
By: **Senator Brochin**

Introduced and read first time: January 30, 2006

Assigned to: Education, Health, and Environmental Affairs

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:

25 **Article - State Government**

26 **SUBTITLE 2A. LEGISLATIVE DISTRICTING PROCESS.**

27 2-2A-01.

28 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
29 INDICATED.

1 (B) "COMMISSION" MEANS THE TEMPORARY REDISTRICTING ADVISORY
2 COMMISSION ESTABLISHED UNDER ARTICLE III, § 5A OF THE MARYLAND
3 CONSTITUTION.

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

5 (D) "EXECUTIVE DIRECTOR" MEANS THE EXECUTIVE DIRECTOR OF THE
6 DEPARTMENT.

7 2-2A-02.

8 (A) THE COMMISSION SHALL HOLD TWO SERIES OF PUBLIC MEETINGS TO
9 OBTAIN CITIZEN INPUT FOR THE GENERAL ASSEMBLY LEGISLATIVE DISTRICTING
10 PROCESS.

11 (B) (1) PRIOR TO BEGINNING WORK ON NEW DISTRICT MAPS, BETWEEN
12 APRIL 16 AND MAY 31 OF THE FIRST YEAR FOLLOWING THE U.S. CENSUS, 12 PUBLIC
13 MEETINGS SHALL BE HELD IN DIFFERENT GEOGRAPHIC REGIONS ACROSS THE
14 STATE TO RECEIVE INFORMATION FROM CITIZENS REGARDING THE ADVANTAGES
15 AND DISADVANTAGES OF EXISTING DISTRICT LINES AND ANY OTHER INFORMATION
16 CITIZENS BELIEVE USEFUL IN DEVELOPING NEW DISTRICT MAPS.

17 (2) AFTER DEVELOPING PRELIMINARY DISTRICT MAPS, BETWEEN
18 SEPTEMBER 16 AND OCTOBER 31 OF THE FIRST YEAR FOLLOWING THE U.S. CENSUS,
19 12 PUBLIC MEETINGS SHALL BE HELD IN DIFFERENT GEOGRAPHIC REGIONS ACROSS
20 THE STATE TO RECEIVE COMMENTS FROM CITIZENS REGARDING THE PRELIMINARY
21 DISTRICTING MAPS.

22 (C) PUBLIC MEETINGS SHALL BE CONDUCTED BY THE COMMISSION IN
23 ACCORDANCE WITH TITLE 10, SUBTITLE 5 OF THIS ARTICLE.

24 (D) (1) (I) THE DEPARTMENT SHALL PROVIDE PUBLIC NOTICE OF THE
25 MEETING.

26 (II) THE PUBLIC NOTICE SHALL INCLUDE:

27 1. THE PURPOSE, LOCATION, DATE, AND TIME OF THE
28 MEETING;

29 2. THE TERMS AND CONDITIONS FOR SPEAKING AT THE
30 MEETING AND PROVIDING WRITTEN COMMENT; AND

31 3. INFORMATION ON HOW TO OBTAIN AND INSPECT COPIES
32 OF THE DISTRICT MAPS.

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

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

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

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

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

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

14 (3) MAPS SHALL BE:

15 (I) POSTED ON THE GENERAL ASSEMBLY WEBSITE;

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

18 (III) AVAILABLE FOR PUBLIC INSPECTION AT EACH PUBLIC
19 MEETING.

20 (F) PUBLIC MEETINGS SHALL BE:

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

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

25 (3) WHEN PRACTICABLE, SCHEDULED TO AVOID CONFLICT WITH
26 RELIGIOUS HOLIDAYS.

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

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

33 (3) INDIVIDUALS WHO HAVE RECORDED THEIR NAMES ON THE
34 SPEAKER SIGN-UP LIST SHALL HAVE THE RIGHT TO SPEAK FOR A MINIMUM OF 2
35 MINUTES, AND NO SPEAKER SHALL BE GIVEN MORE THAN 3 MINUTES TO SPEAK

1 WITHOUT THE CONSENT OF THE MAJORITY OF THE COMMISSION MEMBERS WHO
2 ARE PRESENT.

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

7 (2) THE DEPARTMENT SHALL DELETE ANY INFORMATION PROHIBITED
8 BY ARTICLE III, § 4 OF THE MARYLAND CONSTITUTION FROM THE WRITTEN
9 COMMENTS RECEIVED FROM THE PUBLIC AND THE SUMMARY OR TRANSCRIPT OF
10 ORAL TESTIMONY.

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

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

19 2-2A-03.

20 (A) THE EXECUTIVE DIRECTOR SHALL:

21 (1) PROVIDE OVERSIGHT OF THE REDISTRICTING PROCESS;

22 (2) HANDLE ALL COMMUNICATIONS BETWEEN THE DEPARTMENT AND
23 THE COMMISSION, THE MEDIA, AND THE PUBLIC; AND

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

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

28 (2) THE PUBLIC MEETING WORKGROUP SHALL:

29 (I) MAKE ALL NECESSARY ARRANGEMENTS;

30 (II) PUBLISH NOTICES;

31 (III) ASSIST WITH CONDUCTING THE PUBLIC MEETINGS;

32 (IV) KEEP ALL RECORDS OF THE PUBLIC MEETINGS; AND

33 (V) SUMMARIZE ORAL TESTIMONY, AS REQUIRED BY § 2-2A-02 OF
34 THIS SUBTITLE.

1 (3) THE PLAN DEVELOPMENT WORKGROUP SHALL:

2 (I) COMPILE AND ANALYZE POPULATION DATA;

3 (II) REVIEW AND INCORPORATE PUBLIC INPUT AS CONTAINED IN
4 THE REDACTED COMPILATION PREPARED BY THE PUBLIC MEETING WORKGROUP;
5 AND

6 (III) DRAFT AND PUBLISH DISTRICTING MAPS AS REQUIRED BY THIS
7 SUBTITLE.

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

10 (D) EMPLOYEES OF THE DEPARTMENT MAY NOT PROVIDE OR COMMUNICATE
11 ANY INFORMATION ABOUT THE DETAILS OF ANY LEGISLATIVE DISTRICTING PLAN TO
12 ANY PERSON EXCEPT THE EXECUTIVE DIRECTOR OR MEMBERS OF THE WORKGROUP
13 TO WHICH THEY ARE ASSIGNED.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is contingent on
15 the passage of Chapter ____ (S.B. ____/H.B. ____) (6lr1369) of the Acts of the General
16 Assembly of 2006, a Constitutional Amendment, and its ratification by the voters of
17 the State.

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