

MEMORANDUM

TO: Bonnet Shores Fire District Charter Commission

FROM: William J. Conley, Jr., Esq.

SUBJECT: Executive Summary of the September 23, 2022 Memorandum

DATE: October 11, 2022

Given the length and complexity of the September 23, 2022 Memorandum addressing the Effects of the Decision and Consent Judgment in *Patterson v. Bonnet Shores Fire District*, C.A. No. WC-2020-0130, I am providing the Commission with this Executive Summary for its convenience. This Executive Summary will focus on the task of the Commission to amend the charter as required by the Consent Judgment consistent with the voting rights principles addressed by the Court.

As part of that Consent Judgment, BSFD agreed, in part, that it would form the Charter Commission, which would be empowered to propose amendments to the BSFD Charter and would be tasked with reforming the BSFD Charter to conform to the law. Those amendments must be consistent with the substantial interest test addressed in the Court's decision and prevent unconstitutional voter dilution of the franchise.

Mechanically, the Commission will propose amendments which must first be passed by the General Assembly and then approved at an election. The electorate for this election, at a minimum, must include every citizen of the United States of the age 18 years or over who has had residence and home in the Bonnet Shores Fire District for 30 days next proceedings the time of voting, who has resided 30 days in the Bonnet Shores Fire District, and whose name shall be registered at least 30 days next preceding the time of voting as provided by the Bonnet Shores Fire District Charter. Furthermore, the Commission should be mindful of the voting rights principles addressed in the Court's decision and establish a franchise that meets both the substantial interest test and avoids unconstitutional voter dilution of the franchise.