



September 13, 2021

The Honorable Larry Hogan  
Governor, State of Maryland  
Statehouse  
Annapolis, MD 21401

The Honorable Peter Franchot  
Comptroller, State of Maryland  
Goldstein Treasury Building,  
Room 121  
Annapolis, MD 21401

The Honorable Nancy Kopp  
Treasurer, State of Maryland  
Goldstein Treasury Building,  
Room 109  
Annapolis, MD 21401

Dear Members of the Board of Public Works:

The Maryland Association of Counties (MACo) respectfully requests that you carefully consider pending requests related to the procurement of new electronic pollbooks and ancillary equipment. While MACo recognizes the urgent need to implement a new pollbook system – an essential element of the statewide voting system, county governments join the Maryland Association of Election Officials in urging the State to honor the same 50/50 funding split as other comparable equipment that has been in place since 2001.

The State Board of Elections (SBE) plans to replace its electronic pollbooks — which verify and check in voters at polling places across the state — in time for the 2022 election cycle. While the State is responsible for 50 percent of the costs for “acquiring and operating the statewide voting system,” SBE does not consider pollbooks as part of the statewide voting system, and therefore plans to invoice county governments for 100 percent of the costs to acquire the necessary equipment and software — more than \$26 million over the next three years.

In 2006, Maryland passed legislation requiring all polling places be equipped with electronic pollbooks to verify the names and addresses of eligible voters. Chapter 61 of 2006 required the Governor to include in future years’ budgets sufficient State general funds to cover 100 percent of the costs to provide each polling place with electronic pollbooks.

According to the Department of Legislative Services:

*The Governor’s Fiscal 2021 Budget Books anticipated that the project to be mostly borne by local governments but that the State would contribute approximately 31% (\$9.3 million) toward the project’s total cost. However, the Governor’s Fiscal 2022 Budget Books have reduced the State share of the cost to approximately 11% (\$3.3 million).*

*SBE did not provide an explanation for why more costs were shifted to local governments but indicated that the State will equally share personnel and project management costs, while local funds will cover the entirety of equipment and software. In addition to the higher share of costs, the revised funding stream*

*also frontloads more costs. In fiscal 2022, local contributions will be nearly double the amount projected during the 2020 session.*

In 2001, on the heels of the well-documented national election and passage of the federal Help America Vote Act, Maryland passed legislation establishing a statewide uniform voting system, to be certified by the State Board of Elections (HB 1457 of 2001). This move, ultimately to touch-screen systems, proved very costly to both state and county taxpayers – with ultimate costs exceeding original estimates by tens of millions of dollars.

The General Assembly later enacted legislation to move toward the paper ballot-based systems being unveiled for 2016. In HB 1457, the State clearly created an even split of funding responsibility for voting machines and related systems – from Section 4 of that bill:

*[E]ach county shall pay its share of one-half of the State's cost of acquiring and operating the uniform statewide voting systems for voting in polling places and for absentee voting provided for under this Act, including the cost of maintenance, storage, printing of ballots, technical support and programming, related supplies and materials, and software licensing fees.*

In the years since its passage, the one-half funding split has been honored for a wide range of equipment purchases, with state budgets including equal amounts of state general funds and special funds (reimbursable by county invoicing). MACo believes that the equipment request before the State clearly merits the same consideration.

MACo as an organization stands ready to work with the Board of Public Works, the State Board of Elections, and the Administration to bring about a mutually beneficial solution that reaches the needed level of service and respects county budgets and processes. Maryland Counties urge your support in continuing the longstanding split of funding responsibility for elections, and your support for the pending request including appropriate state general funds.

Respectfully,



Kevin Kinnally  
Legislative Director, MACo

CC: The Honorable Wilbur Levensgood, President, MACo; Commissioner, Caroline County

CC: David Garreis, President, Maryland Association of Election Officials; Deputy Director, Anne Arundel County Board of Elections