## By: Senator Mitchell

Introduced and read first time: February 27, 2002
Assigned to: Rules

## SENATE JOINT RESOLUTION

1 A Senate Joint Resolution concerning

## Legislative Districting Plan of 2002 (The Fair Plan)

3 FOR the purpose of establishing a plan for legislative districts pursuant to Article III,
4 Section 5 of the Constitution of Maryland; providing that this Joint Resolution 5 shall be effective as a plan within the meaning of Article III, Section 5 of the 6 Constitution of Maryland only under certain circumstances; and generally relating to the establishment of legislative districts pursuant to Article III of the Constitution of Maryland.

9 BY repealing
10 Article - State Government
11 Section 2-202
12 Annotated Code of Maryland
13 (1999 Replacement Volume and 2001 Supplement)
4 BY repealing and reenacting, with amendments,
Article - State Government
Section 2-201 and 2-203 to be under the amended subtitle "Subtitle 2.
Legislative Districting Plan of 2002"
Annotated Code of Maryland
(1999 Replacement Volume and 2001 Supplement)
BY adding to
Article - State Government
Section 2-202
Annotated Code of Maryland
(1999 Replacement Volume and 2001 Supplement)
BY repealing and reenacting, without amendments,
Article - State Government
Section 2-204 and 2-205
Annotated Code of Maryland
(1999 Replacement Volume and 2001 Supplement)

1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
2 MARYLAND, That Section(s) 2-202 of Article - State Government of the Annotated
3 Code of Maryland be repealed.
4 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland 5 read as follows:

Article - State Government
7
Subtitle 2. Legislative Districting Plan of [1992] 2002.
8 2-201.
9 (a) The State of Maryland is divided into 47 districts for the election of 10 members of the General Assembly of Maryland.

11 (b) Each legislative district shall elect 1 Senator and 3 Delegates.
2 (c) Each legislative district may be subdivided into 3 single member delegate
13 districts or into 1 single member delegate district and 1 multimember delegate
14 district.
15 (d) In any legislative district which contains more than 2 counties or parts of 16 more than 2 counties[:

17 (1)] where Delegates are to be elected at large by the voters of the entire 18 district, a county, or part of a county, may not have more than 1 Delegate residing in 19 that district[; and

20 (2) subdistrict which contains more than 2 counties or parts of more than 2 counties, a county or a part of a county may not have more than 1 Delegate residing in that 3 subdistrict].

24 (e) (1) The descriptions of legislative districts in this subtitle, including all
25 references to:
26
(i) election districts and wards are to the geographical boundaries 27 of the election districts and wards as they existed as of April 1, [1990] 2000; and
(ii) precincts are to the geographical boundaries of the precincts as 29 reviewed and certified by the local board of supervisors of elections or their designees,
30 before they were reported to the U.S. Bureau of the Census as part of the [1990] 2000
31 Census Redistricting Data Program and as those precinct lines are specifically
32 INDICATED IN THE P.L. 94-171 DATA OR shown on the P.L. 94-171 census block maps
33 provided by the U.S. Bureau of the Census and as reviewed and corrected by the
34 Maryland Department of Planning.
(2) Where precincts are split between legislative districts, census tract 36 and block numbers, as INDICATED IN THE P.L. 94-171 DATA OR shown on the P.L.

1 94-171 census block maps provided by the U.S. Bureau of the Census and referred to 2 in § 2-202, are used to define the boundaries of legislative districts. [All other
3 descriptions of split precincts appearing in § 2-202 are provided for informational
4 purposes and may not be considered to be legally binding.]
5 2-202.
6 THE COMPOSITION OF THE 47 LEGISLATIVE DISTRICTS IS:

