

Expanding the Board of Supervisors of Elections Membership

For the purpose of expanding the Board of Supervisors of Elections from three members to five members; stating how nominees would be selected by political party nomination and self-nomination; changing when the City Council appoints members; adding steps for filling vacancies; and generally related to the nomination and appointment of members of the Board of Supervisors of Elections.

**City Council of the
City of Annapolis**

Charter Amendment 2-26

Introduced by: Alderman Savidge
Co-sponsored by: Alderman Huntley

Referred to: Rules and City Government Committee

A CHARTER AMENDMENT concerning

Expanding the Board of Supervisors of Elections Membership

FOR the purpose of expanding the Board of Supervisors of Elections from three members to five members; stating how nominees would be selected by political party nomination and self-nomination; changing when the City Council appoints members; adding steps for filling vacancies; and generally related to the nomination and appointment of members of the Board of Supervisors of Elections.

BY repealing and reenacting with amendments the following portions of The Charter of the City of Annapolis, 2026 Edition: **Article II, Section 6 of The Charter.**

WHEREAS, This Charter Amendment provides more community representation on the Board of Supervisors of Elections; and

WHEREAS, This Charter Amendment establishes a quorum of three members for the Board of Supervisors of Elections (BOSE) votes, allowing members to discuss BOSE issues individually, whereas one-on-one meetings now constitute a quorum and are therefore not permitted; and

WHEREAS, The City of Annapolis Charter Review Commission of 2020 said in its September 13, 2021 final report recommendations (Position 2), “Expanding the Board of Supervisors of Elections from three (3) to five (5) members would allow for increased representation of all city voters; enable a more responsible division of

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the Board's substantial workload; and offer members the opportunity to work on a committee basis. The current membership of three (3) individuals does not permit distribution of workload by committee because current city rules provide that anytime a quorum is constituted - in this case two members of the three (3) member Board - the meeting is subject to all applicable open meeting rules."

SECTION I: BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY COUNCIL that the City Charter of the City of Annapolis shall be amended to read as follows:

THE CHARTER

Article II - Election of Mayor and Aldermen/Alderwomen

Sec. 6. Board of supervisors of elections.

- (a) ~~There is a board of supervisors of elections of the City of Annapolis, consisting of three (3) residents in and voters of the city, two (2) of whom shall always be selected from the leading political parties of the state, one (1) from each of such parties. The third member may be selected from either of the leading political parties of the state or from any other political party. The members shall be persons of approved integrity and capacity, and may not hold elective office, nor be candidates for elective office during their terms of office. Members shall serve without compensation.~~
- (b) ~~Before appointing any supervisors of election, the city council shall request the city central committees representing the two (2) leading political parties of the state in the city each to designate at least four (4) eligible candidates for the position to be filled, by the second Monday in February. If a city central committee fails to nominate the required number of candidates as provided herein, the mayor shall submit a list of nominees to the city council in addition to the central committee's list by the first Monday in March. The city council shall appoint the supervisors by the second Monday in March.~~
- (c) ~~Members of the Board of Supervisors of Elections shall be appointed by the City Council for a term that begins on the second Monday of March following the General City Election in the preceding November and ends four (4) years later on the second Monday in March. In the event of a vacancy, the City Council shall immediately fill the vacancy only for the remainder of the four year term. A member must be reappointed for a new term in order to serve beyond any four-year term. A chair of the Board of Supervisors of Elections shall be chosen annually by its members.~~

(a) **Membership.** There is a Board of Supervisors of Elections for the City of Annapolis, and its membership shall consist of **five** members.

(1) All **five members shall be residents and registered voters of the city.**

(2) Two of the members shall be selected from the political party with the most registered voters in the City of Annapolis.

(3) One member shall be selected from the political party with the second-highest number of registered voters in the City of Annapolis.

(4) One member shall be an unaffiliated voter.

(5) The fifth member shall be chosen from the political party that has the third-highest number of registered voters in the City of Annapolis, provided that this party represents at least 10% of the total registered voters in the city at the time of the most recent City General Election.

(6) If the political party with the third-most registered voters in the City of Annapolis does not constitute at least 10% of the total registered voters in the city, the fifth member may be any registered voter in the city.

(7) The members shall be persons of approved integrity and capacity, and may not hold elective office, nor be candidates for elective office during their terms of office. Members shall serve without compensation.

(8) A quorum shall be a majority of the total membership.

(b) Determination of Political Parties.

(1) For the purpose of determining which political parties have the most, second-most, and third-most registered voters, the existing Board of Supervisors of Elections shall refer to voter registrations as of the most recent City General Election.

(2) For the purposes of this section, a "political party" has the meaning specified in Title 4 of the City Code.

(3) If multiple political parties tie for the most registered voters, each political party shall have only one guaranteed member of the board.

(4) If any other ties occur between two or more political parties for the second-most and third-most registered voters, random lots shall be drawn to determine which political party or political parties shall be awarded the required members on the board.

(5) Tiebreakers, if necessary, shall only take place once after each most recent City General Election and shall be conducted by the Board of Supervisors of Elections within three months following that election.

