

ELECTION OFFICE

Stephanie Taylor
Director

Kimberley H. Slusar
Deputy Director



ELECTION BOARD

Allison W. McCord, President
Joseph N. Price, Vice President
James C. Richardson, Member
Michael A. Dykes, Member
Carolyn F. vanRoden, Member

Brian K. Young, Esq., Board Counsel

AGENDA

Harford County Board of Elections
133 Industry Lane, Forest Hill, MD 21050
June 21, 2023
5:00 p.m.

- 1) Call to Order; Declaration of Quorum
- 2) Swearing in of the Board Members
- 3) Election of Board Officers
- 4) Welcome Members and Guests
- 5) Approval of Minutes
 - o May 30, 2023, Regular Meeting
- 6) Request Additions or Changes to the Agenda
- 7) Election Office Report
- 8) Board Attorney's Report
- 9) Old Business
- 10) New Business
 - o Board Counsel Contract Renewal
 - o Bylaws
 - o Set the Next Meeting Date
- 11) Confirmation of Next Meeting
- 12) Members' Time
- 13) Closed Session*
- 14) Adjournment

NEXT MEETING: TBD

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

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HARFORD COUNTY BOARD OF ELECTIONS
MINUTES
May 30, 2023

PRESENT:

Board:	Staff:
Allison W. McCord, President	Stephanie Taylor, Director
Joseph N. Price, Vice President	Kimberley Slusar, Deputy Director
James C. Richardson, Secretary	
Michael Dykes, Democratic Member	
Carolyn F. vanRoden, Democratic Member	
Brian K. Young, Esq., Board Counsel	

QUORUM:

Ms. McCord called the meeting to order at 5:05 pm and determined there was a quorum with at least one member of the minority party being present.

Karen Perry and Barbara Salvatore from the staff were present at the meeting and Joe Cowan was present from the public.

Ms. McCord welcomed everyone and thanked the guests for coming to the Board Meeting.

APPROVAL OF MINUTES:

The April 26, 2023, Regular Meeting minutes were presented, there were no corrections or additions to the minutes and Ms. McCord asked for a motion to accept the minutes. Mr. Richardson made a motion to accept the minutes and Mr. Price seconded the motion. The motion passed unanimously.

ADDITIONS OR CHANGES TO THE AGENDA:

There were no additions or changes to the agenda.

ELECTION OFFICE REPORT:

Ms. Taylor gave the Administration update.

Ms. Taylor gave the Staff update.

Ms. Taylor gave the Election Operations update.

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Ms. Perry gave the Election Judge update:

Mr. Richardson asked if the return judge bonus was in the budget. Ms. Taylor said it was not, but the budget included a 5th Early Voting Site and according to the current active voter total we most likely will not need the additional site. Mr. Dykes asked if there was a contingency plan if the 5th Early Vote Site was required. Ms. Taylor said she had already been in contact with the County, and they were aware of the possibility.

Ms. Taylor gave the Voter Registration update.

Ms. McCord asked what states had left ERIC. Ms. Taylor said she did not know. Ms. McCord asked if there had been any notifications from the State Board of Elections regarding the status of ERIC. Ms. Taylor stated that Maryland was staying with ERIC. Mr. Price asked if the Boards of the LBEs could vote to use ERIC or not. Ms. Taylor said that was a function only for the State Board of Elections.

Ms. McCord inquired about the most interesting aspect of the MAEO Conference. Ms. Perry talked about how the Forms class demonstrated ideas to enhance and prepare forms the public would understand. Ms. Taylor also mentioned the De-escalation class that was taught. Mr. Richardson talked about the Mail-In Ballot class he attended. He explained that Utah and Oregon were doing all Mail-In Ballot Elections. Ms. Taylor expressed the cost savings a full Mail-In Ballot election would have, i.e., personnel, equipment, time, etc. Mr. Richardson said if things are going to change, we need to do it for the better. He said he saw all the amazing technology on display at the conference and was amazed by their capabilities.

Ms. Taylor gave the Upcoming Events timeline.

BOARD ATTORNEY'S REPORT:

There was no report. Mr. Young expressed his appreciation to the Board for their work over the past four years.

OLD BUSINESS

There was no old business this month.

NEW BUSINESS:

Mr. Price made a motion to change the June's Board meeting to June 21st. This was seconded by Mr. Dykes and unanimously approved. Ms. Taylor said the Clerk of the Court would also be in attendance to swear in the new Board.

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Ms. Taylor made a presentation to Ms. McCord and Ms. vanRoden expressing thanks for their service and dedication to the Harford County Board of Elections. Mr. Richardson requested the minutes reflect their great contribution to our office.

Ms. McCord said she had been in this position for eight years, which consisted of interesting times, but it was a great learning experience. She wanted to thank Ms. Taylor stating Ms. Taylor had grown into the role as the Director of Harford County Board of Elections. She said Ms. Taylor was a benchmark Director. Ms. McCord also wanted to recognize Mr. Young for his services over the past eight years. She said he was steadfast to the Board and his level of service and expertise was above any other Board Counsel in the state. Ms. McCord said she appreciated what he had done. Ms. McCord turned over her keys to the cabinet that holds the Closed Session Minutes to Mr. Dykes.

Mr. Robert S. McCord, Director of Administration for Harford County arrived at the meeting on behalf of Mr. Robert G. Cassilly, Harford County Executive. Mr. McCord presented a Harford County citation to Ms. McCord.

CONFIRMATION OF NEXT MEETING:

Ms. McCord confirmed that the next Board Meeting would be June 21, 2023, at 5:00 pm.

MEMBERS TIME:

Ms. McCord and Mr. Richardson attended the Republican Central Committee's Lincoln/Reagan Dinner on May 24, 2023, for \$170 each. Mr. Price attended this dinner as well, but no cost was incurred.

CLOSED SESSION:

There was no closed session at this meeting.

ADJOURNMENT:

Mr. Dykes made a motion to adjourn the meeting and Mr. Price seconded. The Board unanimously approved, and the regular meeting adjourned at 5:35 p.m.

Respectfully submitted,


Michael A. Dykes, President

Stephanie L. Taylor
Director

Kimberley H. Slusar
Deputy Director



Michael A. Dykes, Member
Christina K. Bracknell, Member
Marquita McMillan, Member
Joseph N. Price, Member
James C. Richardson, Member

Brian K. Young, Esq., Board Counsel

**HARFORD COUNTY BOARD OF ELECTIONS
ELECTION OFFICE REPORT
June 21, 2023**

Administration:

- We are getting ready for the budget 2023 fiscal year end.
- The construction on all the closets is complete.
- All state employee performance evaluations are complete and sent to HR.

Staff Updates:

- None

Election Operations

- We are conducting staff planning sessions to prepare for the 2024 election cycle.
- We are creating instructional web forms for our Election Day Support Staff (EDSS) to help them perform their duties more efficiently on Election Day
- Havre de Grace's municipal election falls during Early Voting. They have been informed that we can supply them with equipment but not office staff to help throughout the day.
- Polling place surveys have begun.

Election Judges:

- The Judge team and IT team created the first of many training videos, called "How to Spoil a Ballot."
- We sent out webforms to the election judges from the 2022 election cycle to ask if they will be returning for the 2024 election cycle. We are updating the polling place assignments and jobs as we get their responses.
- The election judge master sheet was updated with all the polling place changes/updates.
- We updated the website and election judge brochure with the new judge pay.
- We completed the last of our Meet & Greet sessions. We will resume in late August.
- We are in the process of creating and completing new election judge training documents.
- We are continuing to review/update files, forms, and Smartsheets in preparation for the 2024 election.

Voter Registration

May

- List Maintenance
 - Social Security verifications – 17
 - Inactivated – 96
- DHMH (Deceased) list through the Maryland Department of Health
 - Received 5/17 and cancelled 5/23 – 131 records.
- AOC List (Felons) – 7 (Cancelled through List Maintenance on 6/8/23)

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- ERIC Reports
 - Deceased – 5
 - In-State Duplicates – 5
- Address Change Postcards – 868
- Cancelled for Non-citizenship – 3
- Volume from Electronic Voter Registration Applications (EVRAs) – 3218
 - Voter Registration Applications – 3197
 - Mail-in Ballot Applications – 21

Current as of 6/13/23

Received and processed ERIC NCOA, Cross State, and In State Update reports. We continue to receive documents from the Jury Commissioner at least once a week and process regular mail.

Upcoming Events:

- June 23rd to 28th – Stephanie and Stephen to attend the iGO conference.
- June 29th – Staff to meet with a representative from Maryland Supplement Retirement Plans
- July 6th – Sharon Jacobs will bring 20 to 25 middle to high school students to learn civics and the importance of voting.
- July 12th – MAEO Mail-in ballot committee meeting
- July 13th – We will host SBE's regional VR training.
- July 18th – Department of Homeland Security to review our security assessment.
- July 20th – Director's meeting

Harford County Board of Elections

Contractual Agreement

General Legal Services

This agreement is made as of this 21st day of June, 2023, by and between the Harford County Board of Elections ("Board") and Brian K. Young (Counsel).

Counsel represents and warrants that he is a registered voter of Harford County and is duly admitted to practice law in Maryland.

"General Legal Services" to be performed by the Counsel are as follows;

1. Provide knowledgeable legal counsel to the Harford County Board of Elections;
2. Attendance at all Board meetings;
3. Attendance at State Board of Elections Biennial Meetings as required by Registration and Election Laws of Maryland § 2-104;
4. Attendance at Maryland Association of Election Officials' (MAEO) Annual Conferences;
5. Participate in pre-election conference calls hosted by the State Board of Elections;
6. Review major policy guidelines and instructions from the State Board of Elections;
7. Generally be available to provide advice when needed;
8. Preparation and/or review of routine correspondence; and
9. Presence at the Harford County Board of Elections Office on Election Days (not including Early Voting days) from 7 p.m. until completion of the return and upload of Election Day votes; and otherwise available by phone or electronic means at other times during Election Days (including Early Voting).

Counsel is expected to perform the general services listed above for the sum of \$5,500 per year (\$458.33 per month). Services other than those outlined in items 1-9 above will be billed at the rate of \$200 per hour, with prior approval and authorization of the Board.

This Agreement shall last for one year from the start date of July 1, 2023.

IN WITNESS WHEREOF, the parties hereto set forth their hands and seals on the year and date first above written.


Witness


Attorney


Witness


Harford County Board of Election
By: President

BYLAWS OF THE HARFORD COUNTY BOARD OF ELECTIONS

TABLE OF CONTENTS

ARTICLE 1 – ADOPTION OF BYLAWS GENERALLY	2
Section 1.1 – Definitions	2
Section 1.2 – Purpose	2
Section 1.3 – Adoption and Amendment of Bylaws.....	2
ARTICLE 2 – ORGANIZATION OF THE BOARD	2
Section 2.1 – New Members	2
Section 2.2 – Officers	3
Section 2.3 – Board of Canvassers	3
ARTICLE 3 – MEETINGS	3
Section 3.1 – Time and Location.....	3
Section 3.2 – Rules of Order	4
Section 3.3 – Meeting Agenda and Minutes	5
ARTICLE 4 – RULES OF CONDUCT	6
Section 4.1 - Attendance	6
Section 4.2 – Political Activity	6
Section 4.3 – Ethics	7
Section 4.4 – Resignation and Vacancies	7
Section 4.5 – Level of Effort.....	8
Section 4.6 – Fiduciary Duty to the Board.....	8
Section 4.7 – Non-Disclosure/Confidentiality	8
ARTICLE 5 – ROLES AND RESPONSIBILITIES.....	8
Section 5.1 – The Board.....	8
Section 5.2 – The Election Director and Staff.....	8
Section 5.3 – Counsel to the Board.....	8
Section 5.4 – Personnel Management	9
ARTICLE 6 – MISCELLANEOUS.....	9
Section 6.1 – Membership in MAEO.....	9
Section 6.2 – Training and Continuing Education.....	9
Section 6.3 – Public Information Act	9
Section 6.4 – Litigation	9
Section 6.5 – Reimbursement for Travel and Expenses	9
SIGNATURES	10
APPENDIX 1.....	11

BYLAWS OF THE HARFORD COUNTY BOARD OF ELECTIONS

ARTICLE 1 – ADOPTION OF BYLAWS GENERALLY

Section 1.1 – Definitions

- A. “Absence” means a duly appointed member is not present at or able to take part in a meeting.
- B. “Board” means the local board of elections for Harford County.
- C. “Member” includes a regular member of the Board unless a specific reference to a regular member is provided.
- D. “Board term” means the four-year term beginning the first Monday in June in the year immediately following a gubernatorial election.
- E. “Vacancy” means the position of a duly appointed member who was removed, died, or resigned from the Board.

Section 1.2 – Purpose

These bylaws, adopted by the members of the Harford County Board of Elections, provide the rules of governance for the Board during the conduct of all duties assigned under State and federal laws, regulations, and guidelines and policies of the State Board of Elections (SBE). Further, these bylaws set a standard of personal conduct for members of the Board requiring them to conduct themselves in accordance with high ethical standards to assure the public that members act independently of partisan pressures and conflicting interests and make decisions that are not influenced by personal views regarding any political party. The Harford County Board of Elections is to provide all eligible citizens of Harford County convenient access to voter registration; to provide all registered voters accessible locations in which they may exercise their right to vote; to ensure uniformity of election practices; to promote fair and equitable elections; and to maintain registration records, campaign fund reports, and other election related data accurately and in a form that is accessible to the public as permitted by law.

Section 1.3 – Adoption and Amendment of Bylaws

- A. Initial Bylaws Approval. Bylaws shall be reviewed and approved by a majority vote of the full Board at the third meeting of each new Board term or as soon as practical thereafter.
- B. Effective. These bylaws are effective and binding on all members as evidenced by each member’s signature on this document.
- C. New Member. When a new member is appointed to fill a vacancy during a Board term, the new member must sign the bylaws.
- D. Amendments. To amend the bylaws:
 - 1. Each proposed amendment must be presented to the Board at a regularly scheduled meeting of the Board for the Board’s review, discussion, and any revisions.
 - 2. At the next regularly scheduled meeting of the Board, a motion to adopt the amendment, including any revisions made when the proposed amendment was initially presented, must be adopted by at least three members of the Board.
- E. Forward to SBE. A copy of the approved bylaws and any amendments shall be sent to SBE for review and approval.
- F. Effective date. Any amendment to the bylaws shall take effect on the date at which SBE approves the amended bylaws.

ARTICLE 2 – ORGANIZATION OF THE BOARD

Section 2.1 – New Members

New members shall be sworn in by the Clerk for the Circuit Court for Harford County or the Clerk’s duly appointed designee within 30 days of receiving the commission of appointment from the Governor.

BYLAWS OF THE HARFORD COUNTY BOARD OF ELECTIONS

Section 2.2 – Officers

- A. Election of Officers. The Board shall elect, by a majority vote a member to serve as President, a member to serve as Vice President, and a member to serve as Secretary.
- B. Timing of Election. The election of officers shall occur within:
 - 1. The first 20 days of a new Board term; or
 - 2. The first 30 days after the date on which an officer dies, resigns, is removed, or become ineligible, or at the next regularly scheduled Board meeting, whichever is sooner.
- C. Duties – President. The duties of the President include:
 - 1. Presiding at meetings and setting agendas with the assistance of the Election Director;
 - 2. Along with the Election Director, serving as the Board’s spokesperson for media inquiries or appointing an appropriate designee to serve as the contact for media inquiries; and
 - 3. Acting as the Board’s primary point of contact for the Election Director.
 - 4. Ensuring that all public business is conducted in compliance with the Open Meetings Act.
- D. Duties – Vice President. The Vice President shall:
 - 1. Perform the duties of the President if the President is unable to carry out the assigned duties until a new President can be elected or the President is able to resume full duties.
- E. Duties – Secretary. The Secretary shall ensure that minutes are accurately compiled and transmitted to SBE.