7 $106,10,11,15,16$, AND 19 THROUGH 23;
(C) PRINCE GEORGE'S COUNTY ELECTION DISTRICT 13, PRECINCTS 1, 7, 8,
(2) LEGISLATIVE DISTRICT 2 CONSISTS OF:
(A) BALTIMORE CITY WARDS 1, 2, 3, AND 21 THROUGH 25;
(B) BALTIMORE CITY WARD 4, PRECINCT 1;
(C) BALTIMORE CITY WARD 20, PRECINCTS 10 THROUGH 13;
(D) BALTIMORE CITY WARD 26, PRECINCTS 1, 2, 3, 6, 8, 9, AND 10.
(3) LEGISLATIVE DISTRICT 3 CONSISTS OF:
(A) BALTIMORE CITY WARDS 8 AND 10;
(B) BALTIMORE CITY WARD 5, PRECINCTS 2 AND 3;
(C) BALTIMORE CITY WARD 6, PRECINCTS 1 THROUGH 5;
(D) BALTIMORE CITY WARD 7, PRECINCTS 1 THROUGH 6;
(E) BALTIMORE CITY WARD 9, PRECINCTS 16 AND 17;
(F) BALTIMORE CITY WARD 26, PRECINCTS 4, 5, 7, AND 11 THROUGH 37;
(G) BALTIMORE CITY WARD 27, PRECINCT 1.
(4) LEGISLATIVE DISTRICT 4 CONSISTS OF:
(A) HARFORD COUNTY ELECTION DISTRICT 1;
(B) HARFORD COUNTY ELECTION DISTRICT 2, PRECINCTS 1, 3, 10, 15, AND

1 (C) HARFORD COUNTY ELECTION DISTRICT 3, PRECINCTS 7, 12, 14, 16, 17,

2 AND 21. AND 71;
(5) LEGISLATIVE DISTRICT 5 CONSISTS OF:
(A) BALTIMORE CITY ELECTION DISTRICT 9, PRECINCTS 1 THROUGH 15;
(B) BALTIMORE CITY ELECTION DISTRICT 27, PRECINCTS 2, AND 3
(6) LEGISLATIVE DISTRICT 6 CONSISTS OF:
(A) BALTIMORE COUNTY ELECTION DISTRICT 3, PRECINCTS 6 THROUGH
(B) BALTIMORE COUNTY ELECTION DISTRICT 9, PRECINCTS 1 AND 3;
(C) BALTIMORE CITY WARD 12, PRECINCTS 1 THROUGH 12;
(D) BALTIMORE CITY WARD 13, PRECINCTS 1 THROUGH 5, 12 AND 13;
(E) BALTIMORE CITY WARD 27, PRECINCTS 41 THROUGH 59, 63, 64, 67, 68,
(7) LEGISLATIVE DISTRICT 7 CONSISTS OF:
(A) BALTIMORE CITY WARD 13, PRECINCTS 6 THROUGH 11;
(B) BALTIMORE CITY WARD 15, PRECINCTS 1 THROUGH 18, AND 24
(C) BALTIMORE CITY WARD 16, PRECINCTS 12 THROUGH 14;
(D) BALTIMORE CITY WARD 27, PRECINCTS 60 THROUGH 62, 65, 66, 70,
(E) BALTIMORE CITY WARD 28, PRECINCTS 1 THROUGH 13.
(8) LEGISLATIVE DISTRICT 8 CONSISTS OF:
(A) BALTIMORE CITY WARDS $11,14,17,18$, AND 19;
(B) BALTIMORE CITY WARD 4, PRECINCTS 2 AND 3;
(C) BALTIMORE CITY WARD 5, PRECINCT 1;
(D) BALTIMORE CITY WARD 10, PRECINCTS 3 AND 4;
(E) BALTIMORE CITY WARD 12, PRECINCT 13;
(F) BALTIMORE CITY WARD 15, PRECINCTS 19 THROUGH 23;
.
(G) BALTIMORE CITY WARD 16, PRECINCTS 1 THROUGH 11;
(H) BALTIMORE CITY WARD 20, PRECINCTS 1 THROUGH 9;
(I) BALTIMORE CITY WARD 28, PRECINCTS 14 THROUGH 18.
(9) LEGISLATIVE DISTRICT 9 CONSISTS OF:
(A) MONTGOMERY COUNTY ELECTION DISTRICT 1, PRECINCTS 3 AND 4;
(B) MONTGOMERY COUNTY ELECTION DISTRICT 6, PRECINCTS 3
(C) MONTGOMERY COUNTY ELECTION DISTRICT 9, PRECINCTS 1, 3, 5, 7, 9, $11,12,13,15,16,17,19,20$ THROUGH 24, 27, 28, AND 30.
(10) LEGISLATIVE DISTRICT 10 CONSISTS OF:
(A) DORCHESTER COUNTY ELECTION DISTRICT 7, PRECINCT 7;
(B) $\quad$ WICOMICO COUNTY ELECTION DISTRICTS 4, 5, 6, 8, 11, 13, AND 14 ;
(C) WICOMICO COUNTY ELECTION DISTRICT 9, PRECINCTS 1, 2, 4, AND 5;
(D) WICOMICO COUNTY ELECTION DISTRICT 16, PRECINCT 1;
(E) WORCESTER COUNTY ELECTION DISTRICTS 1 THROUGH 5.
(11) LEGISLATIVE DISTRICT 11 CONSISTS OF:
(A) CAROLINE COUNTY ELECTION DISTRICTS 1 THROUGH 6 AND 8
(B) CAROLINE COUNTY ELECTION DISTRICT 7, PRECINCTS 1 THROUGH 6,
(15) LEGISLATIVE DISTRICT 15 CONSISTS OF:
(A) ANNE ARUNDEL COUNTY ELECTION DISTRICT 1, PRECINCTS 20 AND 29 THROUGH 18, 20, 23, AND 24;

