

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

Michael G. Summers, Chairman
William G. Voelp, Vice Chairman
Janet Millenson
Yaakov "Jake" Weissmann



Jared DeMarinis
State Administrator

Katherine Berry
Deputy Administrator

To: Senate Budget and Taxation Committee
House Appropriations Committee, Public Safety & Administration Subcommittee

From: Jared DeMarinis, State Administrator

Re: State Board of Elections Budget Hearing

Date: Submitted to the Department of Budget and Management 2/6/2024

The State Board of Elections would like to thank the committees for the opportunity to provide testimony as it pertains to components of the State Board's budget.

Highlights

The State Board of Elections has undergone a transition after nearly three decades of the same leadership to the new administration. There have been some retirements and departures from SBE; however, this is the opportunity to bring in new ideas and new energy to Maryland election administration. We are looking forward to updating our processes and procedures as it pertains to human resources, bringing more transparency regarding procurement to the board, local boards of elections and general public. We have engaged in conducting several in-house pilot projects to help us evaluate and develop strategies and agency-specific policies for responsible uses of AI for elections as well.

The State Administrator has re-established an election administrator continuing education program - the Maryland Election Administration Education (MEAE) Program is a professional class for election officials throughout SBE. Staff will receive extensive training on various topics that are timely and allow them the confidence and knowledge to provide efficient, secure and reliable elections to citizens of Maryland. The new administration is engaged in rebranding the election process in Maryland and we are dedicated to enhancing voter education and processes in a transparent way.

The new administration started their roles in September after the FY25 budget had been created. In addition, we are in mission critical status as we are preparing for the 2024 Presidential Election cycle. While preparations are underway and nearly finalized to implement in time for our May Primary Election Cycle, we also have ongoing major high dollar projects in process.

DLS Analysis

1. SBE should comment on whether the remediation schedule and roadmap has been received and what further actions will be taken to ensure that the new pollbook project is implemented for the 2026 election.

The remediation schedule and roadmap have been received and were found to be lacking in detail. As a result, SBE has held discussions with stakeholders including representatives from the Local Boards of Election and decided that to ensure pollbooks are available for upcoming elections, SBE will take steps to extend the contingency for using the existing pollbooks through 2026. Beyond the additional steps already taken to use the existing pollbooks in the 2024 election and potentially in 2025, SBE is also investigating the purchase of additional battery backups to mitigate the potential risk of degradation of the aging built-in pollbook batteries to ensure the pollbook can function on battery power alone should the need arise.

2. SBE should comment on the increase in estimated cost for the project and the implementation schedule for the new voting system for the 2026 gubernatorial election cycle.

In the FY24 State Operating Budget in the Joint Chairman's Report for the 2023 Session, it was stated that "The committees are concerned that no information has been provided for two significant new MITDPs beginning in fiscal 2024.", which resulted in a request that "the State Board of Elections (SBE) submit a report on the Voting System Solution and Campaign Reporting Information System MITDPs, including information on the scope, timelines, and need for the projects. SBE submitted this report on July 15, 2023. Factors that contributed to an increase are largely due to advances and requirements related to the new voting system and the increased cost of personnel. DoIT shared the ITPR with DLS on August 22, 2023. In the budget provided in the FY24 ITPR, the total planned cost was \$53,675,059.

3. SBE should comment on its efforts to mitigate impacts on their own staff trying to implement these two MITDPs at the same time. SBE should also comment on its efforts to mitigate impacts on its own staff due to the 2024 presidential election.

Launching multiple MITDPs in the same year certainly presents additional risks, however, SBE believes these risks can be mitigated through careful planning, appropriate vendor resource requirements, SBE staff augmentation, careful program management, and well-considered contingency planning. In addition to mitigation efforts by SBE, all MITDPs are under the oversight and guidance of the Maryland Department of Information Technology (DoIT) Enterprise Program Management Office (EPMO) with each MITDP being assigned an Oversight Project Manager (OPM) who meets regularly with each MITDP project team and SBE Product Owner.

SBE will mitigate the risks related to additional strain on SBE staff through several strategies. First, where possible, the RFPs will be written with an emphasis on acquiring commercial-of-the-shelf products to minimize the amount of iterative and labor-intensive custom development and testing required. SBE will also include resource and planning requirements in the RFPs to ensure adequate staffing and schedule to provide statewide onsite training and hands-on support as needed throughout the project lifecycle including, and especially during any Statewide integration testing efforts, as well as any pilot efforts (municipal and special elections), and of course, any Statewide elections to include pre-, during, and post-election activities. All MITDPs are currently it be determined to be in the best interest of SBE and the State of Maryland, SBE will also develop a realistic and fully funded contingency plan for 2026 that would allow the final implementation of an MITDP to extend to 2028 if there is no other option.

4. SBE should comment on the reason for the decrease in its estimated cost for the new campaign reporting system.

The new campaign finance reporting system project did not begin when it was originally intended, so this may have contributed to a lower funding estimate.

5. Finding 1: SBE could enhance its procedures to fully identify deceased or duplicate voters recorded in MDVOTERS. Additionally, SBE did not ensure that LBEs corrected errors in voter data that were identified during periodic reviews.

SBE's process of auditing deceased and duplicate voters is a manual one, so the work is still ongoing to complete this process."