

Department of Legislative Services
Maryland General Assembly
2004 Session

FISCAL AND POLICY NOTE

House Bill 949 (Delegate Haddaway, *et al.*)
Rules and Executive Nominations

Legislative Districting - Resident Delegates by County

This constitutional amendment requires, to the greatest extent possible, a legislative district to have a resident delegate for each county within a district. The amendment will be submitted to voters at the 2004 general election for adoption or rejection.

Fiscal Summary

State Effect: The bill would not directly affect State operations or finances.

Local Effect: The Maryland Constitution requires that proposed amendments to the constitution be publicized either: (1) in at least two newspapers in each county, if available, and in at least three newspapers in Baltimore City once a week for four weeks immediately preceding the general election; or (2) by order of the Governor in a manner provided by law. State law requires local boards of elections to publicize proposed amendments to the constitution either in newspapers or on specimen ballots; local boards of elections are responsible for the costs associated with these requirements. It is anticipated that the FY 2005 budgets of local election boards will contain funding for notifying qualified voters about proposed constitutional amendments for the 2004 general election in newspapers or on specimen ballots.

Small Business Effect: None.

Analysis

Current Law: The current resident delegate requirement is in the State Government Article and only requires a resident delegate when at least three counties or portions of a

county are located within a legislative district or multimember subdistrict. The legislative districting plan of 2002 includes nine districts that contain two counties or parts of counties, three that contain three counties or parts of counties, and one that contains four counties or portions of counties.

The State constitution provides for 47 legislative districts. Each elects one senator and three delegates. A legislative district is required to be contiguous, compact, and of substantially equal population. Due regard is to be given to natural boundaries and the boundaries of political subdivisions.

Additional Information

Prior Introductions: A similar bill was introduced at the 2003 session as SB 472. The bill received a favorable report by the Senate Education, Health, and Environmental Affairs Committee and was passed by the Senate. No action was taken in the House of Delegates.

Cross File: SB 128 (Caroline County Senators) – Education, Health, and Environmental Affairs.

Information Source(s): Department of Legislative Services

Fiscal Note History: First Reader - March 11, 2004
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