## LEGISLATIVE DISTRICT 16 CONSISTS OF:

(B) ANNE ARUNDEL COUNTY ELECTION DISTRICT 2, PRECINCTS 1, 3 7 THROUGH 12, 14, 16, 17 AND 21;
(C) ANNE ARUNDEL COUNTY ELECTION DISTRICT 4, PRECINCTS 10, 12 9 AND 18.
(19) LEGISLATIVE DISTRICT 19 CONSISTS OF:
(A) CALVERT COUNTY ELECTION DISTRICT 1, PRECINCTS 1, 2, AND 4 THROUGH 6;
(B) ST. MARY'S COUNTY.
(20) LEGISLATIVE DISTRICT 20 CONSISTS OF:
(A) CHARLES COUNTY ELECTION DISTRICTS 1 THROUGH 5, 7, 9, AND 10;
(B) CHARLES COUNTY ELECTION DISTRICT 6, PRECINCTS 1 THROUGH 11,
(C) CHARLES COUNTY ELECTION DISTRICT 8, PRECINCTS 1, 2, AND 4.
(A) ANNE ARUNDEL COUNTY ELECTION DISTRICT 6, PRECINCTS 19, 20
(B) ANNE ARUNDEL COUNTY ELECTION DISTRICT 7, PRECINCTS 1
(21) LEGISLATIVE DISTRICT 21 CONSISTS OF:

5 (23) LEGISLATIVE DISTRICT 23 CONSISTS OF:
(24) LEGISLATIVE DISTRICT 24 CONSISTS OF:
(E) PRINCE GEORGE'S COUNTY ELECTION DISTRICT 12, PRECINCTS 1, 5, 8,
(A) PRINCE GEORGE'S COUNTY ELECTION DISTRICT 3, PRECINCT 1;
(B) PRINCE GEORGE'S COUNTY ELECTION DISTRICT 6, PRECINCTS 2, 4, 7,
(C) PRINCE GEORGE'S COUNTY ELECTION DISTRICT 9, PRECINCTS 2, 3,
(D) PRINCE GEORGE'S COUNTY ELECTION DISTRICT 12, PRECINCTS 2
(E) PRINCE GEORGE'S COUNTY ELECTION DISTRICT 15, PRECINCTS 1, 3,
(A) PRINCE GEORGE'S COUNTY ELECTION DISTRICT 7;
(B) PRINCE GEORGE'S COUNTY ELECTION DISTRICT 3, PRECINCTS 2, 3,

1 (C) PRINCE GEORGE'S COUNTY ELECTION DISTRICT 13, PRECINCTS 4, 2 AND 6, 9 THROUGH 13;
(D) PRINCE GEORGE'S COUNTY ELECTION DISTRICT 14, PRECINCTS 1, 3

