

# Municipal Election Issues

**MML Summer Conference**  
**Tuesday, June 12, 2018**



# Agenda

- **Municipal Elections Overview**

*Lynn Board, Gaithersburg City Attorney*

- **Vote By Mail**

*Kathleen Conway, Rockville City Clerk/Director of Council Operations*

- **Expanding Voter Eligibility**

*Terry Seamens, Takoma Park*

# Municipal Elections Overview

- Election Law Article of the Annotated Code of Maryland applies only to state and county elections.
  - §1-101 of Election Law Art. provides that the term “election” does not include a municipal election other than in Baltimore City.
- Municipalities, under the grant of general authority and express powers, may regulate their own elections.

# State Regulation of Elections

- In recent years, the Maryland General Assembly has adopted the following election laws applicable to municipalities:
  - 2013 – Local Gov't Art. §4-108 requires that a qualified voter in a municipal election may vote by absentee ballot.
  - 2014 - Local Gov't Art. §4-108.1 authorizes the State's Attorney office to prosecute voting offenses in municipal elections.

# Additional Requirements

- 2014 – Local Gov't Art. §4-108.2 provides that if a municipality requires candidates to file campaign finance reports, a copy of the report must be filed within 10 days to the State Board of Elections.
- 2014 – Local Gov't Art. §4-108.3 allows municipalities to request that the State Board of Elections include on a ballot offices and questions to be voted on in a municipal election.

# State Law Changes

- 2016 – Local Gov't Art. §4-108.4 requires municipalities to fill a vacancy that resulted from a tie vote in a municipal election within 90 days after the election.
- 2017 – Local Gov't Art. §4-108 updates the absentee ballot provisions so that a municipality may not require an individual to provide a reason that they will not be able to vote in person on election day.

# Absentee Ballots

- Review Charter/Code to ensure no-excuse absentee voting:
  - Any qualified voter may choose to vote by absentee ballot rather than appear in person at the polls on election day.



# Absentee Ballot Practices

- On-line applications – make absentee ballot applications and submission of applications accessible to residents
- Tracking system – ensure that there is a system for tracking approved applications, mailed ballots and returned ballots
- Deadline for acceptance – ensure that there are clear rules detailing when ballots must be received in order to be counted



# Political Activity

## Employee participation in political activities

- Local Gov't Art. §1-303 provides that employees:
  - May freely participate in any political activity and express any political opinion; and
  - May not be required to provide a political service
  
- Local Gov't Art. §1-304 states that employees may not:
  - Engage in political activity while on the job during working hours; or
  - Advocate the overthrow of the government by unconstitutional or violent means

# Poll Watchers

Allowed to observe at polling sites to guard against illegal voting, fraudulent counting of ballots, and other violations of election laws

## Tips:

- Have candidates submit poll watcher information prior to the election and issue identification.
- Instruct watchers that they may observe only; they may not campaign or interfere with voters.
- No photos or video or audio recording is permitted.
- Instruct election judges that watchers may be moved if interfering with voting.
- Limit the number of watchers per candidate.

# Vote By Mail



## Rockville's Journey

*Kathleen Conway*

# Vote By Mail – a.k.a. (also known as...)

- VBM
- Vote by Mail
- Vote-by-Mail
- Vote at Home
- Vote at Home and Drop Off
- All-Mail Election
- Automatic Absentee Ballot for Everyone

# How Does Vote By Mail Work?

1. All registered voters receive a personal ballot in the mail.
  - A. Voter marks the ballot.
  - B. Voter places in secrecy envelope and then a mailing envelope.
  - C. Voter signs an affidavit on exterior of envelope and returns.
    - By mail
    - Drop off: secure drop-box



# How Does Vote By Mail Work? (cont.)

2. Ballot signatures are verified against voter registration signatures.
3. Ballots cannot be counted without signature verification.
4. Vote Center(s)



