

**MOUNT RAINIERS  
ELECTIONS  
PROCEDURES**

Adopted  
by the Mayor and City Council  
January 18, 2005

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## Glossary of Terms

**Act** - an enactment having general application throughout the City enacted by the Mount Rainier City Council.

**Amendment** - any proposed and approved change to the City Charter of Mount Rainier, Maryland.

**Ballot Label** - the portion of cardboard, paper, or other material placed on the front of the machine containing the names of the candidates, a statement of a proposed charter amendment, or other question or proposition to be voted on.

**Candidate** - any person who has knowingly and willingly taken affirmative action, including solicitation of funds, for the purpose of seeking nomination for or election to any City office.

**Candidate, Issue Labels, and Materials** - the cards, paper, booklet, pages, or other material containing the names of offices and candidates, and statements of measures to be voted on.

**Canvassing** – Candidates or other supporters visiting and knocking on doors of potential voters to solicit their vote prior to the actual day of the election.

**Certification** - examining and counting the returns of votes cast at a public election to determine authenticity.

**Councilmember** – A resident elected by residents from either Ward 1 or Ward 2 to represent them on the Mount Rainier City Council.

**Counting Location** - a location selected by the City's board of election with respect to all elections for the automatic processing and/or counting of votes.

**Election** - the process in which qualified voters elect a candidate to public office, or decide any measure or question submitted to a vote of the people. A preferential general election, a general runoff election, a special election each constitute a separate election.

**Election Official or Election Officer** - a person who is a member of the City's board of election or a person who having been designated by the Mayor and Council to be an election clerk, election judge, or alternate.

**Electronic Voting System** - a system of casting votes by use of marking devices and tabulating votes by use of automatic tabulating equipment or data processing equipment, but shall not include "voting machines."

**Fail-safe Voting** - the mechanism that allows voters who have moved within the City to vote in the general and/or special election without having updated their voter registration records with the Prince George's City Board of Elections.

**First-time Voter** - any registered voter who has not previously voted in a City or State election in the state of Maryland.

**General or Special Election** - the regular biennial municipal officials and/or the special elections to fill vacancies therein and/or special elections to approve any measure that may be authorized by the Mayor and Council.

**Person** - any U.S. Citizen, proprietorship, firm, partnership, joint venture, syndicate, labor union, business trust, company, corporation, association, committee, or any other organization or group of persons acting in concert. "Person" shall also include organized political parties as defined in

**Political Party** - any group of voters which at the last-preceding general election polled for its candidate for Governor in the state or nominees for presidential electors at least three percent (3%) of the entire vote cast for the office.

**Polling Site** - a location selected by the city board of election and approved by the Mayor and City Council where votes are cast.

**Ward** - the geographical districts dividing the City for voting purposes; there are currently two.

**Election** - an election held by the City in the manner provided by law for the purpose of selecting the mayor and city councilmembers of the City of Mount Rainier for certification as candidates for election at any general or special election of the City.

**Qualified Voter** - a person who holds the qualifications of a voter and is registered pursuant to the Maryland Constitution:

- 1) Must be a U.S. citizen,
- 2) Must be a Mount Rainier resident,
- 3) Must be a minimum of 18 years of age,
- 4) Must have lived within the City of Mount Rainier
- 4) Must not presently be adjudged mentally incompetent by a court of competent jurisdiction,
- 5) Must not have been convicted of a felony without the sentence having been discharged or pardoned, and
- 6) Must not claim the right to vote in another City or state.

**Vacancy in Election** - the vacancy in an elective office created by death, resignation, or other good and legal cause, arising prior to election to the office at a general or special election, but arising subsequent to the certification of the ballot.

**Vacancy in Nomination** - the circumstances in which the person who received the majority of votes at the preferential special election or general primary election cannot accept the nomination due to death, or notifies the party that he or she will not accept the nomination due to serious illness, moving out of the area from which the person was elected as the party's nominee, or filing for another office preceding the final date for certification of nominations.

**Vacancy in Office** - the vacancy in an elective office created by death, resignation, or other good and legal cause arising subsequent to election to the office at a general or special election or arising subsequent to taking office and prior to the expiration of the term of office in those circumstances wherein the vacancy must be filled by a special election rather than by appointment.

**Vote Card** – AKA "Ballot" upon which the voter casts his or her votes by the process of punching.

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**Ballot Label** - the portion of cardboard, paper, or other material placed on the front of the machine containing the names of the candidates, a statement of a proposed constitutional amendment, or other question or proposition to be voted on.

**Ballot Question** - a question in the form of a citywide initiative or referendum which is submitted or intended to be submitted to a popular vote at an election.

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**General or Special Election** - the regular biennial municipal officials and/or the special elections to fill vacancies therein and/or special elections to approve any measure that may be authorized by the Mayor and Council.

**Legislative Question** - a question in the form of a measure referred by the Mayor and Council placed on the ballot to be voted on by Mount Rainier residents at an election.