Section 2.3 – Board of Canvassers

- A. Membership. As required by § 11-301(a) of the Election Law Article, the members shall serve as the Board of Canvassers following each election.
- B. Applicability. These bylaws remain in effect while the members are serving as the Board of Canvassers.
- C. Officers. The Board shall elect, by a majority vote of the members, a President and a Secretary of the Board of Canvassers.
- D. Oath. The members shall take an oath, administered and recorded by the Clerk of the Circuit Court for Harford County or the Clerk’s duly appointed designee, to canvass and declare the votes cast truthfully and to perform other duties required by law. The Clerk of the Circuit Court or his or her designee shall administer the oath:
 - 1. Before the start of early voting if there is early voting; or
 - 2. By 5 pm on election day if there is no early voting.
- E. Requirements. In order to take action as a Board of Canvassers, there shall be:
 - 1. A quorum, as defined in § 3.2A below; and
 - 2. A member of the minority party present.
- F. Rules. The Board shall follow at all canvassing sessions the rules of order established under § 3.2 below and rules for minutes established under § 3.3 below.
- G. Governing Authority. The Board shall conduct the canvass pursuant to State law, regulations, and instructions issued by SBE.

ARTICLE 3 – MEETINGS

Section 3.1 – Time and Location

- A. Regular Meetings. Unless circumstances dictate otherwise, the Board shall meet every month at 5:00 p.m. on the fourth Wednesday of the month.
- B. Location. Unless the President sets an alternate location advertised in advance, meetings will be held in the election office.
- C. Notice. Except as provided in § E below, public notice of regular meetings shall be given at least one week prior to the meeting.

BYLAWS OF THE HARFORD COUNTY BOARD OF ELECTIONS

- D. **Cancellation of Regular Meeting.** The President may cancel a regular meeting of the Board if he or she determines that there is no new business that needs to be shared with or acted upon by the Board.
1. Notice of cancellation for lack of new business or the inability of a quorum of members to attend shall be given at least one week prior to the meeting if those circumstances are known at that time.
 2. Notice of cancellation for lack of a quorum or circumstances arising during the week before the meeting shall be given as soon as practicable after the reason is known.
- E. **Special Meetings.** The President may call a special meeting. Except for meetings convened to address issuing that arise during an election, including early voting, election day, and canvassing, the Board shall not take any votes at a special meeting unless three days prior notice has been given to all members, staff and the public.

Section 3.2 – Rules of Order

A. Quorum

1. Quorum for meetings when the Board is not constituted as the Board of Canvassers.
 - a. There shall be a quorum to hold a meeting.
 - b. A quorum of the Board shall consist of a majority of the membership, including at least one member of each principal political party.
 - c. If there is a vacancy, a quorum shall consist of a majority of members currently serving on the Board.
 - d. There shall be no effect on the quorum when a member abstains or declines to vote or if a member is disqualified from participating under § 4.3 below.
2. Quorum for meetings when the Board is constituted as the Board of Canvassers.
 - a. There shall be a quorum to hold a meeting.
 - b. A quorum of the Board of Canvassers shall consist of a majority of the membership, including at least one member of each principal political party.
 - c. If there is a vacancy, a quorum shall consist of a majority of members currently serving on the Board.
 - d. There shall be no effect on the quorum when a member abstains or declines to vote or if a member is disqualified from participating under § 4.3 below.

B. Participation in Meetings

1. Any member may make and second motions.
2. Any regular member can vote on motions.
3. Public participation at a meeting shall be pre-scheduled and pre-approved by the President. The President, at his or her discretion, may allow public participation even if the request was not pre-scheduled and pre-approved.
4. Participation at meetings should be in person, not via phone or video conferencing. Any request by a member to attend a meeting via phone or video conferencing must be made to the President.

C. Open Meetings Act Compliance

1. The Board shall follow the requirements of the Open Meetings Act as specified under Title 3 of the General Provisions Article.¹
2. For the purposes of the Open Meetings Act:
 - a. There is a quorum when a majority of the members meet in person, by phone, or other means (including email) and discuss a matter that is not an administrative function

¹ For information and guidance on the Open Meetings Act, see the Compliance Checklist and other resources on the open meetings page of the Attorney General's website. See www.marylandattorneygeneral.gov/Pages/OpenGov/Openmeetings/default.aspx.

BYLAWS OF THE HARFORD COUNTY BOARD OF ELECTIONS

- b. Three members constitute a quorum, regardless of their respective political affiliations.
3. At least one member (preferably two members) shall be trained in the Open Meetings Act².
 - a. Any member who is trained on the Open Meetings Act shall provide the Election Director with a certificate of completion.
4. A Board cannot meet in closed session if none of the members has been trained on the Open Meetings Act.
5. In the absence of the trained member, a Board may not meet in closed session until the presiding officer has completed the Compliance Checklist (see footnote 1).
6. A quorum may not consider public business without giving reasonable advance notice to the public of an open meeting.

Section 3.3 – Meeting Agenda and Minutes

- A. Agenda. Each regular Board meeting shall include, at a minimum, the following agenda items:
 1. Declaration of Quorum Present
 2. Approval of Prior Meeting Minutes
 3. Additions to the Agenda
 4. Election Director's Report
 5. Board Attorney's Report
 6. Old Business (including specifically identifying any policies affecting voting rights to be considered at the Board meeting)
 7. New Business (including specifically identifying any policies affecting voting rights to be considered at the Board meeting)
 8. Confirmation of Next Meeting
 9. Closed Session (if needed)
 10. Adjournment
- B. Additional Topics.
 1. The President, at his or her discretion, may add before the meeting additional topics.
 2. If the new topic is identified at least one day before the meeting, the agenda should be updated to reflect the new topic and re-posted.
- C. Duties of Election Director. The Election Director or the Director's designee shall:
 1. Before each meeting (and, where policies affecting voting rights will be considered, at least 48 hours before the meeting), make the agenda available to the public;
 2. At each meeting, provide a written report of the office's activities since the last meeting, including information on personnel changes, meetings attended, significant correspondence received, voter registration activities, voting system activities, candidate filings, precinct and polling issues, and other projects or initiatives undertaken by the office;
 3. At each meeting, provide a verbal summary of the office's activities since the last meeting;
 4. Except as provided in § D(2) below, prepare minutes for both open and closed meetings; and
 5. Transmit to SBE approved meeting minutes within five days of approval.
- D. Minutes.
 1. Minutes shall be prepared in accordance with SBE's *Guidelines for Conducting Meetings and Writing Minutes*³.

² This training is available at https://www.igrs.umd.edu/VLC/OMA/class_oma_title.php.

³ This document is available on SBE's Online Library under "LBE Resources" and "Reference Materials."

BYLAWS OF THE HARFORD COUNTY BOARD OF ELECTIONS

2. If the Election Director or staff does not attend a closed meeting, the Secretary shall prepare the minutes from the closed meeting.
3. Full minutes of open meetings and summaries of closed meetings shall be presented for approval at the next Board meeting.
4. Full minutes of closed meetings shall be presented for approval at the next closed meeting held by the Board meeting.
5. After approval, minutes of a closed meeting shall be stored in a sealed envelope in a secure location that only the Board Secretary and one other Board member can access.

ARTICLE 4 – RULES OF CONDUCT

Section 4.1 - Attendance

- A. **Minimum Attendance.** As provided under § 8-501 of the State Government Article, a member who fails to attend at least 50% of the meetings during any consecutive 12-month period shall be considered to have resigned.
- B. **Attendance Report.** Within 30 days of the conclusion of the 12-month period during which a member failed to attend at least 50% of the meetings, the President or, if the President failed to attend meetings, the other members shall forward to the Governor and the State Administrator:
 1. The name of the member considered to have resigned; and
 2. A statement describing the member's history of attendance during the period.

Section 4.2 – Political Activity

- A. **Statutory Requirements.** Each member shall abide by the restrictions to political activities provided under § 2-301 of the Election Law Article. See Appendix 1.
- B. **Additional Requirements.**
 1. A member shall place his or her public duties ahead of partisan, political considerations.
 2. A member shall not take an active part in the campaign management of a candidate or any matter that is subject to an election under the Election Law Article.
 3. A member may attend campaign fundraisers held by candidates, political parties, or ballot issue committees provided the member discloses this fact to the Board⁴ and does not publicly indicate that he or she is a member of the Board at the campaign fundraiser.
 4. A member may make campaign contributions to candidates or issues on the ballot in an election for which the member will be serving on the local Board of Canvassers provided the member discloses the contributions to the Board.
 5. A member may publicly display support or opposition to candidates or issues on the ballot in any election (including yard signs, bumper stickers, etc.) for which the member will be serving on the local Board of Canvassers provided the member discloses the displays to the board.
 6. A member may wear campaign paraphernalia showing support or opposition for or against candidates or issues on the ballot in any election for which the member will be serving on the local Board of Canvassers provided:
 - a. The member discloses this fact to the Board; and
 - b. Does not wear the campaign paraphernalia while performing Board functions or while wearing a Board name badge.
 7. **Party Activity**
 - a. A member may attend central committee meetings and consult with party members.

⁴ The notice will provide the other members with information to determine whether a conflict exists that will require recusal.

BYLAWS OF THE HARFORD COUNTY BOARD OF ELECTIONS

- b. A member shall not serve on an executive committee of the party or assume a role within the party that has decision-making authority.
8. Petitions
- a. A member may sign a petition.
 - b. A member shall not circulate petitions.

Section 4.3 – Ethics

- A. Compliance. Each member shall comply with the State's ethics laws,⁵ including:
1. Timely, electronic filing of the Financial Disclosure Statement⁶ required under Title 5, Subtitle 6 of the General Provisions Article; and
 2. Adhering to the prohibition against the solicitation or acceptance of gifts or honoraria⁷ as required under § 5-505 of the General Provisions Article.
- B. Conflict of Interest.
1. A member shall recuse himself or herself and shall not participate in a matter if the member:
 - a. Has a relative with an interest in the matter and the member knows of the interest;
 - b. Is part of a business entity which has an interest in the matter;
 - c. Is negotiating employment or has arranged prospective employment with a business entity which has an interest in the matter;
 - d. Has a direct financial interest in the matter;
 - e. Has provided support through a contribution, volunteering, or a candidate or petition that is the subject of the matter; or
 - f. Otherwise believes that participation would create a conflict of interest
 2. A member may seek the advice of the Board's counsel as to the presence of a conflict of interest or other good cause for disqualification.
 3. If a member does not voluntarily recuse himself or herself, the other members may disqualify that member upon a unanimous determination that the member has a conflict of interest that should disqualify that member from acting on a particular matter. This disqualification and the reason for it shall be included in the meeting minutes.
 4. If a member recuses himself or is disqualified from participating in a matter before the Board, the recusal or disqualification and the reason(s) for it shall be included in the meeting minutes.

Section 4.4 – Resignation and Vacancies

- A. Resignation. A member who chooses to resign shall:
1. Write a letter to the Governor informing the Governor of the member's decision to resign;
 2. Inform the county central committee of the party with which he or she is affiliated of the resignation; and
 3. Inform the Election Director, the President, and the State Administrator of the resignation.

⁵ See the *Maryland Public Ethics Law Summary* provided by the State Ethics Commission to assist election officials and employees in meeting their obligations to voters, candidates, and political parties. This document is available on SBE's Online Library under "LBE Resources" and "Reference Materials."

⁶ Chapter 31 of the 2017 Laws of Maryland (House Bill 879) requires electronic filing by members of the local boards of elections. Electronic filing is available at <https://efds.ethics.maryland.gov/>. Paper filing is no longer accepted.

⁷ See *Ethics and Standards for Election Officials and Employees* for detailed standards of conduct. This document is available on SBE's Online Library under "LBE Resources" and "Reference Materials."

BYLAWS OF THE HARFORD COUNTY BOARD OF ELECTIONS

- B. **Filling Vacancy.** If a member dies, resigns, is removed, or becomes ineligible, the Governor shall appoint an eligible person from the same political party as that member in accordance with § 2-201(h) of the Election Law Article.

Section 4.5 – Level of Effort

Each member shall expend the time and effort necessary to attend meetings and election activities to ensure that they fully understand their duties as members, and their role as members of the Board of Canvassers. Members shall familiarize themselves with important concepts in the administration of Maryland elections, such as the process to register to vote, the purpose of provisional voting, general information about the voting process, the absentee ballot process, and important election deadlines.

Section 4.6 – Fiduciary Duty to the Board

- A. Each member has a fiduciary duty of care and loyalty to the Board.
- B. Each member shall put the interests of the Board ahead of partisan interests, personal interests, or loyalties to other organizations in an effort to ensure the successful execution of the duties of the Board.

Section 4.7 – Non-Disclosure/Confidentiality

- A. A member shall not share confidential or sensitive information with outside entities and individuals who are not Board members or employees of the Harford County Board of Elections.
- B. A member who conducts Board business with a personal email account shall cooperate with Board staff in connection with any response to a request pursuant to the Public Information Act.

ARTICLE 5 – ROLES AND RESPONSIBILITIES

Section 5.1 – The Board

The Board shall:

- A. Carry out all duties assigned to it under the Election Law Article and the regulations, policies, and procedures established by SBE⁸;
- B. Not be involved in day-to-day activities of the election office; and
- C. Account to the public for the services of the agency and expenditures of its funds.

Section 5.2 – The Election Director and Staff

- A. The Election Director shall carry out all duties assigned to him or her under the Election Law Article, regulations, policies and procedures established by SBE, and duties assigned or delegated by the Board.
- B. The Election Director is responsible for duties listed in the *Assignment of Local Board of Elections' Duties to Members of the Local Board, Election Director, and Staff*.

Section 5.3 – Counsel to the Board

- A. **Appointment.** As required under § 2-205 of the Election Law Article, the Board shall retain as counsel an individual who is a registered voter of the county and admitted to practice law in Maryland.
- B. **Duties.** In addition to the retainer contract, the individual appointed as counsel, or in the counsel's absence, substitute counsel, shall:
 - 1. Attend Board meetings and attend all canvass sessions;
 - 2. Attend the biennial conference hosted by SBE and the annual MAEO conference;
 - 3. Participate in pre-election conference calls hosted by SBE;

⁸ These duties are shown in the *Assignment of Local Board of Elections' Duties to Members of the Local Board, the Election Director and Staff*.

BYLAWS OF THE HARFORD COUNTY BOARD OF ELECTIONS

4. Review major policy guidelines and instructions from SBE;
5. Generally be available to provide advice when needed;
6. Take the oath to serve as counsel to the Board of Canvassers; and
7. Be present for any decision by the Board of Canvassers on the legality or acceptability of any provisional ballot application or of any vote on any ballot.

Section 5.4 – Personnel Management

- A. Duties – Board. As required under § 2-202(b)(2) of the Election Law Article, the Board shall:
1. Hire and supervise the Election Director;
 2. Perform a semi-annual performance evaluation of the Election Director; and
 3. Comply with the State Personnel and Pensions Article and any applicable regulations or the county merit system requirements in all matters concerning appointment, leave, discipline, or termination.
- B. Duties – President. The President, in consultation with the Board, shall act as the head of the principal unit for the purposes of appeals and grievances filed under the State Personnel and Pensions Article.
- C. Duties – Election Director. The Election Director shall:
1. Hire, supervise, and discipline the staff;
 2. Perform or ensure the performance of semi-annual performance evaluations of staff;
 3. Comply with the State Personnel and Pensions Article and any applicable regulations or merit system requirements in all matters concerning leave, discipline, or termination.

ARTICLE 6 – MISCELLANEOUS

Section 6.1 – Membership in MAEO

Each member of the Board, the Election Director, the Deputy Director, and other staff shall be members of the Maryland Association of Election Officials (MAEO).

Section 6.2 – Training and Continuing Education

The Board shall encourage and support the efforts of the Election Director and staff to obtain training and continuing education courses to assist the director and staff in the performance of their jobs.