4 THROUGH 6 AND 10;
(E) PRINCE GEORGE'S COUNTY ELECTION DISTRICT 15, PRECINCT 2.
(25) LEGISLATIVE DISTRICT 25 CONSISTS OF:
(A) PRINCE GEORGE'S COUNTY ELECTION DISTRICT 20;
(B) PRINCE GEORGE'S COUNTY ELECTION DISTRICT 10, PRECINCTS 7, 10,
(C) PRINCE GEORGE'S COUNTY ELECTION DISTRICT 13, PRECINCTS 3, 5,
(D) PRINCE GEORGE'S COUNTY ELECTION DISTRICT 14, PRECINCTS 2, 7, 8,
(E) PRINCE GEORGE'S COUNTY ELECTION DISTRICT 19, PRECINCTS 2
(26) LEGISLATIVE DISTRICT 26 CONSISTS OF:
(A) PRINCE GEORGE'S COUNTY ELECTION DISTRICT 2 AND 16;
(B) PRINCE GEORGE'S COUNTY ELECTION DISTRICT 13, PRECINCT 2;
(C) PRINCE GEORGE'S COUNTY ELECTION DISTRICT 17, PRECINCTS 1 THROUGH 9, 12 AND 13;
(D) PRINCE GEORGE'S COUNTY ELECTION DISTRICT 19, PRECINCT 5.
(27) LEGISLATIVE DISTRICT 27 CONSISTS OF:
(A) PRINCE GEORGE'S COUNTY ELECTION DISTRICT 1;
(B) PRINCE GEORGE'S COUNTY ELECTION DISTRICT 10, PRECINCTS 1 THROUGH 6, 8, 9, 12, AND 13;
(C) PRINCE GEORGE'S COUNTY ELECTION DISTRICT 17, PRECINCT 11;
(D) PRINCE GEORGE'S COUNTY ELECTION DISTRICT 19, PRECINCTS 1

1 (E) PRINCE GEORGE'S COUNTY ELECTION DISTRICT 21, PRECINCTS 1, 2, 4, $25,7,10,12,14,15$, AND 17;
(28) LEGISLATIVE DISTRICT 28 CONSISTS OF:

5 AND 14;
6 7 THROUGH 10, 12 THROUGH 15, 18, 19, 21, 22, 23, 41, 47, 50, AND 65 THROUGH 68;
(C) PRINCE GEORGE'S COUNTY ELECTION DISTRICT 17, PRECINCT 4, 10, 9 AND 14.

10 (29) LEGISLATIVE DISTRICT 29 CONSISTS OF:
(C) MONTGOMERY COUNTY ELECTION DISTRICT 8, PRECINCTS 1 15 THROUGH 5, 7 THROUGH 9, AND 11;
(D) MONTGOMERY COUNTY ELECTION DISTRICT 9, PRECINCTS 2, 4, 6, 10 17 AND 14;
(32) LEGISLATIVE DISTRICT 32 CONSISTS OF:
(A) MONTGOMERY COUNTY ELECTION DISTRICT 7;
(B) MONTGOMERY COUNTY ELECTION DISTRICT 4, PRECINCTS 24 AND 31;
(C) MONTGOMERY COUNTY ELECTION DISTRICT 13, PRECINCTS 3, 16, 26,

7 8 THROUGH 13, 15, 16, 18, 20, 21, 23, 25, 27, 28, 30, AND 32;
(33) LEGISLATIVE DISTRICT 33 CONSISTS OF:
(A) MONTGOMERY COUNTY ELECTION DISTRICT 10;
(34) LEGISLATIVE DISTRICT 34 CONSISTS OF:
(35) LEGISLATIVE DISTRICT 35 CONSISTS OF:
(A) BALTIMORE COUNTY ELECTION DISTRICTS 4 AND 6;
(B) BALTIMORE COUNTY ELECTION DISTRICT 3, PRECINCT 13;
(C) BALTIMORE COUNTY ELECTION DISTRICT 7, PRECINCT 3; THROUGH 14, AND 16 THROUGH 20.
(36) LEGISLATIVE DISTRICT 36 CONSISTS OF:
(A) HOWARD COUNTY ELECTION DISTRICT 1; ,

THROUGH 14, 16 THROUGH 23, 25, 26, 28 AND 29;
(37) LEGISLATIVE DISTRICT 37 CONSISTS OF:
(B) MONTGOMERY COUNTY ELECTION DISTRICT 4, PRECINCTS 2, 5, 7, 10
(C) MONTGOMERY COUNTY ELECTION DISTRICT 6, PRECINCTS 2 AND 6.
(A) MONTGOMERY COUNTY ELECTION DISTRICT 5, PRECINCTS 1, 2, 5, 6, 8,
(B) MONTGOMERY COUNTY ELECTION DISTRICT 8, PRECINCTS 6 AND 10;
(C) MONTGOMERY COUNTY ELECTION DISTRICT 13, PRECINCTS 2, 49, 54,
(D) BALTIMORE COUNTY ELECTION DISTRICT 8, PRECINCTS 2, 6
(B) HOWARD COUNTY ELECTION DISTRICT 2, PRECINCTS 1 THROUGH 4,

