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Introduced and read first time: February 6, 2006  
Assigned to: Rules and Executive Nominations

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A BILL ENTITLED

1 AN ACT concerning

2 **General Assembly - Legislative Districting - Process**

3 FOR the purpose of providing a process for establishing legislative districts for the  
4 election of members of the Maryland General Assembly; directing a certain  
5 commission to hold certain public meetings at certain times for a certain  
6 purpose; providing for public notice of the meetings, the time periods within  
7 which the meetings must be held, and the general procedures to be used in  
8 conducting the public meetings; providing that certain districting maps must be  
9 made available to the public in certain ways and at certain times; directing the  
10 Executive Director of the Department of Legislative Services to oversee the  
11 districting process; providing for certain duties of the Executive Director;  
12 providing that employees of the Department may not discuss certain  
13 information about any redistricting plans with certain persons; defining certain  
14 terms; making this Act contingent on the passage and ratification of a certain  
15 Constitutional Amendment; and generally relating to a process for establishing  
16 legislative districts in Maryland.

17 BY adding to  
18 Article - State Government  
19 Section 2-2A-01 through 2-2A-03 to be under the new subtitle "Subtitle 2A.  
20 Legislative Districting Process"  
21 Annotated Code of Maryland  
22 (2004 Replacement Volume and 2005 Supplement)

23 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
24 MARYLAND, That the Laws of Maryland read as follows:

1 **Article - State Government**

## 2 SUBTITLE 2A. LEGISLATIVE DISTRICTING PROCESS.

3 2-2A-01.

4 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS  
5 INDICATED.6 (B) "COMMISSION" MEANS THE TEMPORARY REDISTRICTING ADVISORY  
7 COMMISSION ESTABLISHED UNDER ARTICLE III, § 5A OF THE MARYLAND  
8 CONSTITUTION.

9 (C) "DEPARTMENT" MEANS THE DEPARTMENT OF LEGISLATIVE SERVICES.

10 (D) "EXECUTIVE DIRECTOR" MEANS THE EXECUTIVE DIRECTOR OF THE  
11 DEPARTMENT.

12 2-2A-02.

13 (A) THE COMMISSION SHALL HOLD TWO SERIES OF PUBLIC MEETINGS TO  
14 OBTAIN CITIZEN INPUT FOR THE GENERAL ASSEMBLY LEGISLATIVE DISTRICTING  
15 PROCESS.16 (B) (1) PRIOR TO BEGINNING WORK ON NEW DISTRICT MAPS, BETWEEN  
17 APRIL 16 AND MAY 31 OF THE FIRST YEAR FOLLOWING THE U.S. CENSUS, 12 PUBLIC  
18 MEETINGS SHALL BE HELD IN DIFFERENT GEOGRAPHIC REGIONS ACROSS THE  
19 STATE TO RECEIVE INFORMATION FROM CITIZENS REGARDING THE ADVANTAGES  
20 AND DISADVANTAGES OF EXISTING DISTRICT LINES AND ANY OTHER INFORMATION  
21 CITIZENS BELIEVE USEFUL IN DEVELOPING NEW DISTRICT MAPS.22 (2) AFTER DEVELOPING PRELIMINARY DISTRICT MAPS, BETWEEN  
23 SEPTEMBER 16 AND OCTOBER 31 OF THE FIRST YEAR FOLLOWING THE U.S. CENSUS,  
24 12 PUBLIC MEETINGS SHALL BE HELD IN DIFFERENT GEOGRAPHIC REGIONS ACROSS  
25 THE STATE TO RECEIVE COMMENTS FROM CITIZENS REGARDING THE PRELIMINARY  
26 DISTRICTING MAPS.27 (C) PUBLIC MEETINGS SHALL BE CONDUCTED BY THE COMMISSION IN  
28 ACCORDANCE WITH TITLE 10, SUBTITLE 5 OF THIS ARTICLE.29 (D) (1) (I) THE DEPARTMENT SHALL PROVIDE PUBLIC NOTICE OF THE  
30 MEETING.

31 (II) THE PUBLIC NOTICE SHALL INCLUDE:

32 1. THE PURPOSE, LOCATION, DATE, AND TIME OF THE  
33 MEETING;34 2. THE TERMS AND CONDITIONS FOR SPEAKING AT THE  
35 MEETING AND PROVIDING WRITTEN COMMENT; AND

1 3. INFORMATION ON HOW TO OBTAIN AND INSPECT COPIES  
2 OF THE DISTRICT MAPS.