Section 6.3 – Public Information Act⁹

When a request submitted under the Public Information Act request is received, the Board shall ensure that:

- A. The State Administrator is notified of the request; and
- B. The request is completed in timely manner.

Section 6.4 – Litigation

If the Board is notified that it is party to a lawsuit, the Board shall direct the Election Director to immediately notify the State Administrator. A member cannot accept service of process on behalf of the Board.

Section 6.5 – Reimbursement for Travel and Expenses

- A. The budget for the Board shall include funds to reimburse members for expenses incurred while carrying out their duties as members.

⁹ For information and guidance on the Public Information Act, see information posted on the Office of the Attorney General's website at <http://www.marylandattorneygeneral.gov/Pages/OpenGov/pia.aspx>.

BYLAWS OF THE HARFORD COUNTY BOARD OF ELECTIONS

B. The President shall approve, prior to payment, reimbursement for any unbudgeted expense.

SIGNATURES

Member Date

Witness (Election Director) Date

Member Date

Witness (Board Counsel) Date

Member Date

Member Date

Member Date

BYLAWS OF THE HARFORD COUNTY BOARD OF ELECTIONS

APPENDIX 1

Election Law Article, Annotated Code of Maryland

§2-301.

- (a) This section applies to:
 - (1) a member of the State Board;
 - (2) a regular or substitute member of a local board;
 - (3) the State Administrator;
 - (4) an employee of the State Board or of a local board, including the election director of a board; (5) counsel appointed under § 2-205 of this title; and
 - (6) an election judge.
- (b) (1) An individual subject to this section may not, while holding the position:
 - (i) hold or be a candidate for any elective public or political party office or any other office created under the Constitution or laws of this State;
 - (ii) use the individual's official authority for the purpose of influencing or affecting the result of an election; or
 - (iii) except as provided in paragraph (2) of this subsection, as to any candidate or any matter that is subject to an election under this article:
 - 1. be a campaign manager;
 - 2. be a treasurer or subtreasurer for a campaign finance entity; or
 - 3. take any other active part in political management or a political campaign.
- (2) Notwithstanding paragraph (1)(iii) of this subsection, an election judge may engage in the activities of a political campaign, except:
 - (i) while performing official duties on election day; and
 - (ii) by serving as a campaign manager for a candidate or as the treasurer for a campaign finance entity.

BYLAWS OF THE *[Insert Jurisdiction Name]* BOARD OF ELECTIONS

TABLE OF CONTENTS

ARTICLE 1 – ADOPTION OF BYLAWS GENERALLY 2
 Section 1.1 – Definitions 2
 Section 1.2 – Purpose..... 2
 Section 1.3 – Adoption and Amendment of Bylaws..... 2
ARTICLE 2 – ORGANIZATION OF THE BOARD 2
 Section 2.1 – New Members 2
 Section 2.2 – Officers 3
 Section 2.3 – Board of Canvassers 3
ARTICLE 3 – MEETINGS 3
 Section 3.1 – Time and Location..... 3
 Section 3.2 – Rules of Order 4
 Section 3.3 – Meeting Agenda and Minutes 5
ARTICLE 4 – RULES OF CONDUCT 6
 Section 4.1 - Attendance 6
 Section 4.2 – Political Activity 6
 Section 4.3 – Ethics 7
 Section 4.4 – Resignation and Vacancies 8
 Section 4.5 – Level of Effort..... 8
 Section 4.6 – Fiduciary Duty to the Board..... 8
 Section 4.7 – Non-Disclosure/Confidentiality 8
ARTICLE 5 – ROLES AND RESPONSIBILITIES..... 8
 Section 5.1 – The Board 8
 Section 5.2 – The Election Director and Staff..... 8
 Section 5.3 – Counsel to the Board..... 9
 Section 5.4 – Personnel Management 9
ARTICLE 6 – MISCELLANEOUS 9
 Section 6.1 – Membership in MAEO..... 9
 Section 6.2 – Training and Continuing Education..... 9
 Section 6.3 – Public Information Act 9
 Section 6.4 – Litigation 10
 Section 6.5 – Reimbursement for Travel and Expenses 10
SIGNATURES 10
APPENDIX 1 11

BYLAWS OF THE *[insert jurisdiction name]* BOARD OF ELECTIONS

ARTICLE 1 – ADOPTION OF BYLAWS GENERALLY

Section 1.1 – Definitions

- A. "Absence" means a duly appointed member is not present at or able to take part in a meeting.
- B. "Board" means the local board of elections for the *[insert jurisdiction name]*.
- C. "Member" includes a regular and substitute member of the Board unless a specific reference to a regular or substitute member is provided.
- D. "Board term" means the four-year term beginning the first Monday in June in the year immediately following a gubernatorial election.
- E. "Vacancy" means the position of a duly appointed member who was removed, died, or resigned from the Board.

Commented [NC1]: LBEs: Remove "and substitute" and "unless a specific reference to a regular or substitute member is provided" if your local board does not have substitute members.

Section 1.2 – Purpose

These bylaws, adopted by the members of the *[insert jurisdiction name]* Board of Elections, provide the rules of governance for the Board during the conduct of all duties assigned under State and federal laws, regulations, and guidelines and policies of the State Board of Elections (SBE). Further, these bylaws set a standard of personal conduct for members of the Board requiring them to conduct themselves in accordance with high ethical standards to assure the public that members act independently of partisan pressures and conflicting interests and make decisions that are not influenced by personal views regarding any political party.

Section 1.3 – Adoption and Amendment of Bylaws

- A. **Initial Bylaws Approval.** Bylaws shall be reviewed and approved by a majority vote of the full Board ~~(including substitute members)~~ at the first meeting of each new Board term or as soon as practical thereafter.
- B. **Effective.** These bylaws are effective and binding on all members as evidenced by each member's signature on this document.
- C. **New Member.** When a new member is appointed to fill a vacancy during a Board term, the new member must sign the bylaws.
- D. **Amendments.** To amend the bylaws:
 - 1. Each proposed amendment must be presented to the Board at a regularly scheduled meeting of the Board for the Board's review, discussion, and any revisions.
 - 2. At the next regularly scheduled meeting of the Board, a motion to adopt the amendment, including any revisions made when the proposed amendment was initially presented, must be adopted by at least three ~~regular~~ members of the Board.
- E. **Forward to SBE.** A copy of the approved bylaws and any amendments shall be sent to SBE for review and approval.
- F. **Effective date.** Any amendment to the bylaws shall take effect on the date at which SBE approves the amended bylaws.

Commented [NC2]: LBEs: remove "(including substitute members)" if your local board does not have substitute members.

Commented [NC3]: LBEs: remove "regular" if your local board does not have substitute members.

ARTICLE 2 – ORGANIZATION OF THE BOARD

Section 2.1 – New Members

New members must be sworn in by the Clerk for the Circuit Court for *[insert jurisdiction name]* or the Clerk's duly appointed designee within 30 days of receiving the commission of appointment from the Governor.

BYLAWS OF THE *[Insert Jurisdiction Name]* BOARD OF ELECTIONS

Section 2.2 – Officers

- A. Election of Officers. The Board shall elect, by a majority vote that includes at least one member of each party, a member to serve as President, a member of a different party from the President to serve as Vice President, and a member to serve as Secretary.
- B. Timing of Election. The election of officers shall occur within:
 - 1. The first 20 days of a new Board term; or
 - 2. The first 30 days after the date on which an officer dies, resigns, is removed, or become ineligible, or at the next regularly scheduled Board meeting, whichever is sooner.
- C. Duties – President. The duties of the President include:
 - 1. Presiding at meetings and setting agendas with the assistance of the Election Director;
 - 2. Along with the Election Director, serving as the Board's spokesperson for media inquiries or appointing an appropriate designee to serve as the contact for media inquiries; and
 - 3. Acting as the Board's primary point of contact for the Election Director.
 - 4. Ensuring that all public business is conducted in compliance with the Open Meetings Act.
- D. Duties – Vice President. The Vice President shall perform the duties of the President if the President is unable to carry out the assigned duties until a new President can be elected or the President is able to resume full duties.
- E. Duties – Secretary. The Secretary shall ensure that minutes are accurately compiled and transmitted to SBE.

Section 2.3 – Board of Canvassers

- A. Membership. As required by § 11-301(a) of the Election Law Article, the members shall serve as the Board of Canvassers for each election.
- B. Applicability. These bylaws remain in effect while the members are serving as the Board of Canvassers.
- C. Officers. The Board shall elect, by a majority vote of the members, a President and a Secretary of the Board of Canvassers.
- D. Oath. Before convening for the first time as the Board of Canvassers, the members shall take an oath, administered and recorded by the Clerk of the Circuit Court for *[insert jurisdiction name]* or the Clerk's duly appointed designee, to canvass and declare the votes cast truthfully and to perform other duties required by law. The Clerk of the Circuit Court or his or her designee shall administer the oath:
 - 1. Before the first mail-in canvass if the Board of Canvassers will convene before early voting to canvass mail-in ballots;
 - 2. Before the start of early voting if there is early voting; or
 - 3. By 5 pm on election day if there is no early voting.
- E. Requirements. In order to take action as the Board of Canvassers:
 - 1. There shall be a quorum, as defined in § 3.2A below; and
 - 2. A member of the minority party present.
- F. Rules. At all canvassing sessions, the Board shall follow the rules of order established under § 3.2 below and rules for minutes established under § 3.3 below.
- G. Governing Authority. The Board shall conduct the canvass pursuant to State law, regulations, and instructions issued by SBE.

ARTICLE 3 – MEETINGS

Section 3.1 – Time and Location

- A. Regular Meetings. Unless circumstances dictate otherwise, the Board shall meet every month at *[insert time]* on the *[insert day of the month]*.
- B. Location. Unless circumstances dictate otherwise, meetings will be held in the election office.

BYLAWS OF THE *[Insert Jurisdiction Name]* BOARD OF ELECTIONS

- C. Notice. Except as provided in § E below, public notice of regular meetings shall be given at least one week prior to the meeting.¹
- D. Cancellation of Regular Meeting. The President may cancel a regular meeting of the Board if the President determines that there is no new business that needs to be shared with or acted upon by the Board.
 - 1. Notice of cancellation for lack of new business or the inability of a quorum of members to attend shall be given at least one week prior to the meeting if those circumstances are known at that time.
 - 2. Notice of cancellation for lack of a quorum or circumstances arising during the week before the meeting shall be given as soon as practicable after the reason is known.
- E. Special Meetings. The President may call a special meeting. Except for meetings convened to address issues that arise during an election, including early voting, election day, and canvassing, the Board shall not take any votes at a special meeting unless three days prior notice has been given to all members, staff and the public.

Section 3.2 – Rules of Order

A. Quorum

- 1. Quorum for meetings when the Board is not constituted as the Board of Canvassers.
 - a. There shall be a quorum to hold a meeting.
 - b. A quorum of the Board shall consist of a majority of the membership and at least one member of each political party.
 - c. If there is a vacancy, a quorum shall consist of a majority of members currently serving on the Board.
 - d. There shall be no effect on the quorum when a member abstains or declines to vote or if a member is disqualified from participating under § 4.3 below.
- 2. Quorum for meetings when the Board is constituted as the Board of Canvassers.
 - a. There shall be a quorum to hold a meeting.
 - b. A quorum of the Board of Canvassers shall consist of a majority of the membership *[(including substitute members)] and at least one member of each political party.*
 - c. If there is a vacancy, a quorum shall consist of a majority of members currently serving on the Board.
 - d. There shall be no effect on the quorum when a member abstains or declines to vote or if a member is disqualified from participating under § 4.3 below.

Commented [NC4]: LBEs: remove "(including substitute members)" if your local board does not have substitute members.

B. Participation in Meetings

- 1. Any member, including substitute members, *may* make and second motions.
- 2. Any regular member can vote on motions.
- 3. *If a regular member is absent, the substitute member of the same party shall:*
 - a. Serve as the regular member for all or the part of the meeting when the regular member is absent; and
 - b. Except as limited by law, exercise the powers and duties of the absent regular member.
- 4. Public participation at a meeting shall be pre-scheduled and pre-approved by the President. The President has the discretion to allow public participation even if the request was not pre-scheduled and pre-approved.
- 5. If the meeting is an in-person meeting, a member wishing to attend a meeting via phone or video conferencing shall make this request to the President.

Commented [NC5]: LBEs: remove ", including substitute members," if your local board does not have substitute members

Commented [NC6]: LBEs: remove (3) if your local board does not have substitute members. Sections 4 and 5 should renumber automatically.

Commented [NC7]: Previous language: Participation at meetings should be in person, not via phone or video conferencing. Any request by a member to attend a meeting via phone or video conferencing must be made to the President.

¹ Section 2-303(h) of the Election Law Article (Amended by Chapter 221 (2023) (introduced as House Bill 410)) establishes additional notice requirements for meetings at which proposed polling place changes may be made.

BYLAWS OF THE *[Insert Jurisdiction Name]* BOARD OF ELECTIONS

C. Open Meetings Act Compliance

1. The Board shall follow the requirements of the Open Meetings Act as specified under Title 3 of the General Provisions Article.²
2. For the purposes of the Open Meetings Act:
 - a. There is a quorum when a majority of the members meet in person, by phone, or other means (including email) and discuss a matter that is not an administrative function.
 - b. Three members constitute a quorum, regardless of their respective political affiliations.
3. At least one member (preferably two members) shall be trained in the Open Meetings Act³.
 - a. A member trained on the Open Meetings Act shall provide the Election Director with a certificate of completion.
4. A Board cannot meet in closed session if none of the members completed the Open Meetings Act training.
5. In the absence of the trained member, a Board may not meet in closed session until the presiding officer has completed the Compliance Checklist (see footnote 1).
6. A quorum may not consider public business without giving reasonable advance notice to the public of an open meeting.

Section 3.3 – Meeting Agenda and Minutes

A. Agenda. Each regular Board meeting shall include, at a minimum, the following agenda items:

1. Declaration of Quorum Present
2. Approval of Prior Meeting Minutes
3. Additions to the Agenda
4. Election Director's Report
5. Board Attorney's Report
6. Old Business (including specifically identifying any policies affecting voting rights to be considered at the Board meeting)
7. New Business (including specifically identifying any policies affecting voting rights to be considered at the Board meeting)
8. Confirmation of Next Meeting
9. Closed Session (if needed)
10. Adjournment

B. Additional Topics.

1. The President, at his or her discretion, may add before the meeting additional topics.
2. If the new topic is identified at least one day before the meeting, the agenda should be updated to reflect the new topic and re-posted.

C. Duties of Election Director. The Election Director or the Director's designee shall:

1. Before each meeting (and, where policies affecting voting rights will be considered, at least 48 hours before the meeting), make the agenda available to the public;
2. At each meeting, provide a written report of the office's activities since the last meeting, including information on personnel changes, meetings attended, significant correspondence received, voter registration activities, voting system activities, candidate filings, precinct and polling issues, and other projects or initiatives undertaken by the office;
3. At each meeting, provide a verbal summary of the office's activities since the last meeting;
4. Except as provided in § D(2) below, prepare minutes for both open and closed meetings; and

² For information and guidance on the Open Meetings Act, see the Compliance Checklist and other resources on the open meetings page of the Attorney General's website. See <https://www.marylandattorneygeneral.gov/Pages/OpenGov/Openmeetings/default.aspx>.

³ This training is available at https://www.igsr.umd.edu/VLC/OMA/class_oma_title.php.

