



Queen Anne's County Board of Elections
Board Meeting Minutes
April 27, 2023

Present:

Bill Seth (D)

Colby Martin, Staff

David Stevens (R)

Chrissy Jones, Director

Jeff Thompson, Attorney

Kim Spence, Deputy Director

Mary Walker (D)

Kelly Eichelberger, Staff

Jane Sparks (R)

Jena Anthony, Staff

Erin Fee, Staff

Absent:

Bill Stoops

Public: None

Opening:

Mr. Seth declared a quorum to be present and called the meeting to order at 9:11 am.

Additions/Changes to the agenda:

No changes to the agenda

Approval of Minutes

A motion was made by Jane Sparks to approve the minutes from the last meeting. Mary walker seconded.

Directors Report

- The staff went to Baltimore County to do a facility tour and got to see plans on their new building.
- Chrissy attended JAD at SBE for improvements of MD Voters and implementations.
- Reviewed agenda for upcoming MAEO conference.

Old Business

No old business.

New Business

None

Correspondence:

None

Voter registration:

Total: 41691

DEM- 11580	REP- 20691	GRN-	LIB- 249	WCP-	UNA- 8764	OTHER- 407
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Confirmation of Next Meeting:

June 13, 2023 9:00 am

Adjournment:

Jane Sparks made a motion to adjourn. David Stevens seconded the motion. The meeting was adjourned at 9:25 am.

Respectfully Submitted



Mary E. Walker
Board Secretary



Queen Anne's County Board of Elections
Board Meeting
June 13, 2023
Agenda

- I. Swearing in of the Board
- II. Call Meeting to Order/Declaration of Quorum Present-Attendees
- III. Election of Officers
- IV. Additions to the Agenda
- V. Approval of Minutes - April 2023
- VI. Directors Report- verbal
- VII. Old Business
 - A. MAEO Conference
- VIII. New Business
 - A. Adoption of By-laws
 - B. State Administrator
 - C. County Fair Voter Outreach
- IX. Correspondence
 - A. Model By-laws
 - B. Registration Figures
 - C. Board Member Ethics and Standards
 - D. Ethics Law Summary
 - E. Duties of Board and Election Director
 - F. Summary of Federal Election Laws
- X. Confirmation of Next Meeting- July 27, 2023
- XI. Guest Comments
- XII. Closed Session* - Election Director performance evaluation
- XIII. Adjournment

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



BYLAWS OF THE QUEEN ANNE'S COUNTY BOARD OF ELECTIONS

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BYLAWS OF THE QUEEN ANNE'S 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 the Queen Anne’s County Board of Elections.
- C. “Member” includes a regular member of the Board
- 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 Queen Anne’s 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.

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 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 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 must be sworn in by the Clerk for the Circuit Court for Queen Anne’s County or the Clerk’s duly appointed designee within 30 days of receiving the commission of appointment from the Governor.

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.

BYLAWS OF THE QUEEN ANNE'S COUNTY BOARD OF ELECTIONS

- 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 Queen Anne's 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 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 9:00am on the fourth Thursday of the month.
- B. Location. Unless circumstances dictate otherwise, meetings will be held in the election office.

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- 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 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.
- 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 has the discretion to allow public participation even if the request was not pre-scheduled and pre-approved.
 4. 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.
- 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:

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.

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>.

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- 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 affective 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*⁴.

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

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

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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.
4. Full minutes of closed meetings shall be presented for approval at the next closed meeting held by the board.
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.

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.
 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**

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

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- 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.

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.
 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.

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://efds.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."

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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.
- 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;

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 QUEEN ANNE'S 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, 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:

- 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.

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>.

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

SIGNATURES

Jonathan Fedusky 6/13/23
Member Date

C. Jones 6/13/23
Witness (Election Director) Date

William Adams 6/15/23
Member Date

[Signature] 3-7-24
Witness (Board Counsel) Date

Mary Eubank 6/13/23
Member Date

Marian Grier 6/13/23
Member Date

Mary Joseph 6/13/23
Member Date

BYLAWS OF THE QUEEN ANNE'S 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.

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).

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)	Maintain and dispose of its records in accordance with the State Board's record retention plan		✓
EL §3-505(c)	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 §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 = Election Law Article GP = General Provisions SPP = State Personnel & Pensions Article			
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)	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 §6-210(a), (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 §8-103(b)	Maintain a system to account for and maintain control over the ballots		✓
EL §9-216(a)	Provide requesting voters with a mail-in ballot ⁶		✓
EL §9-306	Maintain a full record of provisional voting		✓
EL §9-402	For each precinct, designate a polling place that meets certain requirements	✓	
EL §10-101	Recruit, assign, train, and pay appointed election judges		✓
EL §10-201 ⁷	Appoint election judges based on election director's recommendation	✓	
EL §10-203	Pay election judges at least the minimum compensation for training and service		✓
EL §10-205	Upon receiving complaint about an election judge, promptly investigate and remove any election judge who is unfit or incompetent	✓	✓
EL §10-207	Identify and recommend to the local board members locations for that county's early voting centers		✓
EL §10-301.1			✓

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	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	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.

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.

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.

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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.

