

# THE CONSTITUTION AND BYLAWS OF THE MARYLAND ASSOCIATION OF ELECTION OFFICIALS 2021

## ARTICLE I - NAME

This organization shall be known as "Maryland Association of Election Officials."

## ARTICLE II - PURPOSE

The purpose of this organization shall be to improve the election and registration procedures in this state; to improve the operation of the offices of the Boards of Elections throughout the state; to standardize fees, procedures, salaries and forms; to recommend desirable new legislation affecting voting and registration to the State Board of Elections; and to encourage fellowship and exchange ideas.

## ARTICLE III - MEMBERSHIP

1. The membership shall be composed of active and associate members.
2. All local Boards of Elections of this state, Substitute Members of local Boards of Elections, County Election Directors/Administrators, counsel to the local Boards of Elections, administrative and support staff of the local Boards of Elections shall be eligible for active membership.
3. Members, State Administrator, counsel and staff of the State Board of Elections, retired employees of local election offices and election boards and active members who leave election service shall be eligible for associate membership. Associate members shall have non-voting membership in the Association, are subject to dues, and may participate in all Association activities except for the holding of elected office.

Retired employees of local election offices and election boards and employees who leave election service with at least ten (10) years of service shall be eligible for lifetime non-voting membership in the Association, subject to a one-time membership fee to be determined and set by the Board, and may participate in all Association activities except for the holding of elected office.

4. Each active member shall have one vote. However, upon request by a member from each of three separate jurisdictions, voting on any question(s), that is (are) not intended amend the *Constitution and Bylaws*, will be limited to one vote from each jurisdiction.
5. Membership shall be considered valid through the last business day in February of the following year regardless of when membership dues were paid.

#### **ARTICLE IV - DUES**

1. The membership dues of this Association shall be fixed by the Board of Directors for active and associate members. Members shall be given due notice that a change in dues is being considered through publication in the agendas of two consecutive MAEO committee meetings. No member shall be qualified to exercise any privilege of membership while dues remain unpaid. Any member delinquent in dues for refusal or failure to pay the same in full within one hundred eighty (180) days after receipt of bill or invoice shall forfeit membership in the Association.
2. All membership dues are to be received by the Association or Treasurer no later than the last business day in February. Any dues received after said date shall be considered late.

#### **ARTICLE V – MEETINGS**

1. The annual meeting shall be held at a time and place designated by the Officers and Directors.  
  
Meetings of the Officers and Directors may be called at any time by the President to be conducted in person or by teleconference. A quorum, which consists of a minimum of five officers and directors, must be present for a meeting to be conducted. Additionally, meetings conducted by teleconference shall be held in accordance with Paragraph 3 of this Article as it pertains to the Maryland Open Meetings Act. This requirement shall not pertain to the annual conference.
2. The Board of Directors and the Officers of the Association shall meet at least quarterly and at any time deemed necessary at the call of the President.
3. In accordance with the Maryland Open Meetings Act, all meetings of the Association shall be open to the public, except when such business is conducted that is closed to the public, and notice of same shall be posted on the Association’s website.

#### **ARTICLE VI - QUORUM**

Voting members from at least ten counties or nine counties and Baltimore City shall constitute a quorum at any annual or special meeting.

#### **ARTICLE VII – OFFICERS AND DIRECTORS**

1. The Officers and Directors of this Association shall be: President, Vice-President, Secretary, Treasurer and five Directors, four to be elected, the fifth to be the immediate past President, unless such person is no longer an active member or in the case that the current President is elected to a consecutive term, in which event all five shall be elected.

In the event the current President is elected to a consecutive term rather than filling the position of Director on the Board, the candidate for Director receiving the next highest vote shall fill the office of Director.

In the event that a position for Director is vacant, or that there had been no candidates for the vacant Director position, then the President, with the approval of the Board, shall appoint a person to fill the vacancy for the term of the office.

2. All Officers and Directors shall be elected at the annual meeting and shall serve for a period of two years. Any Officer or Director may serve until his/her successor is elected or appointed even though he/she may cease to be qualified under Article III, Section (3). In the election of the Officers and Directors, each member shall be entitled to one vote.

