

Chair Feldman, Vice Chair Kagan, and Members of the Education, Energy, and the Environment Committee:

For the record, my name is David Naimon and I'm the President of the Montgomery County Board of Elections. It's an honor to testify here today, especially in front of my longtime younger friends, Chair Feldman and Vice Chair Kagan. I'd also like to thank Senators Feldman, Kagan, Brooks, Carozza, and Gallion and the staff of this Committee who toured our office in Gaithersburg in October – it was a great honor to welcome you, have you meet our excellent staff, and see how we operate in greater detail.

Our Board supports SB 948 with amendments, as I will explain. For the 2024 general election, Montgomery County had more than 35,000 voters who chose to receive web-delivered mail-in ballots (the most in the state, almost as many as the next two counties combined), and 18% of our mail-in ballot requests were for web-delivery. However, these ballots constituted 38% of unreturned mail-in ballots, so we have a lower return rate for web-delivered ballots. We agree with Senator Kagan about the importance of educating voters about what is required for these ballots to make sure they know what they're getting and what they need to do to return their ballots.

We support the first part of the bill (see P. 2, lines 23-31), which would require voters who choose the web-delivered ballot option to be provided a detailed description of the process for “obtaining, completing, returning, and processing” the ballot. We would propose two amendments to make sure that voters know that “web-delivered” ballots may *not* be “web-returned” and they need to print and mark a hard copy: (1) add “printing,” to the list on page 2, line 27, after “obtaining”, and (2) add a provision that the web-delivered ballots would be called “print your own” ballots, as we now call them in Montgomery County. The latter amendment could be patterned after [section 9-301\(c\) of the Election Article](#), which calls for election officials to refer to absentee ballots as “mail-in ballots.”

We do not support the second part of the bill (pp. 3-5, but see especially p. 4, lines 15-17), which provides that a voter on the permanent mail-in ballot list may not choose to receive a “print your own” ballot for more than one election cycle. There are a number of reasons why:

1. The permanent mail-in ballot list would become a misnomer for voters who choose this method of voting because it would no longer be permanent for tens of thousands of voters. They would need to change methods to remain on the list. The list was designed to simplify the process for voters and this would do the opposite.
2. Requiring voters to reapply every election year would defeat the purpose of the list and add unnecessary paperwork for both voters who prefer this voting method and

staff who process the paperwork. (When I say paperwork, I'm including its electronic equivalent.)

3. We have many voters who travel a lot (in Montgomery County, I think of lawyers at national or international law firms, auditors, and executives at Marriott, Choice Hotels, biotech firms, or other national or international businesses, but I'm sure there are many other examples across the state), and it's reasonable for them to want to print their ballots wherever they are when the ballots are available and not to have to return home to get them.
4. It is unfair to those voters who travel a lot *domestically* to say that their use of "print your own ballots" is limited while those who travel *to other countries* have no such limit, but we're required by federal law to provide this option for military and overseas voters. I also think it's unfair generally to allow certain classes of voters to use a voting method without limit while limiting it for other voters.
5. Some voters don't have reliable USPS delivery and others won't have it if they are out of town, especially if they are in rural areas that might be affected by the USPS delivery changes and postmark rules, which delay afternoon pickups and potentially the postmarking of otherwise timely ballots.
6. Some voters don't trust the USPS (whether because of their views about the current Administration, a future one of the other party, or just their views of the USPS), which is potentially involved in both sending ballots to voters and returning voted ballots to us. While we have an excellent relationship with our local postmasters and appreciate their work with us, the limitation in this bill could require those voters to use a system that they do not trust when we have alternatives that, while admittedly sometimes cumbersome, address those concerns.

We appreciate this opportunity to provide our views and this committee's continued strong interest in our election system. I'd be happy to respond to any questions you may have.