**Marking Device** - either an apparatus in which vote cards are inserted and used in connection with a punch apparatus for piercing of vote cards by the voter, or any approved device for marking a paper vote sheet with ink or other substances which will enable the votes to be tabulated by means of automatic tabulating equipment.

**Measure** - either an amendment or an act.

**Nonpartisan General and/or Special Election** - the regular biennial election for election of Mayor and Councilmembers as prescribed in the Mount Rainier City Charter

**Person** - any individual, proprietorship, firm, partnership, joint venture, syndicate, labor union, business trust, company, corporation, association, committee, or any other organization or group of persons acting in concert. "Person" shall also include organized political parties as defined in

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and prior to the expiration of the term of office in those circumstances wherein the vacancy must be filled by a special election rather than by appointment.

**Vote Card** - a card upon which the voter casts his or her votes by the process of punching.

## **COMPOSITION OF THE BOARD OF ELECTIONS AND RELATED ACTIVITIES**

**Composition**  
**Appointment**  
**Oath of Office**  
**Term of office**  
**Filling of vacancies**  
**Responsibilities**  
**Compensation**  
**Qualifications**  
**Training**  
**Removal from office**  
**Meetings**  
**Record Keeping**  
**Legal Assistance**

## Composition of City Boards of Election

### Article V. Registration, Nomination, and Election Procedures Section 501. Board of Elections.

#### Composition of Board Members

The City's Board of Election is comprised of local residents, i.e., persons who reside in the City limits of Mount Rainier, are registered voters as defined in the Mount Rainier City Charter, and have resided in the City for a minimum of three months.

The Board of Elections members are responsible for conducting all City elections during the tenure of their appointment.

There shall be a Board of Elections consisting of a Supervisor of Elections and four (4) members

#### Appointment

...who shall be appointed by the Mayor and Council on or before the first Monday in March of every odd numbered year.

#### Oath of Office

At least thirty (30) days prior to the general election, the city manager must send each of the City's Board of Election members, by registered mail, a notice to appear before the Mayor and Council to take the oath of office and affirm their participation in the upcoming election. Before entering on their duties, each member of the Mount Rainier Board of Election must take the following oath of office:

**"I, (full name) do swear (or affirm, as the case may be) that I will support the Constitution of the United States; and that I will be faithful and bear true allegiance to the State of Maryland, and support the Constitution and laws thereof; and that I will, to the best of my skill and judgment, diligently and faithfully, without partiality or prejudice, execute the office of Board of Elections, according to the constitution and laws of this State and the Charter and laws of this City."**

The oath shall be endorsed upon the certificate of the appointment and the certificate filed with the City Manager and a duplicate forwarded to the Prince George's County Board of Elections.

#### Terms of Office of the Board of Election Members

The terms of the members of the Board of Elections shall begin on the first Monday in March of the year in which they are appointed and run for two years.

#### Vacancies on the Board

Vacancies on the Board shall be filled by the Mayor and Council for the remainder of the unexpired term.

In the event of a vacancy in the supervisor of election position on the Board of Elections, the senior sitting election judge shall act as supervisor of election until a new supervisor of election is appointed by the Mayor and Council.

## **Responsibilities**

The Board of Elections shall be responsible for the registration of voters, nominations, preparation of ballots and sample ballots, and supervision of all City elections in accordance with the provisions of the City of Mount Rainier Charter, City of Mount Rainier Code of Ordinances and State and Federal laws.

## **Compensation**

Compensation of the Board of Elections shall be determined by the Mayor and Council.

The city's board of elections members shall receive compensation for election duties within 48 hours of the close of the election polls and the election results being certified and delivered to the Mayor and Council.

Compensation may be mailed to the City's Board of Election members or they may be picked up and distributed by the supervisor of Election, providing all necessary documentation has been submitted for payment to the members.

## **Qualifications**

Members of the Board of Elections shall be qualified to vote in City elections pursuant to Section 502 of this Article and shall not hold or be a candidate for any elective office during their term on the Board.

**Section 502. Voter Qualifications.** Every person who meets all the following requirements may vote in City elections:

- A. Is a citizen of the United States;
- B. Is at least eighteen (18) years of age;
- C. Is registered to vote in accordance with the provisions of this Charter;
- D. Has resided in the corporate limits of the city for at least thirty (30) days immediately preceding the next City election; and
- E. Has registered to vote at least thirty (30) days prior to any election.

In addition, persons appointed by the Mayor and Council to the City's Board of Elections must not:

- have been found or pled guilty or nolo contendere to the violation of any election laws of any City, County or the State of Maryland
- be a paid employee of any political party
- be a paid employee of any person running for any office
- be a candidate for any office to be filled at any election while serving on the City's Board of Election
- be married to or related within the second degree of consanguinity to any candidate running for office in the current election, if objection is made within ten (10) days after the list of election officials is posted or published or
- hold at the time of the appointment any office, appointment, or employment in city government

## **Training**

Since the County and State Board of Elections are available for conducting County and statewide training of election officials including municipal appointed official, City appointed board of election officials are required to attend at least one annual training. Attendance at such training must be filed with the City's Supervisor of Election and kept on file for the term of the appointment of the board of election official.

