(noting that the approval or disapproval of an appointment in "response to someone else's proposal of an appointment" is a legislative function); 19 *OMCB Opinions* at 60; *see also* § 3-101(f) (defining "legislative function"). As we read § 10-203(a) of the Election Law Article, the Board of Elections must approve the election director's appointments of election judges; but the Board itself does not make the appointments. Thus, we fail to see how the Board could have been performing an administrative function during the closed sessions in which it was discussing and approving certain individuals as election judges.

That still leaves the question of whether the Board of Elections could close meetings to discuss and approve election judges under the personnel matters exception of § 3-305(b)(1), which allows a public body to meet in closed session to discuss:

> (i) the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of an appointee, employee, or official over whom it has jurisdiction; or
>
> (ii) any other personnel matter that affects one or more specific individuals[.]

§ 3-305(b)(1). The Complainant asserts that this exception was inapplicable because the Board of Elections does not, in her view, have jurisdiction over election judges. She asserts that the election director—not the Board of Elections—appoints, trains, and supervises election judges and, thus, has jurisdiction. Even if this is true, that would not preclude the Board of Elections from properly closing the meetings under the personnel matters exception. Only the first part of § 3-305(b)(1) refers to a public body's "jurisdiction"; the second subsection allows closed sessions for the discussion of "any other personnel matter that affects one or more specific individuals." § 3-305(b)(1)(ii). We have previously said that "the General Assembly intended the second provision to apply as its literal language suggests: Whenever an individual's personal work attributes or similar specific matters are under discussion, regardless of the entity having jurisdiction over the individual, the individual's privacy may be protected by closing the meeting." 4 *OMCB Opinions* 188, 195 (2005).

As to the three closed sessions at issue here, our staff requested the closed-session minutes to confirm that the Board of Elections was, in fact, discussing specific individuals, as required for the personnel matters exception to apply. *See, e.g.*, 3 *OMCB Opinions* 335, 337 (2003) (recognizing that the exception applies to discussions about "specifically identifiable individuals only," not "general personnel issues"). The Board was unable to produce the minutes for one closed session (which took place on April 17, 2024), so we find another violation of § 3-306(e)(1) (requiring a public body to "keep a copy of the minutes of each session . . . for at least 5 years after the date of the session"). As to the two remaining closed sessions, the minutes of the January 25, 2024, closed session, though sparse, indicate that the body discussed specific individuals. The minutes of the September