

COUNCIL OF THE TOWN OF RIVERDALE PARK

CHARTER AMENDMENT RESOLUTION NO. 2018-CR-01

Introduced By:

Date Introduced: April 2, 2018

Date Adopted: _____, 2018

Date Effective: _____, 2018

A RESOLUTION concerning

CHARTER AMENDMENT – VOTER REGISTRATION AND ELECTIONS

FOR the purpose of amending the Charter of the Town of Riverdale Park to alter certain eligibility qualifications for an individual to vote in Town elections; allowing non-citizens of the United States and individuals who are least 16 years of age to register and vote in Town elections; providing for a supplemental voter registry for Town elections; providing for same day voter registration for Town elections; altering the time for determining and presenting the results of Town elections; and generally relating to voter registration and election protocols for Town of Riverdale Park elections.

BY repealing and reenacting, with amendments
Charter of the Town of Riverdale Park (January 2008 Revision)
ARTICLE V, Nominations and Elections
Sections 501(a), 503 and 511

Key:

CAPITAL LETTERS indicate matter added to existing law.

((Double Parentheses)) indicate matter deleted from the law.

Underlining indicates amendments to bill.

~~Strike Out~~ indicates matter stricken from the bill by amendment

*** Denotes omitted existing Charter text not affected by this Resolution

SECTION 1: BE IT RESOLVED BY THE COUNCIL OF THE TOWN OF RIVERDALE PARK that Sections 501(a), 503 and 511 of the Charter of the Town of Riverdale Park (January 2008 Revision), ARTICLE V, Nominations and Elections, are repealed and re-enacted, with amendments, to read as follows:

ARTICLE V
Nominations and Elections

§501: Qualification of Voters

(a) Every resident of the town who (1) ((is a citizen of the United States)) HAS THE TOWN OF RIVERDALE PARK AS HIS OR HER PRIMARY RESIDENCE, (2) is at least ((eighteen (18))) SIXTEEN (16) years of age, (3) has resided within the corporate limits of the town for at least forty-five (45) days immediately preceding any non-runoff town election, ((and)) (4) DOES NOT CLAIM THE RIGHT TO VOTE ELSEWHERE IN THE UNITED STATES, (5) HAS NOT BEEN FOUND BY A COURT TO BE UNABLE TO COMMUNICATE A DESIRE TO VOTE, AND (6) is registered to vote in accordance with the provisions of § 503 OF THIS CHARTER shall be a qualified voter of the ((town)) TOWN. Every qualified voter shall be entitled to vote in all town elections; provided, however, that in the election of council members, only those qualified voters who reside within the limits of the ward from which a council member is elected shall be qualified to vote for that council member. For runoff elections, only those residents who were registered for the initial election are qualified to vote in the runoff election.

§ 503: Registration

((Any resident of the town may register to vote at the Board of Election Supervisors for Prince George's County by mail or whenever the office is open for business.)) (A) In accordance with § ((3-2(d))) 3-403 of the Election ((Code,)) LAW Article ((33)) of the Annotated Code of Maryland, persons registered to vote in Prince George's County for county, state, and federal elections who meet the residency requirement of § 501(a)(3) of this charter shall be qualified to vote in ((town)) TOWN elections. ANY RESIDENT QUALIFIED TO VOTE PURSUANT TO THE ELECTION LAW ARTICLE OF THE ANNOTATED CODE OF MARYLAND MAY REGISTER TO VOTE WITH THE BOARD OF SUPERVISORS OF ELECTIONS OF PRINCE GEORGE'S COUNTY BY ANY MEANS THAT THE BOARD ADMINISTERS FOR SUCH REGISTRATION.

(B) THE TOWN CLERK SHALL MAINTAIN A SUPPLEMENTAL VOTER REGISTRY, SEPARATE FROM THE LIST OF REGISTERED VOTERS MAINTAINED BY THE PRINCE GEORGE'S COUNTY BOARD OF ELECTIONS. THE SUPPLEMENTAL VOTER REGISTRY SHALL CONSIST OF THE NAMES OF THOSE INDIVIDUALS WHO ARE NOT ON THE LIST OF REGISTERED VOTERS MAINTAINED BY THE PRINCE GEORGE'S COUNTY BOARD OF ELECTIONS BUT ARE REGISTERED TO VOTE IN TOWN ELECTIONS PURSUANT TO SUBSECTION (C) OF THIS SECTION.