At least one (1) election official at the polling site on election-day must have attended election training from the County or State Board of Election during the three months prior to the scheduled general election.

### **Removal from Office**

Any member of the Board of Elections may be removed by the Mayor and Council for inefficiency, malfeasance, misfeasance, nonfeasance, misconduct in office, or insubordination. Before removal, the member of the Board to be removed shall be given a written copy of the charges and shall have a public hearing before the Mayor and Council if requested within ten days after receiving the written copy of the charges.

### **Meetings**

Meetings of the City's Board of Elections may be called by the supervisor of elections and held as necessary to conduct the election business of the City.

### **Minimum meetings of the City Board of Elections**

The City board of elections shall meet at City Hall at least thirty (30) days prior to the general and/or special election to review the procedures and process outline in this document for conducting City elections. The City Board of Election may meet as often as needed to ensure that the City's election process is clear, accurately applied, and that residents are thoroughly familiar with and has access to the City's voting rules and regulations.

### **Notification**

The supervisor of the city's board of elections shall notify all members of the board of all meetings.

### **Quorum/Voting**

Three (3) commissioners shall constitute a quorum.

Each member of the Board of Elections has one (1) vote, and three (3) concurring votes shall decide any questions before the city board of election, unless otherwise provided by law.

### **Open Meeting Act**

When official business (i.e., legislation read or passed, or discussion of criteria requiring council action) is conducted in any meeting of three (3) or more board members, the meeting shall be public and held pursuant to the Open Meetings Act.

Public meetings as defined under the Open Meeting Act of Maryland include:

- drawing of ballot position,
- certification of ballots,
- selection or alteration of location or boundaries of precincts or polling sites,
- designation of election officials,
- correction of errors or omissions of ballots,
- canvassing and certification of election results,

- canvassing and certification of election results due to a recount petition, and
- election day.

### **Record Keeping**

The city's board of elections shall keep minutes of all meetings when official business is conducted and shall file the minutes with the city manager.

### **Legal Assistance**

The city board of elections shall call upon Prince George's County's Board of Election for all matters relating to voting in the State of Maryland.

The city's attorney shall represent the city board of election, or any of its members in any civil lawsuit brought against the Board of Election, if sued in regard to any acts or omissions made during the course of carrying out their official duties as members of the Board of Election.

The city board of elections members are deemed to consist of city officials; and, its members are immune from suit pursuant to Mount Rainier's City Charter and the laws of Prince George's County and the State of Maryland.

## **ELECTIONS, WHAT ELECTIONS?**

**Types of Elections**

**When are Elections Held?**

**Conduct of General Elections**

**Conduct of Special Election or Recall**

**Regulation of Elections**

**Number of Polling Places**

**Location of Polling Places**

**Restrictions on Changing Boundaries**

**Public Notice of Poling Sites**

**Election of Mayor**

**Election of Councilmembers**



## ELECTIONS, WHAT ELECTIONS?

### ELECTIONS

An election is the process in which qualified voters nominate or elect a candidate to public office, or decide any measure or question submitted to a vote of the people. A general election, general runoff election, and a special election each constitute a separate election.

#### Types of Elections

A general election is any regularly scheduled biennial election for election of the City of Mount Rainier for the purpose of submitting proposed amendments to the Arkansas Constitution or other questions to a vote of the people, but shall not apply to school elections for officials of school districts.

A general runoff election occurs when there is a tie in the general city election.

A special election is any specially scheduled election to fill vacancies, to approve any charter amendment or recall question.

#### When Are Elections Held

##### General Election:

**Section 507. Conduct of Elections Generally.** The City Board of Elections shall provide suitable sites and ballots for all City elections. City elections shall be conducted on a nonpartisan basis. The name of each candidate nominated for elective office shall be arranged on the ballot by office with no party designation of any kind. The order of candidates' names on the ballot shall be random, determined in a manner prescribed by ordinance or substantive resolution of the Mayor and Council. The City Board of Elections shall keep the polls open from 7:00 a.m. to 8:00 p.m. on election-day. The general election is held on the first Monday in May in every odd numbered year.

##### General Runoff Election:

A general runoff election, applicable to only municipal contests within the City of Mount Rainier, is held three (3) weeks following the date of the general election held on the first Monday in May.

##### Section 514. Special Elections.

A. Whenever a special election is required by this Charter, the City Council shall establish a date for the special election not less than thirty (30) days nor more than sixty (60) days from the date of the regular City election (in the case of a tie between candidates for any office) or the date a vacancy occurs in any office, provided that the City Council shall give the voters of the City thirty (30) days notice of the date of the special election.

