

HOUSE BILL 537
CONSTITUTIONAL AMENDMENT

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P5
HB 858/97 - CGM

1998 Regular Session
8r1591

By: **Delegate Weir**

Introduced and read first time: February 5, 1998

Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Legislative Districting - Single-Member Delegate Districts**

3 FOR the purpose of requiring the subdivision of each legislative district into three
4 single-member delegate districts; specifying certain criteria for configuration of
5 delegate districts; generally relating to legislative districting; and submitting
6 this amendment to the qualified voters of the State of Maryland for their
7 adoption or rejection.

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

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

14 **Article III - Legislative Department**

15 3.

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

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

27 (B) IF A LEGISLATIVE DISTRICT IS CONFIGURED SO THAT ITS POPULATION
28 RESIDES IN MORE THAN ONE COUNTY, THE LEGISLATIVE DISTRICT SHALL BE

1 SUBDIVIDED INTO SINGLE-MEMBER DELEGATE DISTRICTS IN ACCORDANCE WITH
2 THIS SUBSECTION.

3 (1) IF THE NUMBER OF RESIDENTS OF A COUNTY OR OF THE PORTION
4 OF A COUNTY WITHIN A LEGISLATIVE DISTRICT IS NOT GREATER THAN THE
5 POPULATION OF ONE SINGLE-MEMBER DELEGATE DISTRICT, ALL OF THE
6 RESIDENTS OF THE COUNTY OR OF THE PORTION OF THE COUNTY THAT IS IN THAT
7 LEGISLATIVE DISTRICT SHALL BE PLACED IN ONE SINGLE-MEMBER DELEGATE
8 DISTRICT, TOGETHER WITH SUCH ADDITIONAL NUMBER OF RESIDENTS FROM ANY
9 OTHER COUNTY THAT IS WITHIN THE LEGISLATIVE DISTRICT WHO ARE NEEDED TO
10 FULFILL THE POPULATION REQUIREMENTS FOR A SINGLE-MEMBER DELEGATE
11 DISTRICT.

12 (2) IF THE NUMBER OF RESIDENTS OF A COUNTY OR OF THE PORTION
13 OF A COUNTY WITHIN A LEGISLATIVE DISTRICT IS GREATER THAN THE POPULATION
14 OF ONE SINGLE-MEMBER DELEGATE DISTRICT BUT LESS THAN THE POPULATION OF
15 TWO SINGLE-MEMBER DELEGATE DISTRICTS, THEN:

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

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

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

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

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

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

37 SECTION 3. AND BE IT FURTHER ENACTED, That the foregoing section
38 proposed as an amendment to the Constitution of Maryland shall be submitted to the
39 legal and qualified voters of this State at the next general election to be held in
40 November, 1998 for their adoption or rejection in pursuance of directions contained in
41 Article XIV of the Constitution of this State. At that general election, the vote on this

1 proposed amendment to the Constitution shall be by ballot, and upon each ballot
2 there shall be printed the words "For the Constitutional Amendments" and "Against
3 the Constitutional Amendments," as now provided by law. Immediately after the
4 election, all returns shall be made to the Governor of the vote for and against the
5 proposed amendment, as directed by Article XIV of the Constitution, and further
6 proceedings had in accordance with Article XIV.