3 (2) NOTICE OF THE MEETINGS SHALL BE PROVIDED:

4 (I) AT LEAST 7 DAYS BEFORE EACH PUBLIC MEETING ON THE  
5 GENERAL ASSEMBLY WEBSITE;

6 (II) WITHIN 7 TO 10 DAYS BEFORE EACH PUBLIC MEETING AND THE  
7 DAY BEFORE EACH PUBLIC MEETING, BY ADVERTISEMENT IN A MAJOR NEWSPAPER  
8 OF GENERAL CIRCULATION SERVING THE GEOGRAPHIC REGION WHERE THE  
9 MEETING WILL BE HELD; AND

10 (III) WITHIN 7 TO 10 DAYS BEFORE EACH PUBLIC MEETING, BY  
11 DELIVERY TO THE NEWS MEDIA SERVING THE GEOGRAPHIC REGION WHERE THE  
12 MEETING WILL BE HELD.

13 (E) (1) MAPS OF THE EXISTING LEGISLATIVE DISTRICTS SHALL BE MADE  
14 AVAILABLE TO THE PUBLIC FOR THE FIRST SERIES OF PUBLIC MEETINGS REQUIRED  
15 UNDER SUBSECTION (B)(1) OF THIS SECTION.

16 (2) MAPS SHOWING PRELIMINARY PROPOSED DISTRICTS SHALL BE  
17 MADE AVAILABLE TO THE PUBLIC FOR THE SECOND SERIES OF PUBLIC MEETINGS  
18 REQUIRED BY SUBSECTION (B)(2) OF THIS SECTION.

19 (3) MAPS SHALL BE:

20 (I) POSTED ON THE GENERAL ASSEMBLY WEBSITE;

21 (II) PROVIDED TO EACH PUBLIC LIBRARY IN THE STATE AND  
22 RETAINED BY EACH LIBRARY AS REFERENCE MATERIALS; AND

23 (III) AVAILABLE FOR PUBLIC INSPECTION AT EACH PUBLIC  
24 MEETING.

25 (F) PUBLIC MEETINGS SHALL BE:

26 (1) HELD AT FACILITIES THAT ARE FULLY ACCESSIBLE AND COMPLIANT  
27 WITH THE AMERICANS WITH DISABILITIES ACT AND THAT HAVE A SEATING  
28 CAPACITY OF AT LEAST 500 PEOPLE;

29 (2) HELD ON TUESDAY, WEDNESDAY, OR THURSDAY EVENING; AND

30 (3) WHEN PRACTICABLE, SCHEDULED TO AVOID CONFLICT WITH  
31 RELIGIOUS HOLIDAYS.

32 (G) (1) INDIVIDUALS WHO WISH TO SPEAK AT A PUBLIC MEETING MUST  
33 RECORD THEIR NAME AND ADDRESS ON A SPEAKER SIGN-UP LIST PROVIDED BY THE  
34 DEPARTMENT.

1 (2) INDIVIDUALS WHO HAVE RECORDED THEIR NAMES ON THE  
2 SPEAKER SIGN-UP LIST SHALL BE GIVEN AN OPPORTUNITY TO SPEAK IN THE ORDER  
3 IN WHICH THEY ARE LISTED.

4 (3) INDIVIDUALS WHO HAVE RECORDED THEIR NAMES ON THE  
5 SPEAKER SIGN-UP LIST SHALL HAVE THE RIGHT TO SPEAK FOR A MINIMUM OF 2  
6 MINUTES, AND NO SPEAKER SHALL BE GIVEN MORE THAN 3 MINUTES TO SPEAK  
7 WITHOUT THE CONSENT OF THE MAJORITY OF THE COMMISSION MEMBERS WHO  
8 ARE PRESENT.

9 (H) (1) THE DEPARTMENT SHALL KEEP A RECORD OF EACH PUBLIC  
10 MEETING. THE RECORD SHALL INCLUDE THE SPEAKER SIGN-UP LIST, WRITTEN  
11 COMMENTS RECEIVED FROM THE PUBLIC, AND A SUMMARY OR TRANSCRIPT OF THE  
12 ORAL TESTIMONY.