B. All special elections shall be conducted by the City's Board of Elections in the same manner and with the same personnel, as far as practicable, as general City elections.

**Section 515. Regulation by Council.** The Mayor and Council shall adopt all ordinances necessary for the conduct of registration, nomination, and elections not covered by this Charter.

**Number:**

Each polling site shall have a minimum of four (4) election judges, and one (1) Chief Judge. Election officials may be permitted to work half-day or split shifts at the polls on election day, if the requisite number of election officials is always present.

**Location:**

All polling sites shall be fixed at well-known points in the City and easily accessible to all voters entitled to vote.

The city's board of elections shall provide voting locations within the facility that are accessible to disabled voters and shall provide reasonable and adequate methods whereby disabled voters may personally and secretly execute their ballots at the polling places.

**Restrictions:**

The city's board of election shall not change the boundaries of existing Wards, create new wards, or change the polling site for any ward. This is the purview of the Mayor and Council, and shall not occur within 30 days of an election except in the event of an emergency.

**Public Notice of Changes in Polling Sites:**

Notice to the voters of any changes in polling sites shall be posted at all previous polling sites used in the last election. The city manager and/or his/her designee shall mail the change in site location notice to qualified registered voters at least thirty (30) days before the election, place notice in the City's newsletter, and post the notice on the City's cable access channel.

**Assistance:**

Persons unable to complete their ballot may bring one or two persons with them into the voting booth to assist them, or they may ask poll workers to provide assistance.

**Seated Voting:**

The polling place shall have at least one voting booth that allows voters to vote while sitting in a chair of wheelchair.

**Section 508. Election of Mayor.**

A. On the first Monday in May in every fourth year beginning with 1997, at such places in the City that the City Board of Elections shall designate, the registered voters of the City shall vote for one person to serve as Mayor of the City.

B. The candidate receiving the highest number of votes shall be elected Mayor. In the event of a tie preventing any candidate from taking office a Special Election shall be held between the candidates with the highest number of votes as provided in Section 514 of this Article.

**Section 509. Election of Councilmembers .**

A. On the first Monday in May in odd numbered years, at the same polling places designated for the election of Mayor, registered voters residing in each City ward shall vote for candidates to serve as Councilmembers for that ward.

B. In 1997 only, each registered voter will receive a ballot permitting the voter to cast two votes for candidates to serve as Councilmembers from that voter's ward. No voter may cast more than one vote for a candidate. At the close of balloting, a count of all votes will be made, and the two candidates in each ward receiving the highest number of votes shall be elected from that ward. The Councilmember with the highest number of votes shall serve for four years and the Councilmember with the second highest number of votes shall serve for two years.

C. Beginning in 1999, each registered voter will receive a ballot permitting the voter to cast one vote for a candidate to serve as Councilmember from that voter's ward for the vacant four-year term. At the close of balloting, a count of all votes will be made, and the candidate in each ward receiving the highest number of votes shall be elected from that ward.

D. In the event of a tie preventing any candidate from taking office, a Special Election shall be held between the tied candidates as provided in Section 514 of this Article.

### **Candidates' Profiles in the City's Newsletter**

Each candidate certified by the Mount Rainier Board of Elections may have a picture, brief profile that includes information on their position or reason for running for office, and other information that will help the voter to make an intelligent decision about their candidacy.

All candidate information must conform to the rules and regulations of the City's Newsletter, and must be kept within the guidelines provided in order to be included in the Newsletter. Information exceeding the guidelines provided will be placed in the Newsletter in the space designated and the Editor will not be responsible for information that may be lost due to the candidate's information exceeding the space allowed.

## **BECOMING A CANDIDATE**

**Nomination Procedure**

**Nomination Petition**

**Ward Boundaries**

**Availability of Nomination Form**

**Submission of Nomination Petition**

**Deadline for Petitions**

**Financial Disclosure Statement**

**Campaign Signs**

**Nomination Procedures**

**Section 505. Nomination Procedures**

Any person desiring to have his or her name placed upon the official ballot for Mayor or Councilmember at any city election shall present to the Supervisor of Elections a petition setting forth his or her name and residence, and the office sought, and such petition shall be signed by at least twenty (20) qualified voters.

In the case of a petitioner for Councilmember only signatures of qualified voters residing within the ward from which the petitioner is running shall be counted. No signature may appear on more than one nominating petition, provided, however, that if both Councilmembers from the same ward are to be elected, no signature may appear on more than two nominating petitions for Councilmember from that ward. If a signature appears on more than one nominating petition for Mayor it shall be considered invalid on all such nominating petitions; if both Councilmembers from the same ward are to be elected and a signature appears on more than two nominating petitions for Councilmember for that ward, the signature shall be considered invalid on all such nominating petitions.

No person may file for nomination to more than one elective public office or hold more than one elective public office at one time. Any person nominated as a candidate for elective office must meet the qualifications of the office for which he or she is nominated. The Mayor and Council shall develop such rules and procedures as are necessary relating to nomination procedures consistent with the provisions of this Charter.

