ballots must be mailed” and update the postmark and received dates
2. On the “Read About Your Two Options” page, change “login” to “log in”
3. On the “Decide how to make your voting selections” page, rewrite the sentence after the checkbox to reference secrecy of ballots when voters mark ballots using their computer.

Ms. Charlson will distribute updated screenshots for final review to ensure that the language is translated and ready to be included in the February software release.

2018 ELECTIONS – USE OF BALLOT STUBS

Ms. Duncan referred the members of the State Board to a table showing each local board’s response to a survey on the use of ballot stubs and a summary of the local boards’ responses to the questions about when to implement ballots without stubs and the impact this change will have on ballot management and accounting processes.

Mr. McManus stated that, based on the local boards’ responses to the survey, ballot stubs be used for the 2018 elections and changes be made for the 2020 elections. Mr. Hogan stated his preference of ballots without stubs.

OLD BUSINESS

Proposed Motion: Security Awareness

Mr. Cogan stated that Mr. Darsie had confirmed that the members of the State Board could meet in closed session to discuss security issues related to election administration. Mr. Darsie explained that, although there is not a specific exemption in the Open Meetings Act for security, there are exemptions that allow a closed meeting to discuss information systems.

Mr. Cogan made a motion to adopt the proposed motion on security awareness¹, and Mr. Hogan seconded the motion. The motion passed unanimously.

Sharing Information with Board Members

Ms. Charlson explained that there is a process to review and if appropriate, distribute correspondence addressed to members and the failure to distribute the email received in August was an oversight. She also reiterated staff members' efforts to distribute board meeting materials one week before each meeting and noted that those efforts have generally resulted in timely meeting materials.

Ms. Howells recommended a log of all correspondence for members of the State Board and the creation of individual email accounts for the board members. Mr. Hogan stated that he did not support individual email accounts as he believes that correspondence should be sent to all board members, not just certain members chosen by the individual. Mr. Hogan also stated that he did not want another email account to check. Mr. McManus suggested that the current processes remain in place and be monitored.

Ballot Duplication Software – Certification & Contract Requirements

Ms. Howells stated that the Prince George's County Board of Elections had not used SBE's ballot duplication software since the 2012 elections and she expressed interest in the speed of the recently procured ballot duplication software and whether this system needed to be certified. In response to a question, Mr. Darsie stated that he has not looked into whether certification of the recently procured ballot duplication software is required and whether the local boards using different ballot duplication software violates the statutory requirement of a uniform voting system. Mr. Darsie agreed to do so and will provide the board members with an estimated time frame for providing this advice. He stated that he understood that SBE staff had been mindful of a previous Opinion of Attorney General on certification of the online ballot marking tool when developing this procurement. Mr. Darsie will provide Ms. Howells with a copy of the relevant Opinion of the Attorney General as he thought it may be helpful for understanding what is part of a "voting system" and what is not.

Ms. Howells stated that State law is ambiguous about whether Internet delivery of absentee ballots is required or permitted. Mr. Darsie recalled that it was the intent of the legislature to make Internet delivery available to all voters and it was the voter's decision as to how to receive his or her absentee ballot.

Ms. Howells expressed concern that the combination of unrestricted use of absentee ballots and universal availability of internet ballot delivery was taking control away from the board of elections. In theory there is nothing in place to stop the electorate from moving to a mail-it-in election for which we aren't prepared. She speculated that as computer savvy kids mature and

¹ The motion as proposed by Mr. Cogan and amended at the August 24, 2017, meeting is:

Recognizing that security of the voting system is of paramount concern to the public, and that the Board must – in faithful discharge of their duties – be fully aware of security issues, the Board directs that the Administrator brief the Board on security issues in January, April, July, September (only in an election year), and October of each year, and additionally as significant security issues arise, or as requested by an Board member. Security includes but is not limited to cyber, personnel, equipment and physical matters, and also includes security issues relating to voter systems or election processes of other states. Given that security issues are, by their nature, sensitive and confidential matters, these briefings will be provided only in closed meetings, unless the Administrator determines that a given matter is suitable for discussion in the open meeting.

become voters, the use of internet ballot delivery will take off, and she questioned whether local boards would be able to handle the burden of duplicating these ballots if there is a sharp increase.

Mr. Hogan asked whether the opinion of the local boards on this process had been obtained and that the goal is to make voting as easy to vote as possible. If the process may strain budgets, Mr. Hogan suggested asking for more resources. Ms. Jurgensen stated that in Montgomery County, the growth is in early voting, with voters transitioning from election day voting to early voting. She stated that absentee turnout remains flat, but that internet ballot delivery has been increasing and climbed to 40% of all absentee ballots from the 2016 General Election. Ms. Jurgensen stated her concerns about the canvass process and ability to certify elections but if more ballots need to be duplicated, election officials will make it happen. Ms. Charlson agreed to provide data on the use of the online ballot delivery system.

Non-Citizens – Registering and Voting

Ms. Howells stated that, in order to measure the problem, she wants to collect and share data on how many non-citizens are registered to vote and voting and where these individuals registered. She stated that the Election Director for the Prince George's County Board of Elections was not aware of the requirement to report information on non-citizens registered to vote and as a result, wants each Election Director to acknowledge that they understand the reporting requirements.

Ms. Charlson stated that the local boards had been notified of the requirement to report non-citizens registered to vote and a reminder article will be published in the upcoming newsletter issued by the Voter Registration Division. Ms. Johnson stated that in 2018, MDVOTERS will have the ability to capture the reason for a cancellation and one of the reasons will be cancellation because the voter is not a U.S. citizen. Mr. Darsie stated that federal law requires reporting on certain types of cancellations, and because there is no federal reporting requirement on citizenship, election officials have not historically captured and reported this information.

Ms. Duncan referred to a table in the board meeting folder showing the types of list maintenance reports election officials receive, the frequency of the reports, and how the reports are delivered.

NEW BUSINESS

There was no new business.

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

Mr. Hogan reported that, on January 4, 2018, he contributed \$100 for Manno for Congress, and on January 8, 2018, he contributed \$500 to Friends of Mike Busch and \$500 to Marylanders for Mike Miller. Mr. Cogan reported that he contributed \$186 to Hogan for Governor. Ms. Howells reported that she contributed \$100 to Hogan for Governor and \$50 to Tamara Davis Brown for Prince George's County. Ms. Lawlah reported that she contributed \$200 to Citizens for Adrienne Jones, \$200 to Friends of Twanna Gaines, \$300 to Ed Kasemeyer for Senate, and \$500 to Friends of Maggie McIntosh.

CONFIRM NEXT MEETING

The next meeting is scheduled for Thursday, February 22, 2018, at 4 pm.

ADJOURNMENT

Ms. Lawlah made a motion to adjourn the open meeting, and Mr. Hogan seconded the motion. The motion passed unanimously. Mr. McManus adjourned the meeting at 4:14 pm.