BYLAWS OF THE *[Insert Jurisdiction Name]* BOARD OF ELECTIONS

5. Transmit to SBE approved meeting minutes within five days of approval.
- D. Minutes.
1. Minutes shall be prepared in accordance with SBE's *Guidelines for Conducting Meetings and Writing Minutes*⁴.
 2. If the Election Director or staff does not attend a closed meeting, the Board attorney or one of the members shall prepare the minutes and a summary (for the open meeting minutes) of the closed meeting.
 3. Full minutes of open meetings and summaries of closed meetings shall be *presented for approval at the next Board meeting* or *approved via email and ratified at the next Board meeting*.
 4. Full minutes of closed meetings shall be *presented for approval at the next closed meeting held by the Board* or *approved via email and ratified at the next Board meeting as long as ratification at an open meeting does not jeopardize the need to preserve the discussion of the closed meeting*.
 5. After approval, minutes of a closed meeting shall be stored in a sealed envelope in a secure location that only the Election Director can access.

Commented [NC8]: Update version on the Online Library

Commented [NC9]: LBEs: Select your preferred option and remove the other option.

Commented [NC10]: LBEs: Select your preferred option and remove the other option.

ARTICLE 4 – RULES OF CONDUCT

Section 4.1 - Attendance

- A. Minimum Attendance. As provided under § 8-501 of the State Government Article, a member who fails to attend at least 50% of the meetings during any consecutive 12-month period shall be considered to have resigned.
- B. Attendance Report. Within 30 days of the conclusion of the 12-month period during which a member failed to attend at least 50% of the meeting, the President or, if the President failed to attend meetings, the other members shall forward to the Governor and the State Administrator:
 1. The name of the member considered to have resigned; and
 2. A statement describing the member's history of attendance during the period.

Section 4.2 – Political Activity

- A. Statutory Requirements. Each member shall abide by the restrictions to political activities provided under § 2-301 of the Election Law Article. See Appendix 1.
- B. Additional Requirements.
 1. A member shall place his or her public duties ahead of partisan, political considerations.
 2. A member shall not take an active part in the campaign management of a candidate or any matter that is subject to an election under the Election Law Article.
 3. A member may attend campaign fundraisers held by candidates, political parties, or ballot issue committees provided the member discloses this fact to the Board⁵ and does not publicly indicate that he or she is a member of the Board.
 4. A member may make campaign contributions to candidates or issues on the ballot in an election for which the member will be serving on the local Board of Canvassers provided the member discloses the contributions to the Board.

Commented [NC11]: Alternate provision for LBE consideration:
A member shall not attend campaign fundraisers held by candidates, political parties, or ballot issue committees.

Commented [NC12]: Alternate provision for LBE consideration:
A member shall not make campaign contributions to candidates or issues on the ballot in an election for which the member will be serving on the local Board of Canvassers.

⁴ This document is available on SBE's Online Library under "LBE Resources" and "Reference Materials."

⁵ The notice will provide the other members with information to determine whether a conflict exists that will require recusal.

BYLAWS OF THE *[Insert Jurisdiction Name]* BOARD OF ELECTIONS

5. A member may publicly display support or opposition to candidates or issues on the ballot in any election (including yard signs, bumper stickers, etc.) for which the member will be serving on the local Board of Canvassers provided the member discloses the displays to the board.
6. A member may wear campaign paraphernalia showing support or opposition for or against candidates or issues on the ballot in any election for which the member will be serving on the local Board of Canvassers provided:
 - a. The member discloses this fact to the Board; and
 - b. Does not wear the campaign paraphernalia while performing Board functions or while wearing a Board name badge.
7. Party Activity
 - a. A member may attend central committee meetings and consult with party members.
 - b. A member shall not serve on an executive committee of the party or assume a role within the party that has decision-making authority.
8. Petitions
 - a. A member may sign a petition.
 - b. A member shall not circulate petitions.

Commented [NC13]: Alternate provision for LBE consideration:
A member shall not publicly display support or opposition to candidates or issues on the ballot in any election (including yard signs, bumper stickers, etc.) for which the member will be serving on the local Board of Canvassers.

Commented [NC14]: Alternate provision for LBE consideration:
A member shall not wear campaign paraphernalia showing support or opposition for or against candidates or issues on the ballot in each election for which the member will be serving on the Board of Canvassers.

Section 4.3 – Ethics

- A. Compliance. Each member shall comply with the State's ethics laws,⁶ including:
 1. Timely, electronic filing of the Financial Disclosure Statement⁷ required under Title 5, Subtitle 6 of the General Provisions Article; and
 2. Adhering to the prohibition against the solicitation or acceptance of gifts or honoraria⁸ as required under § 5-505 of the General Provisions Article.
- B. Conflict of Interest.
 1. A member shall recuse himself or herself and shall not participate in a matter if the member:
 - a. Has a relative with an interest in the matter and the member knows of the interest;
 - b. Is part of a business entity which has an interest in the matter;
 - c. Is negotiating employment or has arranged prospective employment with a business entity which has an interest in the matter;
 - d. Has a direct financial interest in the matter;
 - e. Has provided support through a contribution, volunteering, or a candidate or petition that is the subject of the matter; or
 - f. Otherwise believes that participation would create a conflict of interest
 2. A member may seek the advice of the Board's counsel as to the presence of a conflict of interest or other good cause for disqualification.
 3. If a member does not voluntarily recuse himself or herself, the other members may disqualify that member upon a unanimous determination that the member has a conflict of interest that should disqualify that member from acting on a particular matter. This disqualification and the reason for it shall be included in the meeting minutes.

⁶ See the *Maryland Public Ethics Law Summary* provided by the State Ethics Commission to assist election officials and employees in meeting their obligations to voters, candidates, and political parties. This document is available on SBE's Online Library under "LBE Resources" and "Reference Materials."

⁷ Chapter 31 of the 2017 Laws of Maryland (House Bill 879) requires electronic filing by members of the local boards of elections. Electronic filing is available at <https://efids.ethics.maryland.gov/>. Paper filing is no longer accepted.

⁸ See *Ethics and Standards for Election Officials and Employees* for detailed standards of conduct. This document is available on SBE's Online Library under "LBE Resources" and "Reference Materials."

BYLAWS OF THE *[insert Jurisdiction Name]* BOARD OF ELECTIONS

4. If a member recuses himself or is disqualified from participating in a matter before the Board, the recusal or disqualification and the reason(s) for it shall be included in the meeting minutes.

Section 4.4 – Resignation and Vacancies

- A. Resignation. A member who chooses to resign shall:
 1. Write a letter to the Governor informing the Governor of the member's decision to resign;
 2. Inform the county central committee of the party with which he or she is affiliated of the resignation; and
 3. Inform the Election Director, the President, and the State Administrator of the resignation.
- B. Filling Vacancy. If a member dies, resigns, is removed, or becomes ineligible, the Governor shall appoint an eligible person from the same political party as that member in accordance with § 2-201(h) of the Election Law Article.

Section 4.5 – Level of Effort

Each member shall expend the time and effort necessary to attend meetings and election activities to ensure that they fully understand their duties as members, and their role as members of the Board of Canvassers. Members shall familiarize themselves with important concepts in the administration of Maryland elections, such as the process to register to vote, the purpose of provisional voting, general information about the voting process, the absentee ballot process, and important election deadlines.

Section 4.6 – Fiduciary Duty to the Board

- A. Each member has a fiduciary duty of care and loyalty to the Board.
- B. Each member shall put the interests of the Board ahead of partisan interests, personal interests, or loyalties to other organizations in an effort to ensure the successful execution of the duties of the Board.

Section 4.7 – Non-Disclosure/Confidentiality

- A. A member shall not share confidential or sensitive information with outside entities and individuals who are not Board members or employees of the *[insert jurisdiction name]* Board of Elections.
- B. A member who conducts Board business with a personal email account shall cooperate with Board staff in connection with any response to a request pursuant to the Public Information Act.

ARTICLE 5 – ROLES AND RESPONSIBILITIES

Section 5.1 – The Board

The Board shall:

- A. Carry out all duties assigned to it under the Election Law Article and the regulations, policies, and procedures established by SBE⁹;
- B. Not be involved in day-to-day activities of the election office; and
- C. Account to the public for the services of the agency and its expenditures.

Section 5.2 – The Election Director and Staff

- A. The Election Director shall carry out all duties assigned to him or her under the Election Law Article, regulations, policies and procedures established by SBE, and duties assigned or delegated by the Board.

⁹ These duties are shown in the *Assignment of Local Board of Elections' Duties to Members of the Local Board, the Election Director and Staff*.

BYLAWS OF THE [Insert Jurisdiction Name] BOARD OF ELECTIONS

- B. The Election Director is responsible for duties listed in the *Assignment of Local Board of Elections' Duties to Members of the Local Board, Election Director, and Staff*.

Section 5.3 – Counsel to the Board

- A. Appointment. [As required under § 2-205 of the Election Law Article, the Board shall retain as counsel an individual who is a registered voter of the county and admitted to practice law in Maryland]
- B. Duties. In addition to the retainer contract, the individual appointed as counsel or in the counsel's absence, substitute counsel, shall:
1. Attend Board meetings and attend all canvass sessions;
 2. Attend the biennial conference hosted by SBE and the annual MAEO conference;
 3. Participate in pre-election conference calls hosted by SBE;
 4. Review major policy guidelines and instructions from SBE;
 5. Generally be available to provide advice when needed;
 6. Take the oath to serve as counsel to the Board of Canvassers; and
 7. Be present for any decision by the Board of Canvassers on the legality or acceptability of any provisional ballot application or of any vote on any ballot.

Commented [TA15]: Baltimore City LBE: Use: "As provided by § 6-107(a)(1) of the State Government Article, the Baltimore City Board of Elections shall be represented by the Office of the Attorney General."

Section 5.4 – Personnel Management

- A. Duties – Board. As required under § 2-202(b)(2) of the Election Law Article, the Board shall:
1. Hire and supervise the Election Director;
 2. Perform a semi-annual performance evaluation of the Election Director; and
 3. Comply with the State Personnel and Pensions Article and any applicable regulations or the county merit system requirements in all matters concerning appointment, leave, performance evaluation, discipline, or termination.
- B. Duties – President. The President, in consultation with the Board, shall act as the head of the principal unit for the purposes of appeals and grievances filed under the State Personnel and Pensions Article.
- C. Duties – Election Director. The Election Director shall:
1. Hire, supervise, and discipline the staff;
 2. Perform or ensure the performance of semi-annual performance evaluations of staff; and
 3. Comply with the State Personnel and Pensions Article and any applicable regulations or merit system requirements in all matters concerning leave, performance evaluation, discipline, or termination.

ARTICLE 6 – MISCELLANEOUS

Section 6.1 – Membership in MAEO

Each member of the Board, the Election Director, the Deputy Director, and other staff shall be members of the Maryland Association of Election Officials (MAEO).

Section 6.2 – Training and Continuing Education

The Board shall encourage and support the efforts of the Election Director and staff to obtain training and continuing education courses to assist the director and staff in the performance of their jobs.

Section 6.3 – Public Information Act¹⁰

When a request submitted under the Public Information Act is received, the Board shall ensure that:

¹⁰ For information and guidance on the Public Information Act, see information posted on the Office of the Attorney General's website at <http://www.marylandattorneygeneral.gov/Pages/OpenGov/pia.aspx>.

BYLAWS OF THE [Insert Jurisdiction Name] BOARD OF ELECTIONS

APPENDIX 1

Election Law Article, Annotated Code of Maryland

§2-301.

- (a) This section applies to:
 - (1) a member of the State Board;
 - (2) a regular or substitute member of a local board;
 - (3) the State Administrator;
 - (4) an employee of the State Board or of a local board, including the election director of a board; (5) counsel appointed under § 2-205 of this title; and
 - (6) an election judge.
- (b) (1) An individual subject to this section may not, while holding the position:
 - (i) hold or be a candidate for any elective public or political party office or any other office created under the Constitution or laws of this State;
 - (ii) use the individual's official authority for the purpose of influencing or affecting the result of an election; or
 - (iii) except as provided in paragraph (2) of this subsection, as to any candidate or any matter that is subject to an election under this article:
 - 1. be a campaign manager;
 - 2. be a treasurer or subtreasurer for a campaign finance entity; or
 - 3. take any other active part in political management or a political campaign.
- (2) Notwithstanding paragraph (1)(iii) of this subsection, an election judge may engage in the activities of a political campaign, except:
 - (i) while performing official duties on election day; and
 - (ii) by serving as a campaign manager for a candidate or as the treasurer for a campaign finance entity.

STATE BOARD OF ELECTIONS

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

William G. Voelp, Chairman
Justin Williams, Vice Chairman
Severn E. S. Miller
Michael G. Summers
T. Sky Woodward



Linda H. Lamone
Administrator

Nikki Charlson
Deputy Administrator

Memorandum

To: Members, Local Boards of Elections
From: Linda H. Lamone, State Administrator
Date: June 1, 2023
Re: Welcome to the Elections Community

Congratulations on your appointment as a member of one of Maryland's 24 local boards of elections. As a board member, you will gain hands-on knowledge of the election process and play an integral role in ensuring the integrity of elections over the next four years.

Administering an election is an extremely complex and detailed operation. Months before an election, local election officials start preparing for the next election. They find voting locations, recruit pollworkers, review and update manuals and instructions, buy election supplies, charge and recharge equipment, register voters and update current voters' information according to federal and State laws, and the list goes on and on. After an election, there are several months of unpacking and reorganizing supplies, identifying where improvements can be made, and identifying voting equipment needing maintenance. Once the post-election activities are complete, it is time to start the pre-election activities again.

Maryland is fortunate to have dedicated and professional election officials in each county. While we at the State Board of Elections are here to assist you, your best resource will be the Election Director and staff in your county. They have years of experience conducting elections and are the most dedicated public servants I have ever met. If this is your first term as a member of a local board of elections, I know that you will be amazed by the work ethic, knowledge, and patience of the staff of your local board.

The local boards also have experienced attorneys advising their work. These individuals are equally dedicated to election administration and are a valuable resource to you when conducting a meeting or needing advice on an election-related question. If your local board does not currently have a written agreement with its attorney, I encourage you to have one. This agreement will identify exactly what services are covered and when additional funds may be required (*e.g.*, litigation against the local board of elections).

Every other year, the State Board of Election holds a biennial meeting for all local boards of elections. This year, the meeting will be held on Thursday, October 19 in Annapolis. Please mark your calendars now, as attendance is mandatory for all members, local board counsel, Election

Directors, and most staff of the local boards of elections.¹ During this meeting, we expect to have an orientation-type session for board members to prepare you for the upcoming 2024 elections.

Accompanying this memo are several documents to guide you as a member of a local board of elections. These documents are:

1. *Ethics and Standards for Election Officials and Employees* – This document establishes ethics standards for members of the local boards of elections, counsel to and staff of the local boards of elections. Since the public's perception about the integrity of an election is dependent on actions by State and local election officials, it is imperative that election officials abide by the highest ethical standards. Section 8 of this document includes text from Election Law Article, §2-301(b) listing positions and tasks that members of the local boards of election cannot hold or perform.
2. *Maryland Public Ethics Summary* – This document summarizes the State law governing members and staff of the local boards of elections. The State's ethics laws require members of the local boards of elections to submit annual financial disclosure statements.
3. *Guidelines for Conducting Meetings and Writing Minutes* – This document provides a basic guideline for conducting meetings and writing minutes. Most local boards already have an adequate template for meeting agenda and minutes, as we read the minutes of each meeting of the local boards of elections and notify an Election Director of any deficiencies.
4. *Notice Requirements When Changing Administrative Policy Affecting Voting Rights* – This document describes how a local board must provide notice when it is considering an administrative policy that affects voting rights. These notice requirements are listed in Election Law Article, §1-305.

In addition to these documents, you will receive model by-laws. These model by-laws incorporate required provisions of the Election Law Article of the Annotated Code of Maryland, assist local boards with their duties, and delegate those duties that are most appropriately the responsibility of the Election Directors and staff. Once you approve by-laws, these by-laws are submitted to this office for review and approval by the members of the State Board of Elections. The by-laws become effective once approved by the members of the State Board of Elections.

