

1 **CITY COUNCIL OF THE CITY OF ANNAPOLIS**

2
3 **RESOLUTION NO. R-14-09**

4 **Introduced by Mayor Moyer and Alderman Israel**

LEGISLATIVE HISTORY			
First Reader:	Public Hearing:	Fiscal Impact Note:	120 Day Rule:
02/23/09			N/A
Referred to:	Meeting Date:	Action Taken:	

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9 **A RESOLUTION concerning**

10
11 **The Continued Use of Public Schools for Polling Places in the Municipal Election**

12
13 **FOR** the purpose of requesting that public school authorities allow schools which are
14 used for polling places by the County Board of Elections to be used for polling
15 places by the City’s Board of Supervisors of Elections in conducting this year’s
16 municipal election; and, asking State legislators to review this matter to determine if
17 State law concerning the use of schools for civic purposes needs to be clarified.

18
19 **WHEREAS**, in accordance with the Charter and Ordinances of the City of Annapolis, a
20 General Election will be held on Tuesday, November 3rd between the hours
21 of 7AM and 8PM for the purpose of electing a Mayor and an Alderman/
22 Alderwoman from each of the each of the City’s eight wards; and

23
24 **WHEREAS**, the General Election will be preceded by a Primary Election to be held on
25 Tuesday, September 15th, 2009 between 7AM and 8PM for the purpose of
26 giving voters affiliated with the two major political parties the opportunity to
27 nominate candidates for Mayor and Alderman/Alderwoman; and

28
29 **WHEREAS**, State law generally leaves the conduct of municipal elections to municipal law
30 and municipal officials; and

31
32 **WHEREAS**, an exception to the general rule of municipal governance, is a requirement of
33 State law that a municipal government use the voter roll which is maintained
34 by the County Board of Election at the expense of the County; and

35
36 **WHEREAS**, although State law does not require a municipal government to use the same
37 voting devices as those used by the County Board of Elections, the Annapolis

1 Board of Supervisors of Elections has in recent years used the same voting
2 devices in order to reduce confusion among the voters; and
3

4 **WHEREAS**, to avoid confusion among the voters, it has long been the general practice of
5 the Annapolis Board of Supervisors of Elections to designate the same
6 buildings which the County Election Board designates as polling places; and
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8 **WHEREAS**, for many years the County Board of Election has used public schools as
9 polling places in more than half of the sixteen precincts within the City of
10 Annapolis; and
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12 **WHEREAS**, for many years, the Annapolis Board of Supervisors of Election has enjoyed a
13 cooperative relationship with public school authorities who have made
14 available space for polling places in the same public schools used by the
15 County Board of Elections; and
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17 **WHEREAS**, it is recognized that a municipal election is not a school holiday and that the
18 use of public schools for municipal polling places involves appropriate
19 measures to insure the safety of students, teachers and other public school
20 personnel; and
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22 **WHEREAS**, in making the same request for the use of the same schools, the Mayor has
23 pointed out that State law requires public school authorities to make schools
24 available for civic purposes, which surely includes conducting an election; and
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26 **WHEREAS**, published reports suggest that the request to use the public schools as polling
27 places in this year's municipal election may not be granted; and
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29 **WHEREAS**, the failure of public school authorities to make available the same public
30 schools as polling places would increase the administrative burden of
31 locating alternative buildings for polling places, notifying the affected voters of
32 their polling place for municipal election purposes; and notifying the voters
33 again if the County Board of Elections chooses to use public schools for
34 purposes of next year's election for State and county officials, all of which
35 would necessitate additional expense to be borne by the taxpayers whose
36 taxes support the public schools.
37

38 **NOW, THEREFORE, BE IT RESOLVED BY THE ANNAPOLIS CITY COUNCIL** that
39 the public school authorities are respectfully requested to continue the cooperative practice
40 of making space available for municipal polling places in the same public schools which are
41 used by the County Board of Elections, and that copies of this resolution be sent to Mr.
42 Enrique M. Melendez, President of the Anne Arundel County Board of Education and to Dr.
43 Kevin M. Maxwell, Superintendent of Anne Arundel County Public Schools.

1
2 **AND BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL** that
3 copies of this resolution be sent to Senator John C. Astle, House Speaker Michael E.
4 Busch, Delegate Virginia P. Clagett, and Delegate Ron George, as the State legislators of
5 the legislative district which includes Annapolis, with a request that they review this matter
6 to determine if State law on the use of public schools for civic purposes needs to be
7 clarified.

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10 **ADOPTED** this 23rd day of February, 2009.

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12 **ATTEST:**

THE ANNAPOLIS CITY COUNCIL

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15 _____
16 **Regina C. Watkins-Eldridge, CMC**
17 **City Clerk**

BY: _____
ELLEN O. MOYER, MAYOR