(6) The result of any tiebreaker shall not change even if there is a vacancy on the Board of Supervisors of Elections during the four-year term.

(c) Board Member Nomination.

(1) Before appointing any members to the Board of Supervisors of Elections, the City Council shall request that:

(i) The political party with the most registered voters in the city shall nominate at least four eligible candidates for the position;

(ii) Any other political party that qualified for a guaranteed position on the board shall nominate at least three eligible candidates for the position;

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(iii) Any registered voter seeking to serve on the board shall self-nominate; and

(iv) Any registered voter who seeks to serve on the board, by either political party nomination or self-nomination, shall submit the appropriate application by the second Monday in February.

(2) If a political party fails to nominate the required number of registered voters as provided herein, the mayor shall submit supplemental nominees to ensure each political party has the required number of nominees. Any registered voter who seeks to serve on the board, by the mayor's supplemental nomination, shall submit the appropriate application by the first Monday in March.

(3) All nominees, including those nominated by the political parties, submitted by the mayor, or self-nominated, shall be submitted to the City Council by the first Monday in March.

(d) Appointment of Board Members.

(1) For any board positions required to be from a political party by voter registration, the City Council shall select members from the political party nominations or the mayor's supplemental nominations.

(2) City Council shall select the necessary unaffiliated board member from self-nominations, with the Board of Supervisors of Elections overseeing the self-nomination process.

(3) If there are no self-nominations from unaffiliated voters, the City Council may select an additional member from the political party nominations, the mayor's supplemental nominations, or the self-nominations from voters who are members of a political party.

(4) If the fifth board position is not required to be a particular political party, the City Council may choose the member from the political party nominations, the mayor's supplemental nominations, or the self-nominations.

(5) The City Council shall appoint the supervisors by the third Monday in March.

(e) Terms, Vacancies, Reappointment, and Chair.

(1) **Term.** Members of the Board of Supervisors of Elections shall be appointed by the City Council for a term that begins on the third Monday of March following the General City Election in the preceding November and ends four years later on the third Monday in March.

(2) **Vacancy.** In the event of a vacancy, the City Council shall immediately fill the vacancy only for the remainder of the four-year term.

(i) If the vacancy is required to be filled by a particular political party, that political party shall nominate three eligible candidates for the position within two weeks' notice of the vacancy by the City Council.

(ii) If a political party fails to nominate the required number of registered voters for a vacancy as provided herein, the mayor shall submit supplemental nominees to ensure there are three nominees for that political party.

(iii) If a vacancy needs to be filled by an unaffiliated voter or can be filled by any voter, an open call for applications shall be posted on the City website. This announcement shall include a deadline for applications, set two weeks after the posting date. Additionally, political parties may submit up to three nominations for the position. If no nominations are submitted, the mayor shall submit a nomination.

(3) **Reappointment.** A member must be reappointed for a new term in order to serve beyond any four-year term.

(4) **Chair.** A chair of the Board of Supervisors of Elections shall be chosen annually by its members.

SECTION II: BE IT RESOLVED BY THE ANNAPOLIS CITY COUNCIL that pursuant to Local Government Article § 4-304(a)(2) of the Annotated Code of Maryland:

1. The City Council conducted a public hearing on the proposed charter amendment on *[Revisor's Note: Insert date of public hearing]*.
2. Notice of the public hearing regarding the proposed charter amendment was published on *[Revisor's Note: Insert date notice was published]*, providing residents of the City of Annapolis with at least 21 days' advance notice.

SECTION III: AND BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL that the City Clerk shall, in accordance with Local Government Article § 4-304(b) of the Maryland Code as Annotated:

1. Post an exact copy of the charter amendment at City Hall for 40 days following the adoption of this Charter Amendment;
2. Publish a fair summary of the proposed amendment in a newspaper with general circulation at least four times, at weekly intervals, within 40 days after the Charter Amendment is adopted; and
3. Maintain proof that the requirements were carried out and provide the information required by the Maryland Department of Legislative Services.

SECTION IV: BE IT FINALLY RESOLVED BY THE ANNAPOLIS CITY COUNCIL that:

1. This Charter Amendment shall take effect *50 days after its adoption* unless a petition for a referendum on the proposed amendment is submitted to the City Council in accordance with Local Government Article § 4-304(c) of the Maryland Code as Annotated.

- 1 2. If no petition is filed, and this Charter Amendment takes effect pursuant to subsection 1
2 above, when Board members have already been appointed under the previous three-
3 member structure:
- 4 a. The three incumbent members shall continue to serve the remainder of their
5 existing four-year terms.
- 6 b. The two additional seats created by this Charter Amendment shall be filled as
7 vacancies pursuant to the vacancy procedures set forth in Section 6(e), with the
8 City Council initiating the process to fill those seats within 30 days of the
9 effective date of this Charter Amendment.
- 10 c. The terms of the two additionally seated members shall be coterminous with the
11 terms of the incumbent members appointed in the same cycle.
- 12 3. In no event shall this Charter Amendment be construed to shorten or otherwise affect the
13 term of any Board member appointed prior to its effective date.