At least one member of your local board must complete an online training class on the Open Meetings Act. The online training course is offered by the University of Maryland's Institute for Governmental Service and Research and upon completion, generates a certificate of completion. We encourage all members to take this class, but one member must complete the course in order for your board to enter into a closed meeting.

Again, congratulations and welcome to the elections community. We look forward to seeing you at our upcoming biennial meeting and working with you.

¹ If you are unable to attend this meeting, please notify your Election Director immediately. You will also need to submit to me a request to be excused from the meeting. These requests can be sent to Donna Duncan of this office at donna.duncan@maryland.gov.

State of Maryland

Ethics and Standards for Election Officials and Employees

Introduction

Honest, accurate and efficient elections are essential in a democracy. Marylanders can take pride in our State's history of meeting the highest standards in the conduct of our elections. Our election officials not only seek to comply with all requirements of law but establish personal standards of conduct reflecting the highest ethical goals.

By law, members of the local boards of elections must be selected from persons affiliated with the two major political parties in their counties. Members are often expected to be active in both partisan and non-partisan political affairs. However, there are appropriate and inappropriate times and places for such political activity. Election officials must exercise the authority vested in them independent of partisan pressures.

These ethics standards generally apply to members of the Boards of Elections, Board Attorneys, Election Directors, and staff members, including part-time employees and election judges. These guidelines may not be explicitly contained in the law but reflect a universal common sense practice.

1. Election officials, when performing in that capacity, must place their public duties ahead of partisan political considerations.

The primary responsibility of election officials is to conduct fair, accurate and impartial elections. The exercise of judgment by election officials must not be compromised by partisan influences.

2. An election official should not advance the cause of any candidate or issue at the Board of Elections' offices, at any early voting center or polling place, or while performing official duties.

An election official, while at the offices of the Board of Elections or any voting location or while performing election-related duties, should not wear a badge or similar item supporting a candidate or issue, circulate a petition, conduct party business, or engage in any other activity which might lead others to believe the election official was favoring a political party, candidate, or issue.

Election officials should avoid parking in places reserved for election officials or voters in a vehicle with bumper stickers or signs supporting particular candidates, parties or issues.

It is not appropriate for an election official to be identified as such in an endorsement of a candidate or issue (e.g., "endorsed by John Doe, Board of Elections Chairman").

3. Election officials must avoid conflicts of interest and should avoid even the appearance of conflicts.

A Board member, Election Director, or staff member whose duties include the certification of the validity and sufficiency of petitions should not circulate candidate or issue petitions.

An election official should not serve as committee treasurer for a candidate, party or ballot issue if the official is responsible for reviewing the financial statements filed at the Board of Elections or exercises direct supervisory authority over those employees responsible for reviewing them.

An election official can legally sign a petition but may decide against signing to avoid the appearance of impropriety.

A member of a Board of Elections should avoid circulating any petition. If Board members circulate petitions or otherwise have interest in matters coming before the Board that may require them to recuse themselves later, the Board would be unable to act.

4. No political party, candidate or issue committee should receive benefits from election officials unless those benefits are available upon the same terms to all political parties, candidates, or issue committees.

It would be inappropriate to provide one entity free voter lists, maps, labels, copying or other services without making the same supplies or services equally available to all similarly situated entities.

Subject to the Board's by-laws, an election official, acting in his or her individual capacity, may make contributions to candidates, parties, and issue campaigns of their choice.

5. Election officials must be cognizant of and observe Maryland's Public Ethics Law (General Provisions Article, Title 5) and related statutes that govern them as public officials and employees.

Boards of Elections should take steps to ensure that staff members and employees of the Board are aware of and comply with the Public Ethics law and related statutes.

6. Election officials should be cognizant of and comply with State laws and regulations concerning nepotism.

Family members of members of the Board of Elections are not prohibited from being hired by the Board. However, a Board member should not participate in hiring or any other personnel action regarding a family member - whether as a full-time employee, part-time employee, or election judge, may not recommend, discuss, deliberate, or otherwise use the authority, influence or power and prestige of their position to secure the employment by the Board of a family member, and should not supervise their family members. The employment of family members of members of the Board should follow the same procedures used for all other employment.

Family members of a candidate should generally not serve as election judges within the district in which the candidate is seeking election.

If a family member of an election official is a candidate, the election official should not participate in any official activity involving that candidate's race, including the certification of candidates, counting of ballots, official canvasses, recounts, protests, contests, etc.

7. Election officials should recuse themselves from matters involving their clients or business associates.

For example, a member of a Board of Elections who is a lawyer should not participate in election-related matters involving other lawyers in their firm or clients of other lawyers in the law firm.

8. Subject to the statutory prohibitions listed below, when not engaged in their duties and when not at the offices of the Board of Elections, election officials have the same rights as any other citizen to freely express political views, so long as they do not identify themselves as an election official when expressing those views.

However, regular and substitute members of the local boards of elections, Election Directors, attorneys to and employees of the local boards, and election judges cannot:

- a. Hold or be a candidate for any elective public or political party office or any other office created under the Constitution or laws of Maryland;
- b. Use the individual's official authority for the purpose of influencing or affecting the result of an election; or
- c. Take an active part in political management or any political campaign related to any candidate or any matter that is subject to an election regulated by the Election Law Article. *See* Election Law Article, Section 2-301.

An election judge may generally engage in the activities of a political campaign, except when performing official duties during early voting or on election day. An election judge cannot serve as a campaign manager for a candidate or as the treasurer for a campaign finance entity. *See* Election Law Article, Sections 2-301(b)(2) and 10-202.

9. Election officials should maintain professional competency in the performance of their duties and be familiar with all appropriate State law and regulations.

Assignment of Local Board of Elections' Duties to Members of the Local Board, the Election Director and Staff

This table shows the duties of the local board of elections and shows which duties are the responsibility of the members of the local board of elections and which are either delegated to the Election Director or are administrative, ministerial functions performed by the Election Director or staff. These duties associated with the members of the local boards of elections generally require personal participation and final decision making of board members, although local board staff will likely assist in performing these duties. Any duties that are delegated to the Election Director or staff should be delegated in an open meeting and captured in the meeting's minutes.

Citation	Duties of the Local Board of Elections	Responsible Party	
		LBE Board Members	Election Dir./Staff
EL §2-104(b)(1)	Attend State Board's biennial meeting (held in odd-numbered years)	✓	✓
EL §2-202(b)(1)	Oversee the conduct of all elections	✓	✓
EL §2-202(b)(2)	Appoint an election director to manage office and staff	✓	
EL §2-202(b)(3)	Maintain an office and be open for business as provided by §2-302(b) of the Election Law Article		✓
EL §2-202(b)(3)	Provide for supplies and equipment necessary for the proper and efficient conduct of voter registration and election, including supplies and equipment required by the State Board and office and polling place equipment supplies		✓
EL §2-202(b)(4)	Subject to SBE's approval for conformity with State laws, regulations and procedures, adopt regulations	✓	
EL §2-202(b)(5) ¹	Perform the canvass of the election (serving as the local board of canvassers) and certify the results of each election conducted by the local board.	✓	
EL §2-202(b)(6)	Establish and alter boundaries and number of precincts in accordance with Election Law Article, §2-303	✓	
EL §2-202(b)(6); EL §10-101	Provide a suitable polling place for each precinct		✓
EL §2-202(b)(6)	Assign voters to precincts		✓
EL §2-202(b)(7) ²	Give voters information about the election process		✓
EL §2-202(b)(8)	Conduct hearings and render determinations as allowed by law	✓	✓
EL §2-202(b)(9)	Refer appropriate matters for prosecution and assist with prosecution		✓
EL §2-202(b)(10) EL §3-505(c)	Maintain and dispose of its records in accordance with the State Board's record retention plan		✓
EL §2-202(b)(11)	Administer voter registration and absentee voting for residents of nursing homes and assisted living facilities		✓
EL §2-202(c)(1)	<i>Garrett County only:</i> Evaluate the population of the county commissioner districts to determine whether the districts are of substantially equal population		✓

¹ EL §11-301 - 11-303 and §11-401 also include duties related to canvassing and certification requirements.

² The following provisions of the Election Law Article include duties related to providing voters with information about the election process: EL §2-301(c)(1); EL §7-105; EL §8-102; EL §9-214; EL §10-301.1(f); and EL §10-306

Citation	Duties of the Local Board of Elections	Responsible Party	
		LBE Board Members	Election Dir./Staff
EL = Election Law Article GP = General Provisions SPP = State Personnel & Pensions Article			
EL §2-202(c)(2)	<i>Garrett County only</i> : Recommend to the Garrett County Delegation to the General Assembly any adjustments of the boundaries of those districts that are necessary to maintain districts of substantially equal population.		✓
EL §2-202	Appoint or retain counsel (except for Baltimore City)	✓	
EL §2-206(1)	Appoint employees of the local board		✓
EL §2-106(2)	Train election judges		✓
EL §2-206(3)	Give notice of elections		✓
EL §2-206(4); EL §10-102(c)	If asked, provide elderly voters or voters with disabilities an alternate polling place		✓
EL §2-206(5); EL §3-301(c)	Mail voter notification cards		✓
EL §2-206(6) ³	Receive certificates of candidacy (includes withdrawal of candidacy filings) for local offices		✓
EL §2-206(7) ⁴	Verify petitions		✓
EL §2-206(8)	With the local board, conduct the canvass following an election	✓	✓
EL §2-206(9) ⁵	Process and reject absentee ballot applications		✓
EL §2-302(b)(2)	Be available as needed on election day and during the canvass	✓	
EL §2-303(a)(1)(i)	Create and alter boundaries for precincts in the county except during the period beginning 13 weeks before a primary election through the general election and in accordance with State Board regulations	✓	
EL §2-303(a)(1)(ii)	Designate the location for polling places in any election district, ward, or precinct in the county		✓
EL §2-303(a)(1)(iii)	Combine or abolish precincts	✓	
EL §2-303(a)(2)(i)	Establish a separate precinct on campus or within ½ mile of the campus to specifically serve a public or private institution of higher education if the local board determines that at least 500 students, faculty, and staff who attend or work at the institution are registered voters in the precinct in which the institution is located.	✓	✓
EL §2-303(d)	Provide State Administrator with description of new precinct boundaries		✓
EL §2-303(f)	Determine whether an emergency exists. If so, create a new precinct or change a precinct boundary or polling place and submit request to State Board	✓	
EL §2-303(h)	Maintain a list of individuals and organizations interested in being notified about polling place changes and give notice before a local board considers polling place changes		✓
EL §2-303.1	Submit to State Board a polling place plan and if the initial plan is rejected, submit a revised plan	✓	✓

³ EL §5-302(c) and EL §5-503(a) also include duties related to certificates of candidacy.

⁴ EL §6-205(a) and EL §6-206 - §6-208 also include duties related to receiving, processing and certifying petitions.

⁵ EL §9-302 and 9-306 also include duties related to processing absentee ballot applications.

Citation	Duties of the Local Board of Elections	Responsible Party	
		LBE Board Members	Election Dir./Staff
EL §3-301(a)	Determine whether a voter registration applicant is qualified to be a registered voters and if qualified, enter into the statewide voter registration list		✓
EL §3-303(c); EL §3-502	Process timely name, address, and party affiliation changes		✓
EL §3-304(b)	Promptly process in the statewide voter registration system changes of name or address submit by registered voters		✓
EL §3-501; EL §3-502(e); EL §3-504(c)	After following required steps, remove from the statewide voter registration list voters for authorized reasons		✓
EL §3-502(b), (c)	Perform required steps and send confirmation notice when receive information about voter's registration in another county or state		✓
EL §3-502(d) EL §3-601.1	Make corrections to voter's record in statewide voter registration list		✓
EL §3-504(b)(4)	Make arrangements to receive change of address information from an entity approved by the State Board		✓
EL §5-705(b)(2)	Issue a certificate of nomination to each candidate who qualifies for the nomination		✓
EL §6-202(b) EL §6-210(a), (b)	Determine sufficiency of any summary of a local law or charter amendment that is contained in a petition and explain any determination of insufficiency		✓
EL §8-103(b)	If emergency circumstances interfere with the electoral process and the Governor has not declared a state of emergency, petition a circuit court – after conferring with the State Board – to take action	✓	
EL §9-216(a)	Maintain a system to account for and maintain control over the ballots		✓
EL §9-306	Provide requesting voters with a mail-in ballot ⁶		✓
EL §9-402	Maintain a full record of provisional voting		✓
EL §10-101	For each precinct, designate a polling place that meets certain requirements	✓	
EL §10-201 ⁷	Recruit, assign, train, and pay appointed election judges		✓
EL §10-203	Appoint election judges based on election director's recommendation	✓	
EL §10-205	Pay election judges at least the minimum compensation for training and service		✓
EL §10-207	Upon receiving complaint about an election judge, promptly investigate and remove any election judge who is unfit or incompetent	✓	✓
EL §10-301.1	Identify and recommend to the local board members locations for that county's early voting centers		✓

⁶ The State Board provides most voters requesting a mail-in ballot with their ballots. The local board staff provides mail-in ballots for in-person requests, ballots for residents of nursing homes and assisted living facilities, and ballots requested after a specific date before each election.

⁷ The following provisions of the Election Law Article include duties related to election judges: EL §10-205 – 206; EL §10-305; and EL §10-314(a).

Citation	Duties of the Local Board of Elections	Responsible Party	
		LBE Board Members	Election Dir./Staff
EL §10-301.1	Approve early voting centers in that county	✓	
EL §10-302	Deliver supplies and equipment to each voting location		✓
EL §10-307(a)	Be available as needed on election day	✓	
EL §10-307(b)	Provide way for voting locations to communicate with LBE office		✓
EL §10-311(a)(1)(ii)	Designate voters registered in the county as challengers or watchers	✓	
EL §10-312(d)	Determine whether ballot from challenged voter should be accepted	✓	
EL §11-302(a)(1) & (b)	Convene to canvass mail-in ballots and canvass according to State law, regulations, and guidance	✓	✓
EL §11-302(b)(1)(ii)	Seek a waiver of the requirement to canvassing of mail-in ballots before election day	✓	
EL §11-302(a)(2) & (d)(3)	Review each mail-in ballot envelope for a signed oath and if there no signature, contact voter		✓
EL §11-302(a)(3)	Record the receipt of each mail-in ballot within specified timeframe		✓
EL §11-302(e)	At the end of each day of canvassing on or after election day, prepare and release a report of unofficial returns of the mail-in ballot tabulation	✓	✓
EL §11-303	Convene to canvass provisional ballots and canvass according to State law, regulations, and guidance	✓	✓
EL §11-309	Perform manual audit of voted ballots		✓
EL §11-402	Prepare a statement of election results and declare who is elected or nominated for local contests	✓	
EL §12-106(a)	Conduct recounts	✓	
SPP §7-502(a)	Perform written performance appraisal of Election Director using State PEP form every July and January	✓	
SPP Titles 9, 11, & 12	Follow requirements of the State Personnel and Pensions Article and any applicable regulations or merit system requirements in all matters related to the Election Director's leave, discipline, or termination	✓	
SPP §1-101(k); SPP §11-109(c)	Act as (Board President), or consult with (the other Board members), the head of the principal unit for the purposes of appeals and grievances filed under the State Personnel and Pensions Article	✓	
SPP §7-502(a)	Perform written performance appraisal of staff members every July and January		✓
SPP Titles 9, 11, & 12	Follow requirements of the State Personnel and Pensions Article and any applicable regulations or merit system requirements in all matters related to the staff members' leave, discipline, or termination		✓
GP §3-213	Designate at least one board member to be trained in the Open Meetings Act	✓	
	Follow county processes for developing and submitting budget, paying invoices, submitting reimbursements, etc.		✓
	Administer oath to new employees (within 45 days of employment) (see below for language)	✓	
	Prepare and present at local board meetings reports on achievement of goals, objectives, and projects		✓
	Monitor budget expenditures		✓
	Plan agenda for meetings of the local board of elections	✓	✓
	Take minutes at meetings of the local board of elections and submit to SBE approved minutes	✓	✓
	Adopt minutes of local board of elections	✓	✓

Citation	Responsible Party	
	LBE Board Members	Election Dir./Staff
EL = Election Law Article GP = General Provisions SPP = State Personnel & Pensions Article		
Duties of the Local Board of Elections		
File ethics forms yearly	✓	✓

Oath for election judges and staff (Art. 1, Sec. 9 of the Maryland Constitution)

I,, do swear, (or affirm, as the case may be,) that I will support the Constitution of the United States; and that I will be faithful and bear true allegiance to the State of Maryland, and support the Constitution and Laws thereof; and that I will, to the best of my skill and judgment, diligently and faithfully, without partiality or prejudice, execute the office of, according to the Constitution and Laws of this State

Note: The oath required by Article I, § 9 of the Constitution of Maryland includes the following language: "I,, do swear (or affirm, as the case may be) that I will support the Constitution of the United States. . ." (Emphasis added) There is no legal distinction between "swearing" and "affirming." Generally, an individual who does not believe in a higher religious being opts to "affirm," while an individual who believes in a higher being opts to "swear." The choice to "swear" or "affirm" is made by the individual taking the oath. Local board members, as well as local board employees who swear in election judges, should be mindful of the distinction and use the language preferred by the individual taking the oath.