3. Term Limits for Officers and Directors – Officers and Directors shall not serve more than four consecutive terms in any one office.
4. Officer Vacancies and Order of Succession
  - (a) In the event that the President should no longer be able to serve, then the Vice-President shall succeed to the office of President for the balance of the term of office, and the next highest vote recipient in the last election for Vice-President shall succeed to the office of Vice-President for the balance of the term of office. In the event that the Vice-President declines to serve, or if there are no other candidates for the office of the Vice-President in the last election, then the President, with the approval of the Board, shall appoint someone to fill the office for the balance of the term of office.
  - (b) In the event that the Vice-President should no longer be able to serve, then the Secretary shall succeed to the office of Vice-President for the balance of the term of office, and the next highest vote recipient in the last election for Secretary shall succeed to the office of Secretary for the balance of the term of office. In the event that the Secretary declines to serve, or if there are no other candidates for the office of the Secretary in the last election, then the President, with the approval of the Board, shall appoint someone to fill the office for the balance of the term of office.
  - (c) In the event that the Secretary should no longer be able to serve, then the Treasurer shall succeed to the office of Secretary for the balance of the term of office, and the next highest vote recipient in the last election for Treasurer shall succeed to the office of Treasurer for the balance of the term of office. In the event that the Treasurer declines to serve, or if there are no other candidates for the office of the Treasurer in the last election, then the President, with the approval of the Board, shall appoint someone to fill the office for the balance of the term of office.
  - (d) In the event that the Treasurer should no longer be able to serve, then the next highest vote recipient in the last election for Treasurer shall succeed to the office of Treasurer for the balance of the term of office. If there are no other candidates for the office of the Treasurer in the last election, then the President, with the approval of the Board, shall appoint someone to fill the office for the balance of the term of office.
5. The officers and directors shall represent the interests of the Association and none of their acts may conflict with action taken by the Association.

#### **ARTICLE VIII - DUTIES OF OFFICERS**

1. The President shall preside at all meetings. In the absence of the President, the Vice-President shall preside. In case the Presidency becomes vacant, the Vice-President automatically succeeds to office. The President shall appoint a Parliamentarian who shall be an active or associate member of the Association, who shall give advice on parliamentary procedure to the President and Association when called upon using the latest edition of *Robert's Rules of Order, Revised*.
2. The Secretary shall keep a record of all meetings and shall send out all notices. In case the Secretary is absent, the President will appoint a Secretary Pro-Tem.
3. The Treasurer shall collect all dues and have charge of the funds of the Association. The Treasurer shall pay all Association bills by check or with the MAEO debit card within the terms of the bank card policy within 30 days of their receipt and provide a written Treasurer's Report at each Board Meeting. All expenditures shall be approved by the President, following the expenditures policy adopted by the Board.

4. The President, Vice-President, Treasurer, and Secretary, and the five Directors shall constitute the Board. It shall be the duty of the Board to transact business during the year when it is not feasible to call the entire Association together. The Secretary shall keep a record of these meetings and shall send reports of them to the members.

#### **ARTICLE IX – COMMITTEES**

1. The following list of committees shall be standing committees, with the chairs appointed by the President by the first quarterly meeting following the annual meeting.
  - (a) Audit Committee - The audit of the Association financial records shall be conducted not later than two weeks prior to the annual meeting. The results of the audit shall be reported at the annual meeting.
  - (b) Constitution and Bylaws Committee.
  - (c) Legislative Committee.
  - (d) Elections Committee.
2. The President may create other committees, as deemed necessary, and appoint a chairperson, for the purpose of the Association with the approval of the Board.

#### **ARTICLE X – BOARD MEMBER VACANCIES AND REMOVALS**

1. Removal of Board Members. A motion shall be requested by the President seeking the resignation of any Board Member who misses two quarterly meetings without previously notifying the President or Vice President. The motion must pass by a majority vote of the Board Members present. Upon passage of the motion, a letter shall be sent to the absent Member by the President requesting his or her resignation. Should the Member fail to resign within ten days, the Member shall automatically forfeit his or her office on the Board. A replacement shall be appointed by the President with the consent of the Board to fill the vacancy within fifteen days from the date of the Board's formal action seeking the resignation of the Member.
2. Vacancies, for any cause, shall be filled for the unexpired term, by the Board, except as otherwise herein provided within sixty days of the vacancy.
3. Removal of Active and Associate Members. The Board, in accordance with Article IX, Section 2, may create an Investigating Committee when disciplinary action against an active or associate member is considered necessary. The purpose of the Investigating Committee shall be to determine the facts regarding the alleged misconduct. If the facts support a finding of misconduct, the member shall be given the opportunity to resign. The member has the right to request a meeting, at which point the Board, in accordance with Article IX, Section 2, shall create a Review Committee where the member may show cause why he/she should not be removed.

#### **ARTICLE XI - AMENDMENTS**

1. Any proposed amendment to the Constitution may be drawn up by the Constitution and By-Laws Committee or submitted to the Committee by the Board of Directors, any local Election Board, or any three members who shall draft, in writing, a particular proposal.
2. Any proposal must be submitted to the Chairman of the Constitution and By-Laws Committee no later than the first business day of the second month prior to the annual meeting.

3. Amendments approved by the Committee must be submitted to all the members, in accordance with the specimen ballot, Article XIII, Section 2. The Constitution may be amended at any annual meeting by a two-thirds vote of all votes cast by regular or absentee ballot.
4. The Constitution and By-Laws Committee shall appropriately revise the Constitution within ninety days after the annual meeting.