# Vote By Mail Across the Country

- All / Most Elections Vote By Mail
  - Oregon (2000)
  - Washington (2011)
  - Colorado (2013)
  - California (2018)
  - Utah (27 of 29 Counties)
  - North Dakota (31 of 53 Counties)
- Certain Criteria or Circumstances (16 States)
- Vote By Mail Variations
  - 100% Vote By Mail
  - Vote By Mail with Vote Center(s)
  - Vote By Mail with Vote Center(s) and/or Ballot Drop-Box(es)

# Vote By Mail Advantages

- Voter Convenience and Satisfaction
  - Ample time to study issues and make decisions
  - No standing in line
  - No fighting traffic, parking or bad weather
  - No worries about child care or work pressures
  - No rushing to finish
  - No confusion about voting times or places
  - Montgomery County, MD Commission on Aging
    - Positive for older adults
    - No need to go through a requesting process
    - Provides opportunity for those unable to travel
    - Encourages education about candidates and issues



# Vote By Mail Advantages (cont.)

- Increased Accessibility for Everyone
- Increased Voter Engagement
- Increased Turnout
- Encourages New Voter Participation
- Fewer / No Polling Places required (Vote Centers may be available)
- Centralizes and Streamlines Election Administration
- Automatic Paper Trail
- USPS Commitment to Election Mail

# US Postal Service Commitment

- Deputy Postmaster General Ron Stroman
  - “The US Postal Service pledges to do everything in our power to ensure every voter who wants to vote by mail is able to do so. The USPS needs to do everything in our power to ensure ballots are safe and secure and with a heightened sense of security.”
- Election Mail – Any Items That Enable Citizens To Vote
  - Ballot materials
  - Voter registration cards
  - Absentee applications
  - Polling place notifications
- US Postal Service Election Mail Coordinators
- USPS Election Mail Services
  - <https://about.usps.com/gov-services/election-mail/>

# Vote By Mail Concerns

- Household Influence
- Tradition: “Mourn” the Election Day Experience
- “I Voted” Stickers
- Voter List Maintenance
- Clarity of Written Materials
- Postmarked vs. Received by Election Day
- Postage Paid vs. Postage Required
- Possible Cost Changes
- Security

# Cost Trends

- General Trends for *Decrease* in Costs with VBM
  - ↓ Training costs
  - ↓ Number of election day polling places
  - ↓ Cost of election workers' recruitment and pay
  - ↓ Hiring temporary workers
  - ↓ Administrative costs
- General Trends for *Increase* in Costs with VBM
  - ↑ Postal costs
  - ↑ Printing of envelopes and materials
  - ↑ Initial cost of buying equipment (if needed)

# Rockville's Voter Turnout

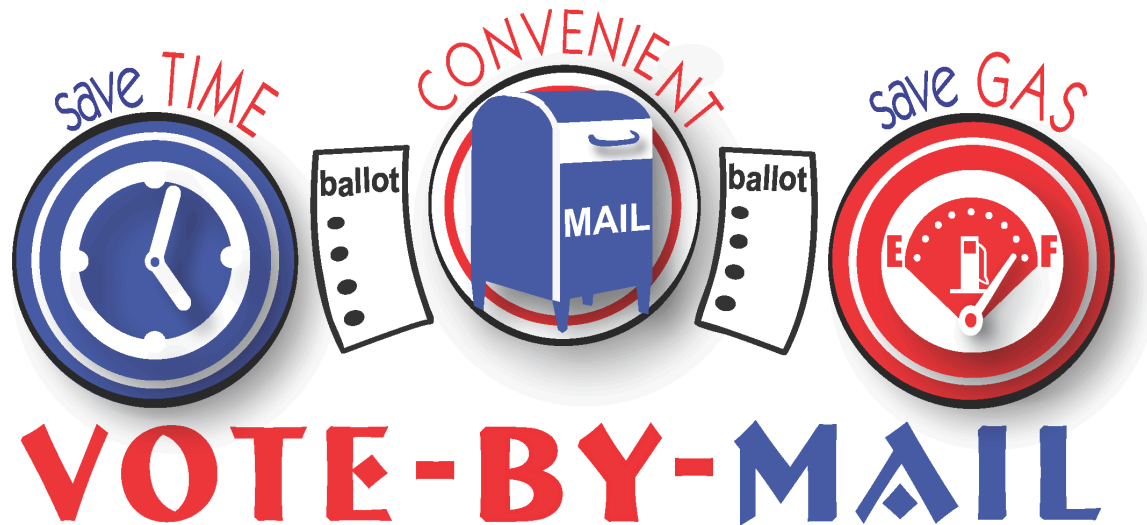
Election Year	No. Mayoral Candidates	No. Council Candidates	Ballot Questions	Population	Registered Voters	Votes Cast	Voted %
2007	3	11	0	59,328	29,535	5,812	19.67
2009	2	10	0	62,105	36,840	6,341	17.21
2011	2	9	0	62,102	36,840	6,240	16.94
2013	2	6	3	63,736	40,494	6,685	16.50
2015	2	9	0	66,673	40,749	6,468	15.87