1 (A) BALTIMORE COUNTY ELECTION DISTRICT 2, PRECINCTS 1, 2, AND 4 2 THROUGH 21;
(B) BALTIMORE COUNTY ELECTION DISTRICT 3, PRECINCTS 1 THROUGH 4 5, 11 AND 12.
(41) LEGISLATIVE DISTRICT 41 CONSISTS OF:
(42) LEGISLATIVE DISTRICT 42 CONSISTS OF:
(B) BALTIMORE COUNTY ELECTION DISTRICT 14, PRECINCTS 2 THROUGH
(C) BALTIMORE COUNTY ELECTION DISTRICT 15, PRECINCTS 3 THROUGH
(A) BALTIMORE COUNTY ELECTION DISTRICT 8, PRECINCT 15;
(B) BALTIMORE COUNTY ELECTION DISTRICT 9, PRECINCT 2, AND 4
(C) BALTIMORE COUNTY ELECTION DISTRICT 11, PRECINCTS 8, 9, 15, AND
(D) BALTIMORE COUNTY ELECTION DISTRICT 14, PRECINCTS 1 AND 12.
(A) BALTIMORE COUNTY ELECTION DISTRICT 12;
(B) BALTIMORE COUNTY ELECTION DISTRICT 14, PRECINCT 11;

1 (C) BALTIMORE COUNTY ELECTION DISTRICT 15, PRECINCTS 1, 2, AND 12 2 THROUGH 22. 16, 17, 18, AND 20 THROUGH 27.
(43) LEGISLATIVE DISTRICT 43 CONSISTS OF:
(A) CARROLL COUNTY ELECTION DISTRICTS 4, 6, 7, 8, 9, 13 AND 14;
(B) CARROLL COUNTY ELECTION DISTRICT 5, PRECINCTS 2, 3 AND 6;
(C) CARROLL COUNTY ELECTION DISTRICT 11, PRECINCT 1.
(44) LEGISLATIVE DISTRICT 44 CONSISTS OF:
(A) CARROLL COUNTY ELECTION DISTRICTS 1, 2, 3, 10, AND 12;
(B) CARROLL COUNTY ELECTION DISTRICT 11, PRECINCT 2.
(C) FREDERICK COUNTY ELECTION DISTRICTS 4 THROUGH 10, 13, 15
(D) FREDERICK COUNTY ELECTION DISTRICT 2, PRECINCT 3.
(45) LEGISLATIVE DISTRICT 45 CONSISTS OF:
(A) FREDERICK COUNTY ELECTION DISTRICTS 1, 2, 3, 12, 14, AND 21
(B) WASHINGTON COUNTY ELECTION DISTRICTS 1, 8, 11 AND 19.
(46) LEGISLATIVE DISTRICT 46 CONSISTS OF:
(A) WASHINGTON COUNTY ELECTION DISTRICTS 2, 3, 6, 7, 9, 10, 12, 13, 14,
(47) LEGISLATIVE DISTRICT 47 CONSISTS OF:
(A) ALLEGANY COUNTY
(B) GARRETT COUNTY
(C) WASHINGTON COUNTY ELECTION DISTRICTS 4, 5, AND 15.

24 2-203.
25 For purposes of elections, the provisions of this subtitle shall be applicable to 26 elections for members of the General Assembly beginning with the primary and
27 general elections of [1994] 2002 and, for purposes of representation, shall be
28 applicable beginning with the second Wednesday of January, [1995] 2003.

1 2-204.
2 All provisions of this article, and all other laws or parts of laws, public general or 3 public local, inconsistent with the provisions of this subtitle, are repealed to the 4 extent of any such inconsistency.

5 2-205.
6 If any part of this subtitle, including any section or subsection or portion of it, 7 shall be held to be unconstitutional or invalid for any reason, the unconstitutionality 8 or invalidity may not affect the remaining parts of this subtitle. It is the intention 9 that the remaining parts of this subtitle would have been enacted into law if that
10 unconstitutionality or invalidity had been known. To this end, all parts of this subtitle
11 are declared to be severable.

## 12 SECTION 3. AND BE IT FURTHER RESOLVED, That this Joint Resolution

 13 shall be construed as setting forth the boundaries for legislative districts pursuant to 14 the provisions of the fourth and fifth sentences of Article III, Section 5 of the15 Constitution of Maryland and shall be effective as a plan within the meaning of those
16 provisions only if the plan is adopted by the General Assembly pursuant to those
17 provisions by the 45 th day of the 2002 regular Session.