#### **ARTICLE XII - ORDER OF BUSINESS**

The order of business of any meeting of the Association shall be determined by the President. The latest revision of *Robert Rules of Order* shall govern the Association in all cases to which they are applicable, and in which they are not inconsistent with the bylaws of this Association.

#### **ARTICLE XIII - ELECTIONS**

1. The Election Committee shall be appointed by the President at the first quarterly meeting after the annual meeting. The Election Committee shall distribute filing forms to encourage members to run for offices prior to the election. The forms shall include a filing deadline of 30 days prior to the annual meeting as well as a withdrawal deadline of 30 days prior to the annual meeting. Eligible members may file for candidacy with the Election Committee any time up to and including close of business of the aforesaid deadline as determined by the committee chairperson. Election committee members must resign from the committee if they wish to run for office.
2. The Election Committee's responsibilities shall include the following with exceptions according to Section 5 of this Article:
  - (a) Preparation of a specimen ballot listing candidate information.
  - (b) Distribution of the specimen ballot to the Membership not later than 3 weeks prior to the annual meeting.
  - (c) Preparation of ballots, including absentee ballots. Ballots shall include the name of the office, the number of candidates to be voted for, the name(s) of the candidate(s) for that office, appropriate space(s) for write-in candidates, and questions being put before the Membership.
  - (d) Method and time of voting.
  - (e) Supply and test all voting equipment to be used in the election.
  - (f) Qualifications for voting.
3. An application for an absentee ballot must be received by the Election Committee seven days prior to the election held at the annual meeting. An absentee ballot shall be deemed timely received if it is received by the Election Committee not later than the close of the election. No absentee ballots shall be considered received timely at any time after this deadline.
4. If a member is eligible and the member's name does not appear in the membership register, the member may cast a provisional ballot if the member declares in a written affirmation, submitted with the provisional ballot, that the member is a MAEO member and is eligible to vote in that election.

When voted, a provisional ballot shall be enclosed in an envelope designated "Provisional Ballot/Return Envelope" and submitted to the Election Committee.

The Board shall provide a current and accurate printed membership register to the Election Committee which shall be used for membership verification purposes.

5. Nominations shall not be accepted from the floor. Write-in candidates shall not be construed as nominations from the floor for the purpose of voting an official ballot.

6. Write-in candidates will be allowed on the ballot consistent with federal, state and local election laws.
  - (a) There shall be a write-in for each position on the ballot for the number of candidates eligible (i.e., vote for one – one write-in; vote for no more than three – three write-ins, etc.)
  - (b) The write-in must be an active member in good standing in order to be counted.
7. The Election Committee shall function as the Board of Canvassers for all elections conducted for the Association, for the purpose of canvassing. Canvassing includes the entire process of vote tallying, vote tabulation, and certification of the official election results. The Board of Canvassers shall report vote totals for each candidate and questions by posting the unofficial results outside the polling room.
8. The President shall announce the official results of the election to the members before the adjournment of the annual conference.
9. In the event that all races are uncontested by the filing deadline and no amendments present, at the pleasure of the body, the Parliamentarian may cast the deciding ballot at the annual meeting, thereby declaring all candidates be elected.
10. In the event of a tie vote, whether it is for an office, board member position, or amendment change or addition, the Election Committee shall create and distribute a paper ballot to the entire membership no later than 10 days after the conference. A letter shall be included with the ballot explaining why another ballot has been created after the conference and instructing the member when the ballot must be returned to the Election Committee. The ballot must be received by the Election Committee by 4 PM the third Friday after the conference has been concluded. Once ballots have been counted the results of the runoff election will be posted to the MAEO website.
11. In the result of a tie for an office, the presiding officer shall remain in office until the results of the runoff election have been announced. For a Board member position, the member with the lowest number of votes shall at least temporarily vacate the position until the results of the runoff vote have been announced, at which time the winner will take office or board position until the next election.
12. Those persons elected shall take office immediately after the close of the annual meeting if the election has not been challenged.
13. In the event that a candidate or a member who submitted a proposed bylaw amendment, challenges the most recent election, the pertinent provisions for recounts and/or audits that are outlined in the *Maryland Election Law Article* and/or *COMAR* shall be followed.

#### **ARTICLE XIV - HALL OF FAME**

A Hall of Fame for members of the election community shall be established. All past and future recipients of the Robert J. Antonetti, Sr. Award for Achievement shall be included as members of the Hall of Fame. All other potential members shall be nominated by the Board of the Maryland Association of Election Officials or nominated by members in good standing of the Association and voted on by the full membership of the Association at the annual conference and approved by a simple majority. Induction shall take place at the next scheduled annual conference.