For the purposes of nomination for the office of Mayor or Councilmember, a petition in the following form shall be used:

**Nomination Petition**

**CERTIFICATE OF NOMINATION**

To the Supervisor of Elections of Mount Rainier, Maryland:

I hereby request that you print my name on the official ballot to be used in the city election to be held \_\_\_\_\_ as a candidate for \_\_\_\_\_ and I hereby certify that my name is \_\_\_\_\_ and that I am a resident of the \_\_\_\_\_ Ward of the City of Mount Rainier, Maryland.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

We, the undersigned qualified voters of Mount Rainier, Maryland, request the candidacy of \_\_\_\_\_ for the office of \_\_\_\_\_. We understand that we may sign only one petition for Mayor and no more than two petitions for Councilmember from our ward.

NAME	ADDRESS	WARD
_____		
_____		

**Section 506. Establishment of Wards and Ward Boundaries**

A. Two Council wards are hereby established within the City. The boundaries of the wards shall be as follows:

The dividing line between the two wards shall be a line North on 34th Street from the City limits at Eastern Avenue to the intersection with Shepherd Street, then West along the middle of Shepherd Street to its intersection with 31st Street, then North along the middle of 31st Street till its intersection with Arundel Road, then West along the middle of Arundel Road to 30th Street, then North along the middle of 30th Street to the City limits. All other boundaries are defined by the City limits.

B. The boundaries of the two wards shall be reviewed and adjusted as necessary after each census in accordance with any applicable State and Federal laws. The Council may review and adjust the ward boundaries on a more frequent basis if deemed necessary.

C. In addition to the decennial review of ward boundaries required by this section, the Mayor and council shall review the boundaries of the wards after each annexation and may adjust the boundaries if it is deemed necessary by the Mayor and Council.

#### **Availability of Nomination Form**

C. Nominating forms shall be available from City Hall, from the Supervisor of Elections, and such other places as the Mayor and Council or the City Board of Elections may deem appropriate.

#### **Submission of Nomination Petition**

D. Nominating petitions must be presented by the petitioner to the Supervisor of Elections sitting at City Hall

#### **Deadline for Petitions**

Nominating petitions must be presented by the petitioner to the Supervisor of Elections sitting at City Hall between the hours of 6:00 p.m. and 8:00 p.m. on the first Monday in April of every odd-numbered year. On that date and at that time, the Supervisor of Elections, with whatever assistance he or she deems appropriate, shall meet in open session at City Hall to certify nominating petitions.

No nominating petition shall be accepted by the Supervisor of Elections after the deadline set forth herein, except that in the event of a vacancy occurring between said date and the date of the election, the Supervisor of Elections shall be permitted to accept additional nominating petitions for those positions in which such vacancy occurs.

#### **Financial Disclosure Statement**

All candidates for public office in the City Or Mount Rainier Maryland must file a financial disclosure statement as provided by the City Charter of Mount Rainier. Financial disclosure statements may be picked up from the city manager at city hall.

Candidates for office must submit their preliminary financial disclosure statements to the Supervisor of election prior to their names being placed on the ballot.

All persons elected must submit a financial disclosure statement by January 31 of each year.

## **Limitations on Financial Contributions**

### **Candidates may raise moneys for their campaigns**

Campaign contribution limits for City elections are set at \$300 for businesses and \$150 for individuals. Contributions of \$50 or more must be itemized and disclosed on the financial statement of each candidate. All candidates for elected office in the City of Mount Rainier must file final financial statements with the Supervisor of elections within two weeks following a City's election.

## **Campaign Signs**

### **10-123. Restriction on Posting of Signs and Notices on Public Property.**

Religious, charitable, and institutional organizations which are located within the City and which have secured all necessary licenses as well as individuals and businesses legally residing in the City may post, place or affix signs or notices for non-recurring grand openings, community events, activities, elections or fund raisers provided that such do not block the view of a traffic control sign or are placed in such a manner as to create a hazard and provided that the event or activity is open to the general public and is properly permitted or registered with the City. Any such [signs] are subject to the following restrictions: they shall include the date of the event, and the phone number or address of the organization or person responsible for the event, and shall be posted no earlier than two weeks before the event and removed no later than three days after an event.

Any sign or notice allowed under this ordinance shall be maintained in good condition. If not maintained, such item must be removed and cannot be replaced without approval by the Mayor and Council.

Under no circumstances shall any sign or notice be affixed to trees, bushes or other natural landscaping elements in any public park, recreation area, tree box or other landscaped grounds owned or controlled by the City. (Ord. 7-98, 6/16/98)

Campaign signs may not be placed in any public right of way or other public areas. Signs placed in public right of ways or areas will be removed and destroyed by Public Works staff.

Candidates may put up yard signs or other campaign information in residents' yards with the permission of the residents.