The following summary of the Public Ethics Law is provided by the State Ethics Commission to assist election officials and employees in meeting their obligations to voters, candidates and political parties.

What is established by the Public Ethics Law?

The State Public Ethics Law (General Provisions Article, Title 5, *Annotated Code of Maryland*) establishes:

1. Standards of conduct using conflict of interest provisions
2. A financial disclosure program for certain employees, board members, elected officials, and candidates for State office
3. Requirements for lobbyists to register and report information and prohibitions on certain activities
4. Requirements for the enactment of ethics programs governing local governments, school boards, and bi-county agencies
5. Special ethics campaign finance and disclosure requirements relating to land use decisions in some localities
6. Advisory opinion procedures
7. Enforcement and penalty provisions

Who is subject to the jurisdiction of the State Ethics Commission?

Listed below are examples of employees and officials who are directly subject to the State Ethics Commission's jurisdiction for conflict of interest and financial disclosure:

1. All employees of the State of Maryland, except for Judges and certain judicial officers (subject to the jurisdiction of the Maryland Court of Appeals)
2. All employees of the Judicial Branch of government
3. Members of most State boards and commissions
4. State officials, including of Governor, Lt. Governor, Attorney General, Comptroller, Treasurer, State's Attorney, Clerk of the Circuit Court, Register of Wills, and Sheriff
5. Candidates for State office for the purpose of financial disclosure only (elected State officials of the Executive Branch are subject to both the financial disclosure and conflict of interest jurisdiction)
6. All members and employees of the local boards of elections

Members of the General Assembly are subject to the State Ethics Commission's jurisdiction for financial disclosure purposes only. Legislative conflict of interest issues are reviewed by the Joint Committee on Legislative Ethics.

What kinds of activities are covered by the conflict of interest provisions administered by the State Ethics Commission?

The Public Ethics Law includes general types of prohibitions (Note: this is a general summary only and should not be used as a substitute for the law itself):

1. Employees and officials may not participate as an employee or official in a matter where they (their spouse, children, parents, brother or sister) or certain entities with which they and these relatives are involved and have an interest in the matter.
2. Employees and officials may not participate in a matter which involves as a party a business entity in which they or certain relatives have employment, prospective employment, contractual, or creditor relationships.
3. Employees and officials may not have financial interests in, or be employed by, an entity subject to their authority or of the agency with which they are affiliated. Employment includes being a member of a private, corporate, or non-profit board having these relationships even if there is no compensation.
4. Employees and officials may not have financial interests in, or be employed by, an entity having or negotiating a contract with the agency with which they are affiliated. Employment includes being a member of a private, corporate, or non-profit board having these relationships even if there is no compensation.

5. Employees and certain officials may not hold any employment relationships that would impair their impartiality and independence or judgment.
6. Employees and certain officials may not intentionally use the prestige of their office for their own private gain or that of another.
7. Employees and officials whose duties include matters substantially relating to the subject matter of any contract with the State may not be or become, while a State employee, an employee of the party contracting with the State.
8. Employees and officials may not assist or represent any party for contingent compensation in any matter involving any State agency or political subdivision other than in a judicial or quasi-judicial proceeding.
9. Former employees and officials may not assist or represent any one other than the State for compensation in a case, contract, or other specific matter involving the State if that matter is one in which they significantly participated as an official or employee.
10. Employees and officials may not solicit any gifts¹. Subject to certain exceptions, officials and employees may not knowingly accept any gift directly or indirectly from any person whom they know or have reason to know:
 - a. Is doing or seeking to do business of any kind with their agencies;
 - b. Is engaged in activities that are regulated or controlled by their agencies;
 - c. Has financial interests which may be substantially affected in a specific way by the employee; or
 - d. Is a lobbyist with respect to the matters within the employee's functional jurisdiction.
11. Employees and officials may not disclose or use for their own economic benefit, or that of another, confidential information acquired by reason of their public position.
12. An official or employee subject to the Ethics Law may not be a lobbyist.

What is financial disclosure?

Financial disclosure is disclosing, usually on an annual basis, information such as employment, stock ownership, real property, gifts, debts, or other interests identified in Section 5-607 of the Public Ethics Law.

All financial disclosure statements must be filed electronically and are available for public inspection. Statements filed by State officials, candidates for office as State officials, and secretaries of principal departments of the Executive Department are available at <https://efds.ethics.maryland.gov/>. However, the person examining or copying the statement must appear in person and register the person's name and home address with the State Ethics Commission along with the name of the person whose form was inspected. Home address information will be redacted before a statement may be reviewed by the public.

Who must file disclosure forms with the State Ethics Commission?

1. All State elected officials, including the General Assembly, must file disclosure forms with the State Ethics Commission. Judges and judicial officers file with the Judiciary, but copies of the forms are on file with the Commission. Candidates for office as a State official must also file disclosure forms with their certificates of candidacy. After filing a statement with their certificates of candidacy, State candidates must also file a form in each year of their candidacy by April 30th or by the last day for the withdrawal of a candidacy if that date is earlier. If a State office candidate's statement is overdue and not filed within 20 days after the candidate receives from the election board written notice of failure to file, the candidate is deemed to have withdrawn the candidacy. Candidates for local office (except for a few small municipalities), must also file financial disclosure forms. Counties, school boards, and municipalities all have different financial disclosure forms. The detailed filing requirements relating to local financial disclosure filing are covered by local laws or rules.
2. Certain employees are designated under the State Public Ethics Law to be public officials required to file financial disclosure forms. The criteria for this designation vary and take into consideration a variety of factors, including compensation, duties, or both. Persons having an impact on procurements

¹ The limited exceptions to this prohibition are specifically outlined in §5-505 of the General Provisions Article. Detailed memoranda regarding gifts are available from the State Ethics Commission upon request.

of over \$10,000 must file regardless of salary. Generally, the process for identifying persons required to file involves the employing agency, the Secretary of Budget and Management, and the State Ethics Commission.

How can a person subject to the law find out whether something the person intends to do is consistent with the law?

If you anticipate some activity that you believe may raise an issue under the Public Ethics Law, you should contact the State Ethics Commission staff. Some issues can be resolved at the staff level. However, many issues must be presented to the Ethics Commission for its consideration. The State Ethics Commission renders both formal and informal advice. Most advice rendered today is informal – between the Commission and the requester. Over the years, the Commission has issued some 500 formal opinions. The Commission's opinions are published in COMAR. The name of the person who is the subject of the opinion is confidential unless confidentiality is waived.

How is enforcement of the Public Ethics Law instituted?

Any person may file a complaint under oath with the State Ethics Commission. The Commission may reject a complaint that it deems plainly frivolous. The Commission itself may also initiate an investigation or issue a complaint based on information coming to its attention.

What are the possible sanctions that can occur if there's a finding that the law has been violated?

If the State Ethics Commission decides that a violation has occurred, it may:

1. Issue a cease and desist order
2. Issue a reprimand
3. Recommend to the appointing authority censure, removal, or other discipline
4. Assess late fees, not to exceed \$250, for the late filing of financial disclosure statements or lobbyist forms

In addition, the Commission may ask a circuit court to issue a cease or desist order, set aside certain official action, or impose substantial fines. The Commission may also refer certain matters to prosecuting agencies.

The Public Ethics law also specifically indicates that violation of the law by employees can be the basis for termination, disciplinary action or suspension of compensation.

How are advisory opinions issued?

Formal advisory opinions are published in the Code of Maryland Regulations and available via an online search of advisory opinions.

Where can you contact the State Ethics Commission?

The State Ethics Commission can be contacted at:

45 Calvert Street, 3rd Floor
Annapolis, MD 21401
410-260-7770
1-800-669-6085
410-260-7746 (fax)
ethics.maryland.gov

Jennifer Allgair is the Executive Director and William Colquhoun is the General Counsel of the Commission.

Maryland
State Board of Elections

Guidelines for Conducting
Meetings and Writing Minutes

Adopted - March 13, 2002
Updated - June 24, 2019 & April 26, 2023

Table of Contents

TABLE OF CONTENTS	1
GENERAL INFORMATION CONCERNING BOARD MEETINGS	2
BASIC INFORMATION FOR AN AGENDA	3-4
AGENDA (SAMPLE)	5
BASIC INFORMATION FOR MEETING MINUTES	6-7
MINUTES (SAMPLE)	8-10
OPEN MEETINGS ACT	11

GENERAL INFORMATION CONCERNING BOARD MEETINGS

The following information SETS OUT only minimum requirements for conducting meetings and for developing an agenda and minutes of meetings. A more complete and detailed description of all facets can be found in Robert's Rules of Order. This information has been developed as a basic guide for local boards of elections in conducting their meetings and keeping minutes of those meetings.

Basic Responsibilities of the Presiding Officer:

The presiding officer is the President of the Board or the Vice President if the President is absent. The presiding officer:

1. Opens the meeting at the appointed time, calls the meeting to order, and determines whether a quorum is present.
2. Prescribes the order of business as to the agenda. This includes additions or changes to the agenda.
3. Recognizes those individuals present who will make presentations or be heard.
4. States and puts to vote all questions that legitimately come before the board as motions are made and seconded and announces the results of the vote.
5. Declares the meeting adjourned following a proper vote at the conclusion of the agenda.

Minutes:

Minutes are a record of the proceedings of a designated meeting. They are a public record. They should reflect what was done during the meeting, to the extent that anyone who has not attended the meeting can ascertain clearly what transpired but need not be verbatim of the meeting.

All persons present should be fully identified by name and position if appropriate.

All motions should be restated by the chair before the vote and accurately reported along with the results. Accurate minutes are a legal record of the meeting.

The local board should approve the minutes of the prior meeting at the next meeting and post the approved minutes on the board's website within two business days of approval.

Counsel:

The role of counsel is to give advice and make recommendations in legal matters, conduct litigation in court, and act on behalf of the board in legal matters. Counsel does not have any voting power and should not conduct board meetings.

BASIC INFORMATION FOR AN AGENDA

I. Agenda:

The word "Agenda: should be in all caps at the top of the page, followed by the local board's name, street address, city, and the date and time of the meeting. It is good practice to provide board members a copy of the agenda 5-7 days before the scheduled meeting, along with any information concerning items on the agenda, especially any matter on which the board will be expected to vote. This provides board members a better opportunity to prepare for the meeting. Agencies often put "Draft Agenda" on these early drafts. All agendas should be posted in a public forum at least 48 hours prior to a meeting.

II. Call Meeting to Order and Determine Quorum:

If there are sufficient members of the board to constitute a quorum, the President will announce, "The meeting will come to order. We have a quorum present."

If there are members absent, the President will state the names of the individuals who are not present.

If there are insufficient members present, the President will state, "We have insufficient members present to constitute a quorum, therefore we cannot take any official action on any item. We can receive reports, review correspondence, and have discussion." The other choice would be to postpone the meeting.

III. Welcome to Guests:

This is an opportunity to afford a welcome, have guests sign in on the log sheet, and explain how your meetings are held in regards to audience participation, if any.

IV. Approval of Minutes:

The previous meeting's minutes, which should have been sent out with the Draft Agenda and marked "Draft or Unapproved," are presented for approval. The President usually will state, "Is there a motion to approve: if not, are there any changes to these minutes?" After a pause, "Hearing none, could I have a motion for approval as presented?"

V. Request for Additions/Changes to the Agenda:

This affords board members and the director an opportunity, with board approval, to add or delete items to the Draft Agenda.

VI. Correspondence:

If copies of correspondence to be reviewed were not sent out with the Draft Agenda, they should now be presented. This should be noted under additions to the Agenda.

VII. Reports:

Reports from Board members usually precede those of the staff.

VIII. Old Business:

Sufficient information should be in the Draft Agenda to refresh board members' memories and notify the public on any topic to be discussed.

IX. New Business:

When available and convenient, pertinent informational materials should accompany the Draft Agenda for New Business items.

X. Adjournment:

Usually the President indicates the date, time, and place of the next meeting. The chair then requests a motion to adjourn. The motion should be duly noted, along with the time of adjournment.

AGENDA

**Waters County Board of Elections
400 Main Street
Adams, MD 21742
November 8, 2001 – 1:30 PM**

- I. Call Meeting to Order and determine quorum
- II. Welcome all guests and request them to sign the Guest Attendance Sheet.
Report any Board or Staff absences
- III. Approve Minutes from the October 7, 2001 Meeting
- IV. Request Addition/Changes to the Agenda
- V. Correspondence:
 - a. Letter from County Finance Officer, Joe Snodgrass
 - b. Voter Registration update report from State Board's Deputy Director
 - c. Letter from the County Redistricting Commission
 - d. Director's Memo to State Board about the MVA mass mailing statistics
- VI. Reports:
 - a. Election Director:
 - i. Personnel Changes
 - ii. Meetings Attended
 - iii. Voter Registration Activities
 - iv. Election System Activities
 - v. Candidate Filings
 - vi. Voting Location Issues
 - vii. Other projects or initiatives under by the office
 - b. Board Counsel Report regarding working relationship with our State's Attorney regarding felonies.
- VII. Old Business:
 - a. Need for Election Judges. Ways to resolve the shortage
 - b. Legal. Petition Referendum
- VIII. New Business:
 - a. Need for additional Office Space
- IX. Adjournment

BASIC INFORMATION FOR MEETING MINUTES

The word “Minutes” should be at the top of the page, followed by the name and address of the County Board of Elections and the date of the meeting.

Present:

Some agencies use “In Attendance” or “Attendees.” Board members and staff members, along with their titles or positions are often listed separately, as well as guests.

Meeting Called to Order and Quorum Determined:

Usually, just a statement follows the listing of those in attendance. Typically it might read, “President Smith called the meeting to order at 1:30 p.m. All members were present constituting a quorum.”

If there weren't a quorum present the statement would likely read, “President Smith called the meeting to order at 1:30 p.m. and noted the absence of Marianne Snyder, John Doe, and Dorothy Ward.” The President then announced, “Since we do not have sufficient members present to constitute a quorum, we will proceed to receive information on items where we do not have to entertain a vote.”

Approval of Minutes of (month, day, year) Meeting:

Usually the President asks if there are any corrections or modifications to the minutes as presented. If there are, these are made with concurrence of those present. Then a motion is made to accept as corrected; the motion is seconded; and the motion is approved by at least a majority vote.

If there are no corrections to the minutes, a motion should be made to accept as presented. The minutes should state who made the motion, who seconded the motion and what the vote was on approval. If the minutes are not unanimously approved, the minutes should reflect the names of those opposed.