(C) AN INDIVIDUAL WHO IS NOT REGISTERED TO VOTE WITH THE PRINCE GEORGE'S COUNTY BOARD OF ELECTIONS AND WHO OTHERWISE IS ELIGIBLE TO VOTE IN TOWN ELCTIONS MAY REGISTER TO VOTE IN TOWN ELECTIONS AND INCLUSION ON THE TOWN'S SUPPLEMENTAL VOTER REGISTRY BY SUBMITTING A SIGNED REGISTRATION FORM WITH THE TOWN CLERK IN A FORM PRESCRIBED BY THE CLERK. VOTER REGISTRATION FOR THE SUPPLEMENTAL VOTER REGISTRY SHALL BE EFFECTIVE UPON THE TOWN CLERK'S ACCEPTANCE OF A COMPLETED

AND SIGNED REGISTRATION APPLICATION AND VERIFICATION THAT THE INDIVIDUAL IS ELIGIBLE TO VOTE IN TOWN ELECTIONS.

(D) ON OR BEFORE MARCH 1, 2019, THE TOWN SHALL INSTITUTE A SAME-DAY REGISTRATION PROGRAM SO THAT TOWN RESIDENTS WHO ARE ELIGIBLE TO VOTE IN TOWN ELECTIONS MAY COMPLETE AND SUBMIT A SIGNED REGISTRATION FORM ON THE DAY OF A TOWN ELECTION AND THEN HAVE THE OPPORTUNITY TO VOTE AT THE ELECTION. SAME-DAY REGISTRATION SHALL OCCUR AT A MINIMUM WHEN THE POLLS ARE OPEN IN THE TOWN.

§ 511: Vote Count, Declaration of Persons Elected, and Determination of Candidates for Runoff Election

((Immediately)) WITHIN FIVE (5) CALENDAR DAYS after the closing of the polls, the election judges shall determine and record the vote cast for each candidate and shall seal the ballots and/or machine tallies. WITHIN FIVE (5) CALENDAR DAYS AFTER THE CLOSING OF THE POLLS, ((The)) THE judges shall ((immediately)) present the record of votes cast to the mayor and council, who shall declare that person or persons elected who received more than half of the votes for the respective office or offices. The results shall be recorded in the minutes of the council.

* * *

SECTION 2: AND BE IT FURTHER RESOLVED that the amendments to the Charter adopted by this Resolution shall become effective upon the fiftieth (50th) day after passage of this Resolution, unless a proper petition for referendum meeting the requirements of § 4-304 of the Local Government Article of the Annotated Code of Maryland shall be presented or mailed to the Council in accordance with such § 4-304 of the Local Government Article of the Annotated Code of Maryland on or before the fortieth (40th) day after passage of this Resolution. A complete and exact copy of this Resolution shall be posted at the Town Hall of Town of Riverdale Park (the “Town”) or other main municipal building or public place for a period of at least forty (40) days following its adoption, and the title to this Resolution, being a fair summary of the amendments to the Charter adopted hereby, shall be published in a newspaper of general circulation in the Town not less than four (4) times, at weekly intervals, within a period of forty (40) days starting immediately after the date of adoption of this Resolution.

SECTION 3: AND BE IT FURTHER RESOLVED that the Town Manager shall send or cause to be sent to the Department of Legislative Services of the State of Maryland in accordance with the provisions of §§ 4-308 and 4-109 of the Local Government Article of the Annotated Code of Maryland, the following documents or information concerning the Charter amendments: (1) the complete text of this Resolution; (2) the date of the referendum election, if any, held with respect thereto; (3) the number of votes cast for or against this Resolution by the Council or in a referendum; and (4) the effective date of the Charter amendments.

SECTION 4: AND BE IT FURTHER RESOLVED that the Town Manager is hereby authorized and directed to carry out or cause to be carried out the provisions of Sections 2 and 3 hereof; and as evidence of compliance herewith, the Town Manager shall cause to be maintained in the records of the Town an appropriate certificate of publication in the newspaper in which the fair

summary of the Charter amendments shall have been published or other evidence of publication; provided that, the failure to so maintain the same shall not invalidate the effectiveness of the Charter amendments provided for in this Resolution.

The above amendments to the Charter of the Town of Riverdale Park were adopted by the foregoing Resolution which was passed at a _____ meeting of the Town Council on _____, 2018, ___ members of the Town Council voting in the affirmative, ___ members of the Town Council voting in the negative, ___ members of the Town Council abstaining and ___ members of the Town Council absent, and the said Resolution becomes effective on the ___ day of _____, 2018 if a petition for referendum has not been filed in the time prescribed by law.

ADOPTED this _____ day of _____, 2018.

ATTEST:

COUNCIL OF THE TOWN OF
RIVERDALE PARK

Jessica Barnes, Town Clerk

Alan K. Thompson, Mayor