# **VOTING IN CITY ELECTIONS**

**Voter Qualifications**

**Registration of Voters**

**Where to Register or Get More Information**

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**Provisional Voting**

**Recall Elections**

**7. Current City Board of Elections Members**

**8. County Board of Elections Information**

**9. State Board of Elections**

## **Voter Qualifications**

**Section 502. Voter Qualifications.** Every person who meets all the following requirements may vote in City elections:

- A. Is a citizen of the United States;
- B. Is at least eighteen (18) years of age;
- C. Is registered to vote in accordance with the provisions of this Charter;
- D. Has resided in the corporate limits of the city for at least thirty (30) days immediately preceding the next City election; and
- E. Has registered to vote at least thirty (30) days prior to any election.

## **Registration of Voters**

### **Section 503. Registration of Voters**

Registration by the Prince George's County Board of Elections shall be deemed the only registration for City elections, provided that the person so registered meets the voter qualifications enumerated in this Charter.

The Mount Rainier Board of Elections shall accept the list of registered voters provided by the Prince George's County Board of Elections as a valid registration list for the City.

- B. County registration forms shall be made available to any citizen of Mount Rainier at City government offices.

## **Where to Register or Get More Information**

Voter registration may also be done at any Maryland Motor Vehicles Administration office or residents may go online at [http://www.elections.state.md.us/citizens/how\\_to\\_vote.html](http://www.elections.state.md.us/citizens/how_to_vote.html) for further options and information.

## **Absentee Voting**

### **Section 504. Absentee Voting**

- A. Any qualified voters registered to vote in the elections of the City of Mount Rainier may vote by absentee ballot if they are unable to cast a ballot during the regularly scheduled polling hours on election day by reason of physical condition or necessary absence.
- B. A qualified voter desiring to vote at a City election as an absentee voter shall make application to the City Board of Elections in writing, which application must be received no later than the Monday preceding the election. The application must be signed by the applicant or, if he or she is unable to sign, must bear the mark of the applicant and the signature of two (2) witnesses.
- C. To be counted, the absentee ballot must be (i) returned to the City Board of Elections, appropriately signed and sealed, by the close of the polls on election day or (ii) if mailed, postmarked on or before election day and delivered no later than the close of business on the day following election day.

## **Provisional Voting**

### **What is a Provisional Ballot?**

The provisional ballot is a safeguard that ensures that no individual who asserts that he or she is registered and eligible to vote will be prevented from casting a ballot on election day. The provisional ballot will only be counted after the Mount Rainier Board of Elections has reviewed the provisional ballot application and made a determination that the individual is registered and eligible to vote.

### **Reasons a provisional ballot may be required**

#### **Not on the precinct register.**

The most common reason that an individual's name is not on the precinct register is that the individual moved, but did not update his or her voter registration. For a provisional ballot to be counted, the person must be registered in the State of Maryland and must have voted in at least one of the previous elections held in the County in which he/she previously resided.

#### **You were unable to provide required identification.**

If the following conditions apply ask for identification before allowing voter to vote, and if you were unable or unwilling to provide identification, you were issued a provisional ballot.

They are voting for the first time in Maryland;

They registered to vote by mail on or after January 1, 2003; **and**

They have not previously met the identification requirements of the federal Help America Vote Act (HAVA). It is possible that they submitted personal identification information with their voter registration application but the county board of elections was unable to verify the information before the election.

Provisional ballots will be counted if the Mount Rainier Board of Elections determines that the voter is a registered voter, and the voter submits one of the following forms of identification before the date the Mount Rainier Board of Elections meets to review provisional ballots (the first Monday after the election):

A copy of a current and valid photo identification; or

A copy of a current utility bill, bank statement, government check, paycheck, or other government document with your name and current address (the same address you provided on your provisional ballot application).

#### **Voters are ineligible to vote a regular ballot.**

If the precinct register indicates that the voter received an absentee ballot for the current election. In such cases, the voter may cast a provisional ballot, provided the voter has not already cast an absentee ballot. Attempting to vote more than one time is against the law. The provisional ballot will be counted if the Mount Rainier Board of Elections determines that the absentee ballot issued was not returned.

### **Your right to vote was challenged.**

Maryland law authorizes a poll watcher to challenge the identity of a voter at the polling place. If someone's identity is challenged, the challenger must fill out an affidavit indicating the basis for the challenge. Then the voter will be required to fill out an affidavit to confirm his/her identity and will then be issued a provisional ballot. The provisional ballot will be counted if the Mount Rainier Board of Elections determines that the voter is the registered voter he/she claim to be and is otherwise eligible to vote.

### **You voted during extended election hours.**

All voters who vote during extended election hours (i.e. a court ordered extension) are required to vote by provisional ballot. Your vote will be counted if the Mount Rainier Board of Elections confirms that the order extending the election was valid.

### **What You Have to Do**

To cast a provisional ballot, the voter must completely fill out the provisional ballot application (instructions will be provided) and then vote the paper ballot provided by the election judge. Once completed the paper ballot must be sealed inside the provisional ballot application envelope and deposited into the provisional ballot bag.

