

FAIR ELECTION COMMISSION MEETING

June 12, 2024

WHEN AND WHERE

Unless otherwise indicated, the Fair Election Fund Commission meets virtually through Microsoft Teams on the second Wednesday of each month at 5:30 p.m.

PROPOSED AGENDA

1. Commission - Approval of April Minutes (No May meeting – Primary Election)

2. Chair's Report –

A. Update on Candidates registered for FEF public funding program in MDCRIS – Post Primary Election Summary Held on May 14th. - Certified on May 28th.

- 8 registered candidates - 4 Certified/Qualified
- Zac Blanchard (Candidate Dist. 11) for City Council Won the Primary Election and can continue to raise funds eligible for the General Election, however, has reached matching distribution maximum.
- Campaign Bank Balance-Estimated Public Funds Returned. Reminder emails sent to Campaigns on May 13th and May 29th. A Third reminder will be sent on or before June 28th.
 - a.) Vignarajah \$298,984.78*
 - b.) Sneed \$249,588.37
 - c.) Johnson \$ Pending Report Amendment*

* Thiru issued a public withdrawal on May 1, 2024. However, did not issue a written withdrawal to the State Board of Elections withdrawing from the Election and the Public Financing program. Baltimore City Legislation does not state specific process/guidelines on constructive candidate withdrawal in lieu of a written statement from the candidate. A Fund Commission issued a public statement on May 7, 2024 (and posted to Webpage).

B. Primary Election May 14, 2024

Recount questions/discussions- On May 21st the City was facing a potential recount.

Q. Can a public financed candidate/campaign continue to raise funds and spend Public Funds after an election is certified and during a recount?

Answer: The short answer is - According to SBE, Public Financed Recount Campaigns fall under State Jurisdiction/Law. Md. Election Law Code Ann. § 12-301-313.

- A meeting was held with SBE, BOE, Charly, Nadine, and Yoanna.
- The Baltimore City Law Department is currently researching the following:

The City of Baltimore has not expressly authorized the establishment of a Recount/Contested Election Committee, therefore,

Q. Allowed Donors- are the prior donors to the participating candidates fund disqualified from additional contributions. Can he request donations (second time) from a prior contributor?

NOTICE OF POSSIBLE CLOSED MEETING

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Q. Transfer- if he wants to take money from existing campaign finance committee and transfer it to recount committee is that allowed under City law?

At a state level – no he can't because state law says only use public financing for purposes of campaign - not this separate purpose.

The state requires a separate account for a recount- will the city allow a transfer of existing funds in the current account to the newly created account.

3. Vice Chair Report

A. Update on remaining 3 nominees from Mayor's Office & Presidents Office.

- June 10th update - Per Ty'lor Schnella (Mayor's Office) The three vacant positions are mayor nominations and has moved issue back to top of his agenda. Commission members are welcome to submit candidate nominations for mayor vetting (please include Resume, background, interest etc.) Schnella, Ty'lor (Mayor's Office) Ty'lor.Schnella@baltimorecity.gov

B. Budget Fair Election Fund Account FY 2025 Balance (Including review of Draft Recommendation letter to Mayor/Council President).

- [...\\Public Campaign Candidate Certification 2024 Election\\Baltimore City Fair Election Fund Account Balance Election Cycle 2023-2024 04-04-2024 Update.xlsx](#)



Charly Draft Fair
Election Fund Apprc

C. General Election Nov. 5, 2024 (Important Dates)

- **Monday, August 5, 2024, Deadline**, 5 pm Filing Candidacy Petition & Certificate of Candidacy Deadline for general election petition candidate to file with SBE or the appropriate local board the Certificate of Candidacy and candidacy petition. 1st Monday in August. EL § 5-703(d) & (f)

****On April 8th Per SBE - the deadline to certify for the general is entirely the city's decision. It is not in state law. Your new attorney will need to check the city law and if a date isn't there, the city will need to decide on a date.***

- **Update from Baltimore City Law Department-**

...all those seeking funds from the Fair Election fund must have been certified 45 days prior to the primary election under Section 11-15(a), which says that “A candidate must apply to the State Board for certification during the qualifying period in the form that the State Board requires.” Then Section 1-1(s) makes it clear that “Qualifying period” means the time beginning on January 1 following the last election for the office the candidate seeks and ending 45 days before the date of the primary election. There is no way to certify after the primary and before the general.

So, since the primary this year is on May 14, 2024, a person must be qualified by March 30, 2024.

It may be worth having the City's Code revised because this would not give a lot of time for independent candidates to benefit from the Fair Election Fund.

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If challenged, our City Code could be considered unfair. If the City's law is found to be unfair because it requires certification before the primary, **there is nothing we can do without changing the text of the City Code.**

- **End of Campaign Disbursement Period-Nov. 19, 2024**
- **Maryland State Board of Elections next Commission briefing TBD**– Allen Norfleet (Dir of Candidacy and Campaign Finance) will schedule with Jared – Fall 2024

4. Guidelines for Fund Commissioners' Campaign – Ethics related Activities – Off Cycle Commission Members Meeting, Conflict of Interest etc.-



Charly Draft Code
of Conduct_04-2024

5. Promulgating Regulations – Process and timeline to address outstanding questions including:

- a.) End of Election Cycle Audit
- b.) Fund Committee Meeting Schedule beginning Fall 2024
- c.) Candidate Election Withdrawal/Campaign Suspension (SBE is working on Campaign Suspension Clause and possible state law privilege like recount state jurisdiction law).
- d.) Commission decision to exercise authority to change matching and distribution amounts. Add calendar item for Fund Commission.
- e.) Commission member Term defined (timeline beginning and end)

6. Inquiries– Please email your question(s) prior to the meeting to: BaltimoreFairElectionFund@Baltimorecity.gov . During the meeting, please enter your question in the Teams Chat.

7. Next Meeting – TBD

[June 10 2024 Meeting translation REUNIÓN DE LA COMISIÓN DE ELECCIONES JUSTAS.docx](#)

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