Addition/Changes to the Agenda:

This provides Board Members and the Election Director an opportunity to add items that have come to their attention since the Draft Agenda was sent out. The President, after any suggestion of an addition, usually asks if anyone is opposed. If a discussion ensues, the President will rule or call for a vote.

Correspondence:

All correspondence brought before the board should be noted in the minutes. The person preparing the minutes should record the source and nature of the correspondence. Minutes should not simply refer to agenda items, because it becomes impossible to understand the minutes without the agenda.

Old Business:

The essence of the business under discussion should be fully identified in the minutes. Some reference to the discussion that took place, if any, and any action or lack of action should be noted.

New Business:

The essence of the business under discussion should be fully identified in the minutes. Some reference to the discussion that took place, if any, and any action or lack of action should be noted.

Reports:

Ordinarily, if there are reports from both board members, the Election Director, and counsel, board members are given the opportunity to present their reports first.

Motion to Adjourn:

The minutes should indicate who made the motion, who seconded it, and the votes. Time of adjournment should be noted. The date, time, and place of the next meeting should be included.

Heading – Listed here is the minimum identifying information. Phone numbers and web page address can be added if desired.

MINUTES

**Waters County Board of Elections
400 Main Street
Adams, MD 21742
December 7, 2001**

Present:

Board:

Richard Smith, President
John Doe, Board Secretary
Marianne Snyder, Member
Eileen Wagon, Alternate
Dorothy Ward, Member

Staff:

Kay Robertson, Deputy Director
Roger Saunders, Board Attorney

Guests:

Tim August
Linda Lowery
Ralph Watson

Attendance – Record all Board members and staff who attend. Also list any Board members or key staff members who are unable to attend and the reason for the absence.

Dorothy King, Election Director

Attendance – Record all guests who attend the meeting. Distribute a sign-in sheet if the names of all guests are not known. Ask for printed names, phone numbers, organization affiliated with and addresses.

Mr. Smith called the meeting to order at 1:30 p.m. All members were present, constituting a quorum.

Approval of Minutes of November 8, 2001 Meeting:

Mr. Doe asked if the board had any corrections or additions to the minutes from the previous board meeting, which had been mailed to the members in advance of the meeting. Mrs. Snyder moved for approval of the minutes as presented, and Ms. Ward seconded the motion. The motion carried unanimously.

Addition/Changes to the Agenda:

Additions/Changes – If the board wishes to add or change the agenda, it should be noted in the minutes and where the change or addition will be addressed during the meeting.

President Smith called for any additions or changes to the agenda. Ms. Ward asked that a discussion of the provisional balloting procedures be added before the Old Business. There were no other requested changes to the Agenda.

**Waters County Board of Elections
December 7, 2001 Board Minutes (Continued)**

Page Headers – Include a page header on all pages. This will prevent the minutes from being lost or mixed with others in the event the pages are separated.

Correspondence:

A. Budget Update:

The County Finance Officer, Joe Snodgrass, requested representatives of the board to meet with him to discuss the implementation schedule and costs involved in the new State Voter Registration and Voting Systems. Ms. King and Mr. Smith met with the Finance Officer reviewing these items in great depths. Mr. Snodgrass gave the board his support for future budget requests.

B. SBE Updates:

A copy of the latest report of the State Board's Deputy Administrator was distributed and discussed.

Attachments – Any material provided to the board members in advance of or during the meeting should be attached to and make a permanent part of the minutes.

C. MVA Mass Mailing:

Ms. Robertson's memo to the State Board reported that our Board has processed 4,440 transactions resulting from the MVA mass mailing to MVA customers. There have been 2,090 new registrations, 1,979 changes, and 371 duplicate registrations.

Reports:

A. Provisional Balloting

Ms. King presented an overview of how the provisional balloting process is to be managed in the polling places.

B. Ms. King also advised that the State Board of Elections has submitted a request for funding for one additional election judge for each polling place to assist with provisional balloting.

Page Headers – Include a page header on all pages. This will prevent the minutes from being lost or mixed with others in the event the pages are separated.

**Waters County Board of Elections
December 7, 2001 Board Minutes (Continued)
Page 3**

Old Business:

A. Need for Election Judges:

Ms. King advised that in her continuous search for Judges, the County Commissioners were requested to give us more assistance:

Previously, any county employee who agreed to work the polls was required to utilize either personal leave or vacation time. She requested they waive this regulation and allow the employee to receive another vacation day for their efforts. They indicated they would not support this effort.

B. Legal:

In reference to the legal action regarding the petition referendum, Legal Counsel for the State Board has advised that the case has been settled.

New Business:

A. Need for Additional Office Space:

Mrs. Robertson reported that we urgently need and can obtain an additional 350 sq. ft. immediately adjacent to our current office space, at \$18.50 per sq. ft. under a three-year contract. The County Fiscal Officer agreed to the funding, if we make an official request. After some discussion, Mrs. Snyder moved that we apply for this space as offered; Mrs. Ward seconded the motion. Motion unanimously approved.

Adjournment:

The President indicated the next meeting will be held on January 9, 2002 at 3:30 p.m. and called for a motion for adjournment. The motion was made by Mrs. Snyder and seconded by Mrs. Ward. The motion was unanimously approved, and the meeting adjourned at 5:30 p.m.

OPEN MEETINGS ACT

Each local board of elections is a “public body” subject to the State’s Open Meeting Act, General Provisions Article, Title 3, Annotated Code of Maryland¹. Generally, the Act requires that a board conduct its meetings in open session whenever it is engaged in advisory, legislative, or quasi-judicial functions. The Act is construed in favor of an open meeting whenever there is any question about whether such an open meeting is required.

The Act imposes procedural requirements that are in some instances quite detailed. For example, §3-302 requires advance notice of both closed and open sessions. Section 3-305(b) sets forth a number of reasons when a public body can hold a closed session, subsection (c) states that a public body meeting in closed session for one of these reasons may not discuss or act on other matters, and subsection (d)(2) requires that, in open session, the presiding officer conduct a recorded vote on closing the session and make a written statement of the reason for closing the meeting, including a citation of the statutory authority for doing so and a list of topics to be discussed. Section 3-306(c)(2) requires that, if a public body meets in closed session, the minutes for its next open meeting must include certain information about the closed session. These detailed requirements mean that it is inappropriate to include a closed session as a routine matter as part of every, or almost every board meeting. A closed session is to be held only for unusual and particularly identified reasons stated in the Act, and after following the procedures mandated by the Act.

At least one member of a local board of elections must be trained on the Open Meetings Act. Information about this training is available at <http://www.marylandattorneygeneral.gov/Pages/OpenGov/OpenMeetings/training.aspx>.

Additional information about the Open Meetings Act is available on the Office of the Attorney General’s website - <http://www.marylandattorneygeneral.gov/Pages/OpenGov/Openmeetings/default.aspx>.

¹ A copy of the Open Meetings Act is available at <http://www.marylandattorneygeneral.gov/Pages/OpenGov/Openmeetings/default.aspx>.

SBE & LBE Meetings: Pre- and Post-Meeting Activities and Notices

This document outlines the pre- and post-meeting activities and notices that local boards and the State Board must follow. These requirements are found in Election Law Article, §1-305 (2017) and §2-303(h) (enacted as Chapter 221 and introduced as [House Bill 410 \(2023\)](#)).

Section 1-305 refers to “administrative policy affecting voting rights”? What type of agenda item is an “administrative policy affecting voting rights”?

The following agenda items are an “administrative policy affecting voting rights.”

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

Polling Place Changes: List of and Notice to Interested Individuals and Organizations (§2-303(h))

List of Interested Individuals and Organizations: Each local board must provide a way for individuals and organizations to sign up to be notified when the local board will discuss proposed changes to polling places. There are several ways to facilitate the sign up process.

1. Collect information via email. For example, add text on your website about how to sign up for notices.

Example: We can let you know when we propose to move a polling place. To sign up, please send an email to Include your name and email address where notices should be sent.

2. Create and post a Google form allowing individuals to sign up for notices. The information entered into the Google form will automatically populate a Google sheet.

Example: We can let you know when we propose to move a polling place. To sign up, please complete this form.

3. Use Smartsheets to create an online form allowing individuals to sign up for notices. The information entered into the form will automatically populate a Smartsheet.

Example: We can let you know when we propose to move a polling place. To sign up, please complete this form.

4. Collect relevant information by phone.

Regardless of how you collect sign ups, we recommend:

1. For individuals, collecting the person’s name and email address
2. For organizations, collecting the name of the organization and the name and email address of the appropriate person in the organization
3. Using a spreadsheet to capture the contact information and precinct numbers and polling places relevant to the elected officials listed below.

Notice of Meetings: Each local board must provide notice to the interested individuals and organizations of meetings and certain elected officials before the meeting when the proposed

SBE & LBE Meetings: Pre- and Post-Meeting Activities and Notices

changes to polling places will be discussed¹. Notice must be provided at least 14 days before the meeting.

The local board must notify the:

1. Individuals and organizations who signed up
2. County Executive or Mayor of Baltimore City (if applicable)
3. County Commissioner or County Council member elected by voters in the precinct(s) with the current polling place and proposed polling place
4. Member of the General Assembly elected by voters in the precinct(s) with the current polling place and proposed polling place

This notice is not required for changes made 21 days before an election.

Before the Meeting: Instructions & Sample Notice (§1-305)

Instructions: If an agenda for a State or local board meeting includes one of the above agenda items, you must post on your website notice of this action. The notice must be posted at least 48 hours before the meeting and be prominently displayed on the website. To meet the "prominently displayed" requirement, place the notice on your home page. This notice is in addition to the notice provided to specific individuals and organizations at least 14 days before a meeting.

Sample Pre-Meeting Notice

At its *[insert meeting date and time]* meeting, the *[County/City]* Board of Elections will consider *[select applicable option(s) from list below]*. The meeting is open to the public and will be held at *[location of meeting]*.

Select all options that apply to the agenda items:

1. Adding a new polling place for *[district-precinct]* at *[name and address of the proposed location]*
2. Changing the location of the polling place for *[district-precinct]* from *[name and address of the current location]* to *[name of the proposed new location]*
3. Approving an emergency change to the location of the polling place for *[district-precinct]* from *[name and address of the current location]* to *[name of the proposed new location]*
4. Adding a new early voting center at *[name and address of proposed location]*
5. Changing the location of an early voting center from *[name and address of prior location]* to *[name and address of proposed new location]*
6. The final adoption of regulations relating to *[select all that apply: voter registration, provisional voting, absentee voting]* (Note: This option likely only applies to SBE.)
7. The final adoption of changes to existing regulations relating to *[select all that apply: voter registration, provisional voting, absentee voting]* (Note: This option likely only applies to SBE.)

After the Meeting: Instructions & Sample Post-Meeting Notice (§1-305)

Instructions: If the State or local board approved the action(s) listed in the pre-meeting notice, you must provide reasonable public notice of the change and the notice must:

1. Be in a reasonably convenient and accessible format,

¹ Changes to voting locations must be discussed at a public meeting, and the public must be allowed to speak on the proposed change.

SBE & LBE Meetings: Pre- and Post-Meeting Activities and Notices

2. Be prominently posted on the board's website,
3. Include a concise description of the change, including the difference between the new and previous policy; and
4. Be provided within 48 hours of the board's adoption of the change.

To meet the "prominently displayed" requirement, place the notice on your home page.

Sample Post-Meeting Notice

If you have space on your home page to describe the change(s), use this language:

At its *[insert meeting date]* meeting, the *[County/City]* Board of Elections approved *[select applicable option(s) from list below]*.

Select all options that apply to the State or local board's action(s):

1. Adding a new polling place for *[district-precinct]* at *[name and address of the proposed location]*
2. Changing the location of the polling place for *[district-precinct]* from *[name and address of the current location]* to *[name and address of the proposed new location]*
3. Approving an emergency change to the location of the polling place for *[district-precinct]* from *[name and address of the current location]* to *[name of the proposed new location]*
4. Adding a new early voting center at *[name and address of proposed location]*
5. Changing the location of an early voting center from *[name and address prior location]* to *[name and address of the proposed new location]*
6. Adopting new regulations relating to *[select all that apply: voter registration, provisional voting, absentee voting]*. *[Provide a summary of the new regulations.]* (Note: This option likely only applies to SBE.)
7. Adopting changes to existing regulations relating to *[select all that apply: voter registration, provisional voting, absentee voting]*. *[Provide a summary of the changes.]* (Note: This option likely only applies to SBE.)

If there is not space on your home page to describe the change(s), use this language:

On your home page:

At its *[insert meeting date]* meeting, the *[County/City]* Board of Elections approved changes to *[select applicable description: early voting centers, election day polling places, or regulations related to voter registration, provisional voting, or absentee voting]*. More information about these recent actions is available here *[link to another web page with the following information]*.

On another web page accessible from the link above (on the home page):

At its *[insert meeting date]* meeting, the *[County/City]* Board of Elections approved *[select applicable option(s) from list below]*.

Select all options that apply to the local board's action(s):

1. Adding a new polling place for *[district-precinct]* at *[name and address of the proposed location]*

SBE & LBE Meetings: Pre- and Post-Meeting Activities and Notices

2. Changing the location of the polling place for *[district-precinct]* from *[name and address of the current location]* to *[name and address of the proposed new location]*
3. Approving an emergency change to the location of the polling place for *[district-precinct]* from *[name and address of the current location]* to *[name of the proposed new location]*
(Note: This option only applies to SBE.)
4. Adding a new early voting center at *[name and address of proposed location]*
5. Changing the location of an early voting center from *[name and address prior location]* to *[name and address of the proposed new location]*
6. Adopting new regulations relating to *[select all that apply: voter registration, provisional voting, absentee voting]*. *[Provide a summary of the new regulations.]* (Note: This option likely only applies to SBE.)
7. Adopting changes to existing regulations relating to *[select all that apply: voter registration, provisional voting, absentee voting]*. *[Provide a summary of the changes.]*
(Note: This option likely only applies to SBE.)

Help America Vote Act of 2002 (H.R. 3295)

This legislation provides federal funds for election reform improvements, including money to replace punch card and lever voting systems. It establishes a new federal agency, the Election Assistance Commission and imposes anti-fraud measures such as voter identification for some voters and citizenship questions on voter registration applications. It requires improved access to the polls and voting machines for voters with disabilities and voters with limited English proficiencies. It mandates that states establish provisional voting by 2004 and statewide voter registration databases by 2006. It authorizes funding of efforts to encourage greater youth involvement at the polling places.

National Voter Registration Act of 1993 (NVRA) (42 U.S.C. 1973gg)

This Act applies to all federal elections in all States except those that do not have voter registration. In all other States, this Act:

- Requires that individuals be given an opportunity to register by mail using either a State mail voter registration form or the national mail voter registration form.
- Requires that individuals be given an opportunity to register to vote (or to update their voter registration data) when applying for or renewing a driver's license or other personal identification document issued by a State motor vehicle authority.
- Requires that individuals be given the opportunity to register to vote (or to change their voter registration address) when applying for services or assistance at (1) at any office in the State that provides public assistance including, but not limited to, the Food Stamp program; the Medicaid program; the Special Supplemental Food Program for Women, Infants, and Children (WIC) program; and the Aid to Families with Dependent Children (AFDC) program; (2) at other offices designated by the State; (3) at Armed Forces recruitment offices; and (4) at or through any office in the State that provides State funded programs primarily engaged in providing services to persons with disabilities.
- Prohibits removing names of individuals from the voter registration list for their failure to vote or for having changed their address within the registrar's jurisdiction.
- Requires the States to conduct a uniform and non-discriminatory general program that makes a reasonable effort to remove the names of ineligible voters ("list maintenance").
- Permits certain classes of registrants to vote ("fail-safe voting").