13 (2) THE DEPARTMENT SHALL DELETE ANY INFORMATION PROHIBITED  
14 BY ARTICLE III, § 4 OF THE MARYLAND CONSTITUTION FROM THE WRITTEN  
15 COMMENTS RECEIVED FROM THE PUBLIC AND THE SUMMARY OR TRANSCRIPT OF  
16 ORAL TESTIMONY.

17 (3) (I) AT THE CONCLUSION OF EACH SERIES OF PUBLIC MEETINGS,  
18 THE DEPARTMENT SHALL PUBLISH A COMPILATION OF THE WRITTEN RECORDS AND  
19 ORAL TESTIMONY IN ACCORDANCE WITH THE REQUIREMENTS OF PARAGRAPHS (1)  
20 AND (2) OF THIS SUBSECTION.

21 (II) COPIES OF THE COMPILATION SHALL BE MADE AVAILABLE TO  
22 PUBLIC LIBRARIES ACROSS THE STATE AND ON THE GENERAL ASSEMBLY WEBSITE  
23 NOT LATER THAN AUGUST 1 AFTER THE FIRST SERIES OF PUBLIC MEETINGS AND  
24 NOT LATER THAN JANUARY 1 AFTER THE SECOND SERIES OF PUBLIC MEETINGS.

25 2-2A-03.

26 (A) THE EXECUTIVE DIRECTOR SHALL:

27 (1) PROVIDE OVERSIGHT OF THE REDISTRICTING PROCESS;

28 (2) HANDLE ALL COMMUNICATIONS BETWEEN THE DEPARTMENT AND  
29 THE COMMISSION, THE MEDIA, AND THE PUBLIC; AND

30 (3) ESTABLISH PROCEDURES TO COMPLETE THE REDISTRICTING WORK  
31 OF THE DEPARTMENT AS REQUIRED BY THIS SUBTITLE.

32 (B) (1) THE EXECUTIVE DIRECTOR SHALL CREATE A PUBLIC MEETING  
33 WORKGROUP AND A PLAN DEVELOPMENT WORKGROUP.

34 (2) THE PUBLIC MEETING WORKGROUP SHALL:

35 (I) MAKE ALL NECESSARY ARRANGEMENTS;

36 (II) PUBLISH NOTICES;

- 1 (III) ASSIST WITH CONDUCTING THE PUBLIC MEETINGS;  
2 (IV) KEEP ALL RECORDS OF THE PUBLIC MEETINGS; AND  
3 (V) SUMMARIZE ORAL TESTIMONY, AS REQUIRED BY § 2-2A-02 OF  
4 THIS SUBTITLE.

5 (3) THE PLAN DEVELOPMENT WORKGROUP SHALL:

6 (I) COMPILE AND ANALYZE POPULATION DATA;

7 (II) REVIEW AND INCORPORATE PUBLIC INPUT AS CONTAINED IN  
8 THE REDACTED COMPILATION PREPARED BY THE PUBLIC MEETING WORKGROUP;  
9 AND

10 (III) DRAFT AND PUBLISH DISTRICTING MAPS AS REQUIRED BY THIS  
11 SUBTITLE.

12 (C) EXCEPT FOR THE EXECUTIVE DIRECTOR, NO PERSON MAY BE INVOLVED  
13 IN THE WORK OF BOTH WORKGROUPS.

14 (D) EMPLOYEES OF THE DEPARTMENT MAY NOT PROVIDE OR COMMUNICATE  
15 ANY INFORMATION ABOUT THE DETAILS OF ANY LEGISLATIVE DISTRICTING PLAN TO  
16 ANY PERSON EXCEPT THE EXECUTIVE DIRECTOR OR MEMBERS OF THE WORKGROUP  
17 TO WHICH THEY ARE ASSIGNED.

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is contingent on  
19 the passage of Chapter \_\_\_\_ (S.B. \_\_\_\_/H.B. \_\_\_\_ ) (6lr1369) of the Acts of the General  
20 Assembly of 2006, a Constitutional Amendment, and its ratification by the voters of  
21 the State.

22 SECTION 3. AND BE IT FURTHER ENACTED, That, subject to the provisions  
23 of Section 2 of this Act, this Act shall take effect on the date of certification of the  
24 election results on the question of ratification of the Constitutional Amendment by  
25 the voters of the State.