### **Your Right to Secrecy**

Provisional ballots will remain sealed in the provisional ballot application envelopes until the Mount Rainier Board of Elections has completed its review of the application. If the Board concludes that the ballot should be counted, it will be removed and separated from the application so that the vote will be kept secret.

### **Notification of Your Vote Being Counted Or Rejected**

The Mount Rainier Board of Elections will not notify you regarding the final results of your vote, however, you may contact the Supervisor of elections to find out if your provisional ballot was counted and, if not, the reason why not. This information will be available 10 days after the election.

## **Section 512. Recall of Elected Officials.**

The Mayor or a Councilmember may be recalled from office in accordance with the following procedure:

### **Percent of Voters Required to Recall the Mayor**

To recall the Mayor, a petition shall be signed by not less than twenty- percent (20%) (according to Maryland State law) of the registered voters in the City.

### **Percent of Voters Required to Recall a Councilmember**

To recall a Councilmember a petition shall be signed by not less than twenty percent (20%) (according to Maryland State law) of the registered voters in the ward which the Councilmember represents.

### **The Recall Petition**

The petition shall be presented to the Mayor and Council at a regular Mayor and Council meeting.

The petition shall state the name and office of the official to be recalled and that its purpose is to require a recall referendum to vote on whether that elected official should be removed from office. A recall petition must state a reason or reasons for the recall.

A separate petition shall be required for each official for whom recall is sought.

### **City Board of Election Verification of Petition within 21 Days**

B. Upon receipt of the petition, the Mayor and Council shall refer the petition to the City Board of Elections for verification of the signatures. Upon verification of the signatures on the petition, the City Board of Elections shall immediately report its findings to the Mayor and Council, but no later than 21 days from the date the petition was referred to the City Board of Elections. If the City Board of Elections has determined that a valid recall petition containing a sufficient number of signatures from qualified voters has been submitted,

### **Setting the Date for a Recall Election**

...the Mayor and Council shall set a date for a referendum to be held within sixty days of the petition verification.

### **Who Can Vote In the Recall Election**

If the official subject to the recall was elected from a ward, only the registered voters from that ward may vote in the recall election; otherwise all qualified voters of the City may participate in the recall election.

C. If the majority of the votes cast at the referendum are for the recall, the office shall be declared vacant, and be filled pursuant to Section 513 of this Article.

## **Using the City's Call-A-Bus**

As part of the City's effort to ensure that all residents are able to participate in the election process, the City's Call-A-Bus will be available to pick up and bring citizens to the polls to cast their votes.

Candidates are not allowed to campaign on the City's Call-A-Bus. This includes no posting of literature, no campaign speeches or in any way influencing candidates to vote while on the City's Call-A-Bus.

## **Write In Candidates**

Residents may write in a candidate for a particular office. Write In candidates must meet the same qualifications as all other the candidates for the position for which they are being voted on as a write in candidate, i.e., they must live in the Ward for which there is a vacancy, and they must meet all other qualifications as specified in the Charter for eligibility to hold office in the City of Mount Rainier.

Votes for Write In candidates that do not meet the stated criteria for the office will not be counted. However, such write in votes will be noted in the total number of votes cast in the City.

## **Counting of the Votes**

Votes will be counted immediately following the election, and the preliminary count shall be posted on the door of City Hall.

### **Poll Watchers and/or persons Entering the Vote Counting Area**

All citizens are eligible to watch the votes being counted, however, each citizen interested in being inside the vote counting area must take the following actions prior to the polls closing at 8:00pm:

Notify the Supervisor of Election their intent to observe the counting of the ballots  
Complete a Poll Watchers form

### **Behavior within the Vote Counting Area**

Arrive inside the voting area 10 minutes prior to the poll closing  
Present Poll Watchers form to Member of the Board of Elections  
Take a seat in the Poll watchers' area  
Remain seated while the votes are being counted  
Refrain from talking, except to ask to have a number or name repeated during the counting process  
Present concerns to Board of Election Supervisor after the vote counting process has been completed  
If unsatisfied with the process or have other concerns, present them to a current elected official.

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Present concerns to Board of Election Supervisor after the vote counting process has been completed  
If unsatisfied with the process or have other concerns, present them to a current elected official.

## **Citizens Voting Bill of Rights**

**1. You have the right to cast a ballot if you are a valid registered voter in accordance with the Maryland State Board of Elections, the Board of Elections for Prince George's County, and the Mount Rainier City Charter.**

A valid registered voter means a United States citizen who is a resident in the city, who is at least 18 years of age, has registered to vote with the Prince George's County Board of Elections, and not in prison or on parole for conviction of a felony, and who is registered to vote at his or her current resident address.