The Voting Rights Act of 1965 (42 U.S.C. 1973aa-6)

The bilingual election requirements apply to all elections but only in certain covered jurisdictions requiring them to provide registration and voting materials and oral assistance in the language of a qualified language minority group as well as English. Such language minority groups include persons of Spanish heritage, American Indians, Alaskan Natives, and Asian Americans.

Uniformed and Overseas Citizens Absentee Voting Act of 1986 (UOCAVA) (42 U.S.C. 1973ff – 1973ff-6, 39 U.S.C. 3406, and 18 U.S.C. 608-609)

This law applies to all general, primary, and special elections for federal office in all jurisdictions. UOCAVA applies to the members and their families of the U.S. Uniformed Services (on active duty) and merchant marine as well as the U.S. citizens residing outside of the U.S. Members of the Uniformed Services or merchant marine and their family members may vote absentee while away from their place of voting residence, wherever stationed within or outside of the United States. U.S. citizens residing outside the United States and its territories may vote in the state or territory where they last resided immediately prior to departure from the United States.

Federal Statutes Mandating Access to the Election Process for Persons with Disabilities

1. The Voting Rights Act of 1965 (41 U.S.C. 1973aa-6)

The Voting Rights Act of 1965 was originally designed to protect and facilitate the voting rights of racial minority groups. Subsequent amendments have, however, expanded it to include other minority groups as well as more general matters regarding voting qualifications and procedures. Section 208 of the Act applies to all elections in all jurisdictions: "Any voter who requires assistance to vote by reason of blindness, disability, or inability to read or write may be given assistance by a person of the voter's choice, other than the voter's employer or agent of that employer or agent of the voter's union."

2. **The Voting Accessibility for the Elderly and Handicapped Act of 1984 (42 U.S.C. 1973ee – 1973ee-6)**

This law contains provisions expressly intended to “promote the fundamental right to vote by improving access for handicapped and elderly individuals to registration facilities and polling places for Federal elections.” The Act requires:

- That each political subdivision responsible for conducting elections within each State assure that all polling places for federal elections are accessible to elderly and handicapped voters except in the case of an emergency as determined by the State chief election officer or unless the State’s chief election officer (1) determines, by surveying all potential polling places, that no such place in the area is accessible or can be made temporarily accessible, and (2) assures that any handicapped voter assigned to an inaccessible polling place will, upon advance request under established State procedures, either be assigned to an accessible polling place or be provided an alternative means of casting a ballot on election day.
- That each State or political subdivision responsible for voter registration for federal elections provide a reasonable number of accessible permanent registration facilities unless the State has in effect a system which provides potential voters an opportunity to register by mail or at their residence.
- That each State make available to handicapped and elderly individuals registration and voting aids for federal elections including large-type instructions conspicuously displayed in every permanent registration facility and polling place and information by telecommunication devices (TDDs) for the deaf.
- That each State’s chief election officer provide public notice calculated to reach elderly and handicapped voters regarding the availability (1) of the registration and voting aids required, (2) of the voter assistance provisions under Section 208 of the Voting Rights Act of 1965, and (3) of the procedures for voting by absentee ballot.

3. **The Americans with Disabilities Act of 1990 (42 U.S.C. 12131, Subtitle A, Title II)**

Title II of the Americans with Disabilities Act (ADA) prohibits discrimination by State or local entities in any of their services, programs, or activities – including the election process. State and local election entities are thereby obliged to ensure the accessibility of the election process by qualified persons with disabilities. The Act has been interpreted to require that polling places and registration sites must be made accessible in all, rather than just Federal, elections (The Voting Accessibility for the Elderly and Handicapped Act of 1984 applies only to federal elections).

Precinct Voter Counts Report

Precinct : All Status : Active Inactive Status Reason: All Split : All

	TOTAL	DEM	REP	LIB	UNA	OTHERS
PRECINCT 01001	1620	373	864	11	357	15
PRECINCT 01002	2591	1015	931	19	580	46
PRECINCT 01003	5290	1849	2013	31	1347	50
PRECINCT 01004	4526	1370	2090	16	1019	31
PRECINCT 01005	4778	1749	1745	39	1190	55
PRECINCT 01006	2437	812	984	17	576	48
PRECINCT 01007	4808	1613	2048	30	1080	37
PRECINCT 01008	1899	614	754	5	515	11
PRECINCT 01009	511	139	234	5	124	9
PRECINCT 01010	1429	608	421	10	373	17
PRECINCT 01011	2444	924	911	24	559	26
PRECINCT 01012	2251	950	767	10	491	33
PRECINCT 01013	3277	1457	948	30	805	37
PRECINCT 01014	4116	2069	989	25	983	50
PRECINCT 01015	4219	1972	1243	28	929	47
PRECINCT 01016	4232	1633	1602	34	914	49
PRECINCT 01017	1877	767	629	13	434	34
PRECINCT 01018	2627	1161	816	19	599	32
PRECINCT 01019	3539	2069	555	23	814	78
PRECINCT 01020	3589	2198	498	9	798	86
PRECINCT 01021	5711	3082	1217	36	1298	78
PRECINCT 01022	2090	1042	499	11	505	33
PRECINCT 02001	3196	808	1636	30	687	35
PRECINCT 02002	384	117	177	6	79	5
PRECINCT 02003	49	17	21	0	11	0
PRECINCT 02004	192	59	81	5	42	5
PRECINCT 02005	1844	1006	362	15	442	19
PRECINCT 02006	3797	1592	1253	25	881	46
PRECINCT 02007	5575	2674	1377	49	1361	114
PRECINCT 02008	2408	1137	499	18	696	58
PRECINCT 02009	1042	389	264	17	359	13
PRECINCT 02010	2022	858	662	22	454	26
PRECINCT 03001	5748	1226	3231	45	1186	60

MDVOTERS * = Former Precinct/Split

Precinct Voter Counts Report

Precinct : All Status : Active Inactive Status Reason: All Split : All

	TOTAL	DEM	REP	LIB	UNA	OTHERS
PRECINCT 03002	3098	755	1655	18	645	25
PRECINCT 03003	3515	1000	1739	14	734	28
PRECINCT 03004	3816	917	2142	25	720	12
PRECINCT 03005	3277	899	1576	16	760	26
PRECINCT 03006	6349	1790	3042	40	1421	56
PRECINCT 03007	6502	1625	3279	39	1522	37
PRECINCT 03008	2863	732	1510	12	588	21
PRECINCT 03009	7452	1957	3831	47	1550	67
PRECINCT 03010	2608	720	1252	15	592	29
PRECINCT 03011	5474	1781	2389	40	1207	57
PRECINCT 03012	635	180	308	8	131	8
PRECINCT 03013	5664	1813	2446	41	1290	74
PRECINCT 03014	3052	868	1411	15	735	23
PRECINCT 03015	2583	825	1179	7	556	16
PRECINCT 03016	5078	1577	2208	34	1207	52
PRECINCT 03017	3313	959	1523	33	774	24
PRECINCT 04001	2735	499	1664	19	528	25
PRECINCT 04002	2187	477	1261	9	420	20
PRECINCT 04003	3217	629	1930	20	613	25
PRECINCT 04004	3014	707	1667	19	581	40
PRECINCT 04005	2161	518	1177	13	437	16
PRECINCT 04006	4013	974	2190	22	782	45
PRECINCT 04007	702	191	373	2	131	5
PRECINCT 05001	5461	1019	3366	34	996	46
PRECINCT 05002	2766	542	1619	19	551	35
PRECINCT 05003	1676	374	921	12	346	23
PRECINCT 06001	271	87	123	4	53	4
PRECINCT 06002	2642	950	957	22	686	27
PRECINCT 06003	758	335	221	5	190	7
PRECINCT 06004	5151	2034	1729	17	1304	67
PRECINCT 06005	4651	1966	1363	34	1177	111

Grand Total

202802	69049	84372	1332	45715	2334
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Acronym	Translation	Use
1 AOC	Administrative Office of Courts	Part of List Maintenance to process potential criminals
2 BAC	Ballot Activation Card	The BAC is used in the Ballot Marking Device
3 BMD	Ballot Marking Device (ExpressVote)	This machine is designed to help a visually impaired voter (although anyone who wishes to use it may do so) mark their ballot using a BAC during Early Voting and Election Day
4 BOE	Board of Elections	
5 BSU	Ballot Scanning Unit (DS200)	Scans and tabulates Voted Ballots on Early Voting and Election Day
6 CF Card	Compact Flash Card	Memory card that is used in the Electronic Pollbook
7 COMAR	Code of Maryland Regulations	Contains Maryland's election laws
8 DHMH	Department of Health and Mental Hygiene	Part of List Maintenance to process deceased voters (this acronym is widely used even though this agency is now called "Department of Health")
9 DHS	Department of Homeland Security	In January 2017 the Department of Homeland Security (DHS) designated the election infrastructure used in federal elections as a component of U.S. critical infrastructure.
10 DHS	Department of Human Services	Electronic Voter Registration Applications are received from agency (and others) as part of the automatic registration law that was passed in 2018
11 EAC	Election Assistance Commission	The U.S. Election Assistance Commission (EAC) was established by the Help America Vote Act of 2002 (HAVA). EAC is an independent, bipartisan commission charged with developing guidance to meet HAVA requirements, adopting voluntary voting system guidelines, and serving as a national clearinghouse of information on election administration. EAC also accredits testing laboratories, certifies voting systems, and audits the use of HAVA funds. • See www.eac.gov for more information
12 EDSS	Election Day Support Specialist	EDSS are temporary employees that are hired to help with L&A testing, equipment delivery, support to the EV sites and polling places, general office help
13 EPB or Epollbook	Electronic Pollbook	Device used to check in voters during Early Voting and Election Day
14 ERIC	Electronic Registration Information Center	- The Electronic Registration Information Center (ERIC) is a non-profit organization with the sole mission of assisting states to improve the accuracy of America's voter rolls and increase access to voter registration for all eligible citizens. ERIC is governed and managed by states who choose to join, and was formed in 2012 with assistance from The Pew Charitable Trusts. - This consists of five reports - Out of State, Instate, NCOA, Merge, Deceased. We are able to make changes and ask for confirmation of change to a voter record
15 ES&S	Elections Systems and Software	The vendor for our election equipment
16 EV	Early Voting	There are 8 consecutive days of early voting (Thursday to Thursday) starting twelve days prior to Election Day
17 EVRA	Electronic Voter Registration Application	Online applications we receive from Maryland Vehicle Administration, Maryland Health Benefit Exchange, Department of Human Services
18 FTP	File Transfer Protocol	A procedure for securely transmitting files between the LBES and SBE.
19 HAVA	Helping Americans to Vote Act	The Help America Vote Act (HAVA) of 2002 was passed by the United States Congress to make sweeping reforms to the nation's voting process. HAVA addresses improvements to voting systems and voter access that were identified following the 2000 election. • see www.eac.gov for more information
20 iGO	International Association of Government Officials	iGO is an association that aims to provide professional training and leadership development, through the promotion of networking, technology innovations, educational programs and legislative monitoring on national issues that affect county recorders, election officials, treasurers, and clerks, to better serve the public.
21 L&A	Logic and Accuracy	
22 LBE	Local Board of Elections	The testing process of all voting equipment prior to use at each election

Acronym	Translation	Use
23	MACO Maryland Association of Counties	The Maryland Association of Counties (MACo) is a non-profit and non-partisan organization that serves Maryland's counties by articulating the needs of local government to the Maryland General Assembly. The Association's membership consists of county elected officials and representatives from Maryland's 23 counties and Baltimore City.
24	MAEO Maryland Association of Election Officials	MAEO is the professional membership organization comprised of local election officials and Election Boards from all 24 jurisdictions in the State of Maryland. The purpose of the organization is to improve the election and registration procedures in the State; to improve the operation of the offices of the Boards of Elections throughout the State; to recommend desirable new legislation affecting voting and registration to the State Board of Elections; and to encourage fellowship and exchange ideas
25	MHBE Maryland Health Benefit Exchange	We get EVRAs from this agency as part of the new automatic registration law that was passed in 2018
26	MOU Memorandum of Understanding	
27	MOVE The Military and Overseas Voter Empowerment Act	The Military and Overseas Voter Empowerment Act (MOVE) amended UOCAVA and other statutes by providing greater protections for Service Members, their eligible family members and other overseas citizens. Among other provisions, the MOVE Act requires States to send absentee ballots to UOCAVA voters at least 45 days before federal elections. • See www.itvap.gov for more information
28	MS-ISAC Multi State Information Sharing Analysis Center	The mission of the MS-ISAC is to improve the overall cybersecurity posture of the nation's state, local, tribal and territorial governments through focused cyber threat prevention, protection, response, and recovery.
29	NVRA National Voter Registration Act of 1993	The National Voter Registration Act of 1993 (also known as the "NVRA" or "motor voter law") sets forth certain voter registration requirements with respect to elections for federal office. Section 5 of the NVRA requires that States offer voter registration opportunities at State motor vehicle agencies; Section 6 of the NVRA requires that States offer voter registration opportunities by mail-in application; Section 7 of the NVRA requires that States offer voter registration opportunities at certain State and local offices, including public assistance and disability offices. Section 8 of the NVRA contains requirements with respect to the administration of voter registration by States and requires States to implement procedures to maintain accurate and current voter registration lists.
30	NCOA National changes of address	Information received from the United States post Office
31	OLVR OnLine Voter Registration	A voter can register online through our website www.hartfordvotes.info or through the State website www.elections.maryland.gov
32	PEM Post Election Maintenance	This process checks the election hardware to see if it needs repair. Performed after each election
33	PEP Performance Evaluation and Planning	All State employees receive a PEP every January and July
34	SBE State Board of Elections	
35	SDA State Designated Agency	We get EVRAs from this agency as part of the new automatic registration law that was passed in 2018
36	SDR Same Day Registration	A voter can register to voter during Early Voting and Election Day. A voter can also change his/her address during Early Voting
37	UOCAVA Uniformed, Overseas Citizens Absentee Voting Act	The Uniformed and Overseas Citizens Absentee Voting Act is commonly referred to as UOCAVA. UOCAVA citizens are U.S. citizens who are active members of the Uniformed Services, the Merchant Marine, and the commissioned corps of the Public Health Service and the National Oceanic and Atmospheric Administration, their eligible family members and U.S. citizens residing outside the United States. This Act provides the legal basis for these citizens' absentee voting requirements for federal offices. • See www.itvap.gov for more information
38	VACS Voter Authority Card Slip	The paper slip containing information from the Epollbook after a voter has checked into vote. It contain the voter's information such as name, address, date of birth, ballot style, polling place information, and congressional, legislative, and councilmanic districts.
39	VNC Voter Notification card	Mailed to voters stating we received information saying their address changed. Requires confirmation
40	VR Voter Registration	
41	VRA Voter Registration Application	This is an application that a voter can use to register to vote, make a party change, or change his/her address
42	VRV Voter Registration Volunteer	These individuals, after they have been trained and certified by our office staff, are volunteers that help the public to register to vote.

ELECTION OFFICE

Stephanie Taylor
Director

Kimberley Slusar
Deputy Director



ELECTION BOARD

Michael A. Dykes, Member
Christina K. Bracknell, Member
Marquita J. McMillan, Member
Joseph N. Price, Member
James C. Richardson, Member

Brian K. Young, Esq., Board Counsel

2023 BOARD MEETING DATES HARFORD COUNTY BOARD OF ELECTIONS

~~January 18th~~

~~February 22nd~~

~~March 22nd~~

~~April 26th~~

~~May 24th~~

~~June 21st~~

~~July 26th~~

~~August 23rd~~

~~September 27th~~

~~October 25th~~

~~*November 22nd~~

~~*December 27th~~

All meetings are held at the Office of the Board of Elections located at 133 Industry Lane, Forest Hill, Maryland 21050 and begin at 5:00 pm unless otherwise approved by the Harford County Board of Elections and posted for public notice. All meetings are open to the public and may have a closed session if necessary.

*This date may conflict with another event whether that be election related or a holiday