# Rockville's Journey

- **December 2012:** Charter Review Commission Recommendations
  - Enhance Voting to Increase Citizen Participation
    - Early Voting (2015 Implementation)
    - Vote By Mail (2019 Implementation)
- **November 6, 2017:** Rockville BSE VBM Recommendation to Mayor and Council
- **January 22, 2018:** Continued Discussion With Mayor and Council

# Rockville's Journey

- **February 5, 2018:** Public Hearing
- **February 26, 2018:** Continued Discussion
- **April 9, 2018:** Adoption of an Ordinance to Amend Rockville City Code to allow Vote By Mail



# Guiding Principles

- Maximize Accessibility
  - Voters with disabilities
  - Seniors
  - All residents who are eligible to vote
- Cost Effectiveness
- Voter Satisfaction and Confidence
- Longevity in the Solution
- Coordination
  - County, state, USPS and stakeholders
- Security and Integrity
- Voter Outreach

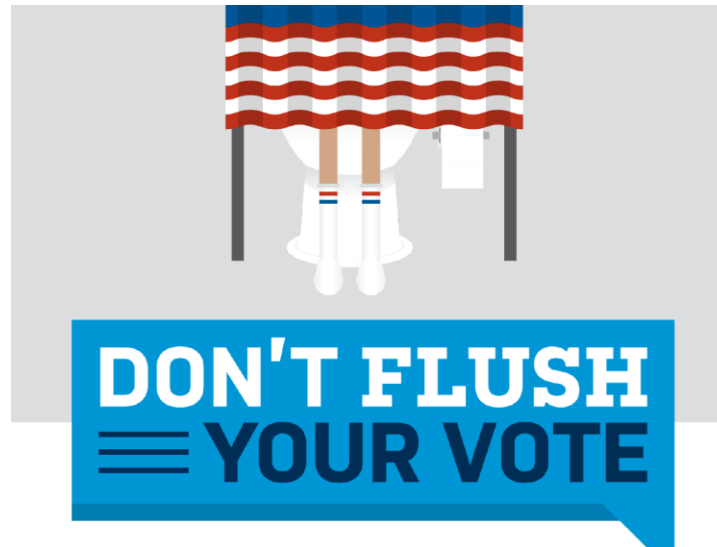


# Next Steps: Implementation

- Standard Operating Procedures (SOPs) Changes
  - Sending out Voter Information Packets
  - Return, review and counting ballots
  - In-person voting officials
  - Voter fraud protection
  - Post-election processes
- Coordination with County, State and stakeholders
- USPS Strategic Partner Meetings

# Next Steps: Implementation

- Robust Outreach and Communications Plan
- Denver, CO



Utah: <https://www.youtube.com/watch?v=y8ISHTZ1tfs>

King County, WA Mail Carrier: <https://vimeo.com/6057459>

# Expanding Voter Eligibility

*Terry Seamens*

- **Youth Voting**
- **Non-citizen Voting**

# Q & A

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