

State of Maryland

Election Directors' Meeting – July 14, 2009

This meeting was held by conference call. All local boards of elections, except for Allegany, Baltimore City, Cecil, Garrett, and Prince George's Counties Boards of Elections, were represented during the conference call.

Voting System

Status of RFP – The RFP for the voting system has been split into two separate solicitations. There will be one for the voting system hardware, and one for the services to support the implementation. The solicitations are currently being reviewed by DBM and DOIT, and we hope that they will be available for public review and response either this week or next week.

Number of DREs – The number of DREs to allocate to each early voting center and on election day will be addressed by regulation.

Electronic Pollbooks

Bob Murphy reported that there will be a new version of software for early voting and that testing of the new version with remote connections is on-going. The basic model for early voting is the electronic pollbook writes simultaneously to the compact flash card and a transaction log on the EPIC server. As a result, there is no need to harvest the compact flash cards to obtain the data.

Early Voting

Site selection – Ross Goldstein explained that regulations are being drafted to establish controlling factors for the early voting centers (i.e., number of voters who must live within a certain distance from the early voting center, accessibility by public transportation, etc.) and that we expect to present proposed regulations at the next meeting of the State Board of Elections. He cautioned that the process to adopt regulations takes time, but once the members of the State Board approve the proposed regulations, the local boards can rely on the proposed regulations even though it is possible (but not likely) that the final version of the regulations may differ from the proposed regulations.

Voter Registration

Calvert County submitted an email explaining that they continue to receive undeliverable sample ballots from the post office. Since the date when the sample ballots were mailed, the United States Postal Service has increased its postage rate and is charging the local boards the newer rate on returning sample ballots. All local boards experiencing the same problem were encouraged to contact their local postmaster, and we will discuss the matter with our USPS contacts.

Petition

Sandy Brantley explained that legislation was enacted during the 2009 Legislative Session that authorized placing speed cameras in school and construction zones. The legislation requires that a county enact local authorization for speed cameras in school zones, and Delegate Smigiel requested advice on whether the local laws authorizing speed cameras in school zones could be petitioned to referendum. (The effort to petition to referendum the State legislation enacted during this past legislative session failed.) Sandy stated that the Attorney General's Office has advised that these local laws **cannot** be petitioned to referendum. (Note: The Attorney General's opinion was distributed via County Support on July 14th.)

Election Preparedness and Professional Development Program

Rick Urps presented an overview of SBE's proposed Election Preparedness and Professional Development Program. This program establishes a free certification program for election directors, deputy directors, and staff and provides courses in a variety of topics to provide information about election preparedness and enhance the professionalism of elections in Maryland. It includes seven pre-

certification courses ranging from pre-election and post-election activities to managing an election office to basic project management principles and continuing education requirements to maintain certification. Under the current proposal, election directors and deputy directors will need to complete two or three courses before the 2010 Primary Election. After Rick's overview, the following were discussed:

- Whether the program is required – The program is required. The authority for training is in COMAR.
- The similarity of the program to the CERA program – While there may be some overlap between the programs, this program is specifically designed for elections in Maryland and will include Maryland specific laws, policies, and procedures.
- Who leads the courses – SBE employees and contractors will lead and present the subject matter, and we hope to include LBE personnel that can share ideas and “best practices.”
- Financial incentives to complete certification – At this time, there will not be any financial incentives associated with this program.

(Note: Rick distributed more detailed information about the program on July 15th.)

Miscellaneous Issues

- Donna Duncan thanked Jim Massey for his survey about board members and expected summary of survey results. She noted that this information is useful when preparing fiscal notes.
- Ross explained that SBE is considering splitting the biennial meeting into two meetings – one for board members and one for election directors and staff. The meeting for board members is expected sometime in October with the meeting for election directors and staff expected sometime in December. With a later meeting date, we hope to have more information about the voting system and early voting to share. Ross noted that we will work with the MAEO Board to develop a curriculum for the board members' meeting.
- In response to a question about having an in-person meeting to cover lessons learned from the 2008 election, Ross explained that this discussion was originally scheduled for the biennial meeting but since the meeting for election directors and staff will now be held in December, we will consider having a lessons learned meeting earlier.
- There was a question about the impact future budget cuts will have on SBE. Ross explained that SBE will be requesting a FY 2010 deficiency appropriation in its FY 2011 budget since the FY 2010 budget did not include sufficient funding for the new voting system and did not include any funding for early voting. The amount of deficiency is not yet known, but Ross explained that the deficiency SBE will be submitting will only be for SBE's budget. Ross noted that we are expecting another round of furloughs, and while he had hoped to get back the two positions SBE lost in the last round of budget cuts, he is not optimistic.
- In response to a question about the costs of the new voting system, Ross stated that he will distribute SBE's cost estimates for the new voting system and early voting once the estimates are complete. The new voting system will be financed over time through the Treasurer's Office, but services and implementation costs will be upfront costs and cannot be financed. Because of the services and implementation costs, Ross explained that LBEs should expect that their budgets will increase.
- With respect to the contractual relationship with Premier, Ross explained that SBE will continue to have a contractual relationship with Premier because of the warranties and other issues surrounding the existing equipment. This relationship will continue regardless of the outcome of the voting system and services solicitations.
- In response to a question about the status of the contract claim between Premier and the Attorney General's Office, Sandy explained that the claim has not been resolved. Ross noted that payment being withheld as a result of this contract dispute relates only to the voting system, not electronic pollbooks. LBEs with questions concerning electronic pollbook invoices should contact Ross.
- Rick reminded the election directors that there are federal funds available to purchase equipment to make polling places accessible on election day. He directed the election directors to the July 10th edition of the County Bulletin for a website that can help provide ideas on what supplies can be purchased to make polling places accessible on election day.