

## CONSTITUTIONAL AMENDMENT

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**By: Delegate Weir**

Introduced and read first time: January 31, 1997

Assigned to: Commerce and Government Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Legislative Districting - Delegate Districts**

3 FOR the purpose of requiring the subdivision of a legislative district to include  
4 single-member delegate districts, subject to certain conditions; generally relating to  
5 legislative districting; and submitting this amendment to the qualified voters of the  
6 State of Maryland for their adoption or rejection.

7 BY proposing an amendment to the Constitution of Maryland  
8 Article III - Legislative Department  
9 Section 3

10 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
11 MARYLAND, (Three-fifths of all the members elected to each of the two Houses  
12 concurring), That it be proposed that the Constitution of Maryland read as follows:

13 **Article III - Legislative Department**

14 3.

15 (A) (1) The State shall be divided by law into legislative districts OF  
16 SUBSTANTIALLY EQUAL POPULATION for the election of members of the Senate and  
17 the House of Delegates. Each legislative district shall contain one [(1)] Senator and  
18 three [(3)] Delegates.

19 (2) [Nothing herein shall prohibit the subdivision of any one or more of the  
20 legislative districts for the purpose of electing members of the House of Delegates into  
21 three (3) single-member delegate districts or one (1) single-member delegate district and  
22 one (1) multi-member delegate district] EACH LEGISLATIVE DISTRICT SHALL BE  
23 FURTHER SUBDIVIDED BY LAW INTO THREE SINGLE-MEMBER DELEGATE  
24 DISTRICTS OF SUBSTANTIALLY EQUAL POPULATION FOR THE PURPOSE OF  
25 ELECTING MEMBERS OF THE HOUSE OF DELEGATES.

26 (B) IF A LEGISLATIVE DISTRICT IS CONFIGURED SO THAT ITS POPULATION  
27 RESIDES IN MORE THAN ONE COUNTY, THE LEGISLATIVE DISTRICT SHALL BE  
28 SUBDIVIDED INTO SINGLE-MEMBER DELEGATE DISTRICTS IN ACCORDANCE WITH  
29 THIS SUBSECTION.

30 (1) IF THE NUMBER OF RESIDENTS OF A COUNTY OR OF THE PORTION  
31 OF A COUNTY WITHIN A LEGISLATIVE DISTRICT IS NOT GREATER THAN THE

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1 POPULATION OF ONE SINGLE-MEMBER DELEGATE DISTRICT, ALL OF THE  
2 RESIDENTS OF THE COUNTY OR OF THE PORTION OF THE COUNTY THAT IS IN THAT  
3 LEGISLATIVE DISTRICT SHALL BE PLACED IN ONE SINGLE-MEMBER DELEGATE  
4 DISTRICT, TOGETHER WITH SUCH ADDITIONAL NUMBER OF RESIDENTS FROM ANY  
5 OTHER COUNTY THAT IS WITHIN THE LEGISLATIVE DISTRICT WHO ARE NEEDED TO  
6 FULFILL THE POPULATION REQUIREMENTS FOR A SINGLE-MEMBER DELEGATE  
7 DISTRICT.

8 (2) IF THE NUMBER OF RESIDENTS OF A COUNTY OR OF THE PORTION  
9 OF A COUNTY WITHIN A LEGISLATIVE DISTRICT IS GREATER THAN THE  
10 POPULATION OF ONE SINGLE-MEMBER DELEGATE DISTRICT BUT LESS THAN THE  
11 POPULATION OF TWO SINGLE-MEMBER DELEGATE DISTRICTS, THEN:

12 (I) ONE SINGLE-MEMBER DELEGATE DISTRICT SHALL CONSIST  
13 SOLELY OF RESIDENTS OF THAT COUNTY; AND

14 (II) THE REMAINING RESIDENTS OF THAT COUNTY SHALL BE  
15 PLACED WITHIN A SECOND SINGLE-MEMBER DELEGATE DISTRICT, TOGETHER WITH  
16 AN ADDITIONAL NUMBER OF RESIDENTS FROM ANY OTHER COUNTY WITHIN THE  
17 LEGISLATIVE DISTRICT WHO ARE NEEDED TO FULFILL THE POPULATION  
18 REQUIREMENTS FOR A SINGLE-MEMBER DELEGATE DISTRICT.

19 (3) IF THE NUMBER OF RESIDENTS OF A COUNTY OR OF THE PORTION  
20 OF A COUNTY WITHIN A LEGISLATIVE DISTRICT EQUALS OR EXCEEDS THE  
21 POPULATION OF TWO SINGLE-MEMBER DELEGATE DISTRICTS, THEN:

22 (I) TWO SINGLE-MEMBER DELEGATE DISTRICTS SHALL CONSIST  
23 SOLELY OF RESIDENTS OF THAT COUNTY; AND

24 (II) ANY REMAINING RESIDENTS OF THAT COUNTY SHALL BE  
25 PLACED WITHIN A THIRD SINGLE-MEMBER DELEGATE DISTRICT, TOGETHER WITH  
26 SUCH NUMBER OF RESIDENTS FROM ANY OTHER COUNTY WITHIN THE  
27 LEGISLATIVE DISTRICT WHO ARE NEEDED TO FULFILL THE POPULATION  
28 REQUIREMENTS FOR A SINGLE-MEMBER DELEGATE DISTRICT.

29 SECTION 2. AND BE IT FURTHER ENACTED, That the General Assembly  
30 determines that the amendment to the Constitution of Maryland proposed by this Act  
31 affects multiple jurisdictions and that the provisions of Article XIV, Section 1 of the  
32 Constitution concerning local approval of constitutional amendments do not apply.

33 SECTION 3. AND BE IT FURTHER ENACTED, That the foregoing section  
34 proposed as an amendment to the Constitution of Maryland shall be submitted to the  
35 legal and qualified voters of this State at the next general election to be held in  
36 November, 1998 for their adoption or rejection in pursuance of directions contained in  
37 Article XIV of the Constitution of this State. At that general election, the vote on this  
38 proposed amendment to the Constitution shall be by ballot, and upon each ballot there  
39 shall be printed the words "For the Constitutional Amendments" and "Against the  
40 Constitutional Amendments," as now provided by law. Immediately after the election, all  
41 returns shall be made to the Governor of the vote for and against the proposed  
42 amendment, as directed by Article XIV of the Constitution, and further proceedings had  
43 in accordance with Article XIV.