Precinct Voter Counts Report

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

	TOTAL	DEM	REP	LIB	UNA	OTHERS
PRECINCT 01001	1766	407	975	7	359	18
PRECINCT 02001	3550	1028	1719	20	739	44
PRECINCT 03002	7373	2129	3700	35	1447	62
PRECINCT 04001	3108	828	1547	27	670	36
PRECINCT 04002	6727	1975	3162	42	1469	79
PRECINCT 04003	4842	1247	2415	29	1112	39
PRECINCT 04006	2834	681	1455	17	651	30
PRECINCT 05001	2077	619	1029	9	404	16
PRECINCT 05002	5398	1583	2600	36	1132	47
PRECINCT 06001	1978	405	1169	12	367	25
PRECINCT 07001	2194	685	980	16	494	19
Grand Total	41847	11587	20751	250	8844	415

Monthly Statistical Report

Last Transaction Date From: 05/01/2023 To: 05/31/2023

ADDITIONS TO COUNTY REGISTRATION

METHOD	DEM	REP	LIB	UNA	OTHERS	TOTAL	EXACT	DUPES
Confirmation Notice	0	1	0	0	0	1	1	0
Motor Vehicle Administration	41	72	1	69	3	186	186	0
NVRA by Mail	0	1	0	0	0	1	1	0
Online Voter Registration	1	2	0	0	0	3	3	0
Social Security Administration	1	0	0	0	0	1	1	0
State Designated Agencies	0	1	0	0	0	1	1	0
USPS Sticker	0	0	0	1	0	1	1	0
Voter Notification Card	0	1	0	0	0	1	1	0
TOTAL	43	78	1	70	3	195	195	0

SUBTRACTIONS FROM COUNTY ACTIVE STATUS

REASON	DEM	REP	LIB	UNA	OTHERS	TOTAL
Confirmation Mail Process-NVRA	3	0	0	2	0	5
Death Notice	2	11	0	6	0	19
Moved Out of State	0	0	0	1	0	1
Voter Request	1	0	0	0	0	1
Duplicate/Merged	0	0	0	0	0	0
County Transfer Out	-21	-28	0	-14	0	-63
TOTAL	27	39	0	23	0	89

AFFILIATION CHANGES

CHANGE	DEM	REP	LIB	UNA	OTHERS	TOTAL
From	13	13	2	9	4	41
To	6	14	1	15	5	41
TOTAL	-7	1	-1	6	1	0

Monthly Statistical Report

Last Transaction Date From: 05/01/2023 To: 05/31/2023

CURRENT ACTIVE REGISTRATION

ACTIVITY	DEM	REP	LIB	UNA	OTHERS	TOTAL
BEGINNING OF REPORT	11096	19818	227	8328	384	39853
ADDITIONS (+)	43	78	1	70	3	195
REINSTATED (+)	1	0	0	2	0	3
CANCELLED (-)	-3	-11	0	-7	0	-21
COUNTY TRANSFER OUT (-)	-21	-28	0	-14	0	-63
AFFILIATION CHANGES (+ OR -)	-7	1	-1	6	1	0
* INACTIVATED (-)	-3	0	0	-2	0	-5
* REACTIVATED (+)	0	4	0	1	0	5
END OF REPORT TOTALS	11106	19862	227	8384	388	39967

Last Transaction Date From: 05/01/2023 To: 05/31/2023

**INACTIVE REGISTRATION
SUBTRACTIONS FROM COUNTY INACTIVE STATUS**

REASON	DEM	REP	LIB	UNA	OTHERS	TOTAL
Motor Vehicle Administration	0	4	0	1	0	5
Moved Out of State	0	1	0	0	0	1
Duplicate/Merged	0	0	0	0	0	0
County Transfer Out	-3	-1	0	0	0	-4
TOTAL	3	6	0	1	0	10

CURRENT INACTIVE REGISTRATION

ACTIVITY	DEM	REP	LIB	UNA	OTHERS	TOTAL
BEGINNING OF REPORT	472	876	22	435	24	1829
* INACTIVATED (+)	3	0	0	2	0	5
* REACTIVATED (-)	0	-4	0	-1	0	-5
COUNTY TRANSFER OUT (-)	-3	-1	0	0	0	-4
AFFILIATION CHANGES (+ OR -)	0	0	0	0	0	0
CANCELLED FROM INACTIVE (-)	0	-1	0	0	0	-1
PENDING FROM INACTIVE (-)	0	0	0	0	0	0
TOTAL INACTIVE	472	870	22	436	24	1824

**TOTAL REGISTRATION RECORDS
ACTIVE AND INACTIVE REGISTRATION**

ACTIVITY	DEM	REP	LIB	UNA	OTHERS	TOTAL
ACTIVE REGISTRATION	11106	19862	227	8384	388	39967
INACTIVE REGISTRATION	472	870	22	436	24	1824
TOTAL RECORDS	11578	20732	249	8820	412	41791

Address Changes Within Jurisdiction 83
 Address Changes Statewide 19952 Confirmation Mailings Sent 0
 Name Changes 68 Confirmation Responses 2
 Number of current Statewide voter registration application on hand _____
 Signature of person who prepared the report _____ Date report completed _____
 Other = Those individuals designating affiliation with a party that is not established under Maryland Law. _____
 Unaffiliated = those individuals declining to affiliate with a party. _____