**2. You have the right to cast a provisional ballot if your name is not listed on the voting rolls.**

**Your vote will be taken, sealed and counted with the other ballots at the appropriate time.**

**3. You have the right to cast a ballot if you are present and in line at the polling place prior to the close of the polls.**

**4. You have the right to cast a secret ballot free from intimidation.**

**5. You have the right to receive a new ballot if, prior to casting your ballot, you believe you made a mistake.**

If, at any time before you cast your ballot – that is placed it in the voting box -- you feel you have made a mistake, you have the right to exchange the spoiled ballot for a new ballot. The spoiled ballot **MUST** be destroyed prior to your receiving a placement ballot.

**6. You have the right to receive assistance in casting your ballot, if you are unable to vote without assistance.**

**7. You have the right to return a completed absentee ballot to the Supervisor of Elections 24 hours prior to the day of the election.**

**8. You have the right to ask questions about election procedures and observe the elections process so long as you do not interfere with the election process in any way.**

You have the right to ask questions of the supervisor of elections regarding election procedures and to receive an answer or be directed to the appropriate official for an answer.

However, if persistent questioning disrupts the execution of the duties of the supervisor of election, those voting, the board or other election officials you will be asked to leave the voting area and to put your concerns in writing for a future response.

**10. You have the right to report any illegal or fraudulent activity to the supervisor of election or City elected official.**

If you believe you have been denied any of these rights, or if you are aware of any elections fraud or misconduct, please call the Prince George's County Board of Election.

If your 18th birthday is on or before November 2, but after October 18, you can register to vote on or before October 18 and vote November 2 — even though you were not 18 at the time you registered to vote.

## **GET ELECTION RESULTS**

At 8:00 p.m. on Election Day, the polls close.

All the ballots from the days polling will be counted by the Mount Rainier Board of Elections. Ballot counting will continue until all ballots received from the voting boxes are tallied.

The unofficial results are announced to those individuals present at the polling place, and the news media, (if present) immediately following the final tally.

The results are also to be posted on the City's website on election night, and posted on the door of City Hall.

In addition, these results, along with absentee ballots and provisional ballots, constitute the "official" count and are to be presented to the Mayor and Council for approval as provided by the City Charter, Article \_\_\_\_\_.

## **Counting of Absentee and Provisional Ballots**

Absentee and Provisional Ballots are to be counted in a public setting, and members of the public may be in attendance to witness the count. Absentee ballots cast after election day will not be counted. Absentee ballots must be received on or before election day.

**BOARD OF ELECTIONS MEMBERS  
FOR THE CITY OF  
MOUNT RAINIER, MARYLAND**

**Board of Elections Supervisor:** Maxine Drakesford  
4201 30th Street

**Elections Board Judges:** Anita Bianchini  
4411 30th Street

Ed Gossard  
3100 Upshur Street

**Election Clerks:** Elizabeth Rogovsky  
4227 29th Street

Hedda Kniess  
3108 Windom Road

And alternates from among whom the Supervisor of Elections can fill vacancies during the two-year term:

**Alternates** Linda Alexander  
4004 35th Street

David Berard  
3808 37th Street

Karl C. Jones  
3801 35th Street

Therese Nemil  
3101 Perry Street

Resolution 10-2003 appoints the current City's Board of Election members for the term of March 1, 2003 to February 28, 2005.

## **Prince George's County Board of Elections**

**Elections Administrator:** Robin Downs Colbert

**Prince George's County Board of Elections Address:**

14741 Governor Oden Bowie Drive  
County Administration Building, L-205  
Upper Marlboro, Maryland 20772

**Prince George's County Board of Elections Hours of Operation:**

Hours: Monday - Friday, 8 a.m. - 4:30 p.m.  
Telephone: (301) 952-3270  
TTY: (301) 627-3352  
Fax: (301) 952-4889  
24-hour information line (301) 627-2814

**Prince George's County Board of Elections' Web Address:**

[http://www.elections.state.md.us/citizens/how\\_to\\_vote.html](http://www.elections.state.md.us/citizens/how_to_vote.html)

**Prince George's County Board of Elections' Web Address:**

[election@co.pg.md.us](mailto:election@co.pg.md.us)

### **Meetings**

The Prince George's County Board of Elections meetings are usually conducted on the 1st and 3rd Monday of each month at 5:30 p.m. at the:

County Administration Bldg.  
14741 Gov. Oden Bowie Drive

# MARYLAND

## STATE BOARD OF ELECTIONS

Linda H. Lamone, Administrator

BOARD OF ELECTIONS *Appointed by Governor with Senate consent to 4-year terms:*

Charles C. Deegan (R), *President (chosen by Board), 2007S.*

John Di Stefano (R);  
Ethel V. Gore, Ed.D. (R);  
Doris F. Jacobs, Esq. (R);  
Carl R. Ruble (D).

*Substitutes:*

Francis J. DiSalvo, Sr. (R);  
Lillian J. Valle-Sheehan (R);  
Lester Williams Jones (D). *Terms expire 2007.*

*Meetings:* 1st & 3rd Mondays, 5:30 p.m.



