

Chapter 374

(House Bill 475)

AN ACT concerning

St. Mary's County – Redistricting Board – Revisions

FOR the purpose of requiring a Redistricting Board to be appointed in St. Mary's County following each decennial census of the United States; requiring the Board to be appointed between certain dates and in the year following each decennial census; requiring the Board to be composed of certain appointees; requiring a certain County Commissioner to appoint a person to fill a certain vacancy; requiring each member of the Board to be a registered voter and a resident of St. Mary's County; prohibiting a certain person from serving as a member of the Board; requiring the Board to propose a certain redistricting plan; requiring the Board to elect a chair and hold certain meetings; authorizing the Board to solicit advice from certain experts, hold public forums, and request that the Board of County Commissioners of St. Mary's County provide certain assistance; requiring that the proceedings and records of the Board comply with certain laws; requiring the Board to conduct certain public hearings; specifying that notice of certain hearings be given in accordance with certain requirements; requiring the Board to prepare and submit a redistricting plan to the Board of County Commissioners by a certain date and after public hearings have been held; specifying that a redistricting plan becomes effective for a certain election a certain number of days after the plan is submitted to the Board of County Commissioners; providing that a Board appointed before a certain date is conclusively presumed to have been lawfully constituted and that a certain redistricting plan is conclusively presumed to have become law; and generally relating to the Redistricting Board in St. Mary's County.

BY repealing

The Public Local Laws of St. Mary's County
Section 26-2
Article 19 – Public Local Laws of Maryland
(2007 Edition and January 2011 Supplement, as amended)

BY adding to

The Public Local Laws of St. Mary's County
Section 26-2
Article 19 – Public Local Laws of Maryland
(2007 Edition and January 2011 Supplement, as amended)

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

Article 19 – St. Mary’s County

[26–2.

A. Within one (1) year after the inauguration of the Commissioners following the 1974 general election, a Redistricting Board shall be created. The Board shall be composed of one (1) appointee of each County Commissioner, and none shall be employees of the county. The Board shall convene not later than six (6) months after appointment to organize and elect a Chairman from among its members.

B. The Redistricting Board shall establish the boundaries of the four (4) Commissioner Districts after due consideration and investigation within reasonable and lawful guidelines. The Redistricting Board shall set and conduct public hearings in each of the proposed four (4) Commissioner Districts after tentative district boundaries have been drawn and defined. Notice of public hearings giving time, date and place shall be published in two (2) county newspapers ten (10) days prior to the public hearings. After all public hearings have been held and a final draft of the redistricting plan has been completed, the Board shall submit the redistricting plan to the county Commissioners not later than eighteen (18) months from the date of their first meeting. This plan shall then become law unless the plan is set aside by a court of law with proper jurisdiction.

C. Necessary clerical assistance may be provided to assist the Redistricting Board by the County Commissioners. Compensation for the members of the Redistricting Board shall be set by the Board of County Commissioners in an amount not to exceed twenty-five dollars (\$25.00) per day for each Board member in attendance.

D. The above method of redistricting shall be in force following each general election after publication of the national census each ten (10) years.]

26–2.

A. FOLLOWING EACH DECENTNIAL CENSUS OF THE UNITED STATES, A REDISTRICTING BOARD SHALL BE APPOINTED. A REDISTRICTING BOARD SHALL BE APPOINTED AFTER JANUARY 1, 2013, AND BEFORE MARCH 1, 2013, AND BETWEEN JANUARY 1 AND MARCH 1 IN THE YEAR FOLLOWING EACH DECENTNIAL CENSUS. THE BOARD SHALL BE COMPOSED OF ONE (1) APPOINTEE MADE BY EACH MEMBER OF THE BOARD OF COUNTY COMMISSIONERS. IN THE EVENT OF A VACANCY BY DEATH, RESIGNATION, OR OTHER CAUSE, THE COUNTY COMMISSIONER WHO MADE THE VACATED APPOINTMENT SHALL APPOINT A PERSON TO FILL THE VACANCY. EACH MEMBER OF A REDISTRICTING BOARD SHALL BE A REGISTERED VOTER AND A RESIDENT OF ST. MARY’S COUNTY. NO PERSON HOLDING AN OFFICE OR POSITION OF PROFIT AND TRUST OR

EMPLOYEE OF ST. MARY'S COUNTY OR THE STATE OF MARYLAND SHALL BE ELIGIBLE TO SERVE AS A MEMBER OF A REDISTRICTING BOARD.

B. THE REDISTRICTING BOARD SHALL PROPOSE, AFTER DUE CONSIDERATION AND INVESTIGATION, A REDISTRICTING PLAN DRAWING AND DEFINING REASONABLE AND LAWFUL BOUNDARIES OF THE FOUR (4) DISTRICTS FOR THE SUBSEQUENT ELECTIONS OF COUNTY COMMISSIONERS. THE REDISTRICTING BOARD SHALL ELECT A CHAIR; SHALL HOLD SUCH MEETINGS AS MAY BE NECESSARY; MAY SOLICIT THE ADVICE OF ACADEMIC, LEGAL, AND OTHER EXPERTS; AND MAY HOLD PUBLIC FORUMS. THE REDISTRICTING BOARD MAY REQUEST THAT THE BOARD OF COUNTY COMMISSIONERS PROVIDE SUCH TECHNICAL, ADMINISTRATIVE, AND CLERICAL ASSISTANCE AS THE REDISTRICTING BOARD MAY CONSIDER NECESSARY. ALL PROCEEDINGS AND RECORDS OF THE REDISTRICTING BOARD SHALL COMPLY WITH THE MARYLAND PUBLIC INFORMATION ACT AND THE ST. MARY'S COUNTY OPEN MEETINGS ACT, AS THESE ACTS MAY BE AMENDED FROM TIME TO TIME.

C. AFTER PRELIMINARY DISTRICT BOUNDARIES HAVE BEEN DRAWN AND DEFINED, THE REDISTRICTING BOARD SHALL CONDUCT AT LEAST ONE (1) PUBLIC HEARING IN EACH OF THE FOUR (4) PROPOSED COMMISSIONER DISTRICTS. NOTICE OF PUBLIC HEARINGS SHALL BE GIVEN IN ACCORDANCE WITH THE REQUIREMENTS FOR PUBLIC HEARINGS BY THE BOARD OF COUNTY COMMISSIONERS.

D. AFTER PUBLIC HEARINGS HAVE BEEN HELD, THE REDISTRICTING BOARD SHALL PREPARE AND SUBMIT A REDISTRICTING PLAN TO THE BOARD OF COUNTY COMMISSIONERS BY DECEMBER 31 OF THE YEAR IN WHICH THE REDISTRICTING BOARD IS CREATED.

E. SIXTY (60) DAYS AFTER SUBMISSION OF THE REDISTRICTING PLAN TO THE BOARD OF COUNTY COMMISSIONERS, THE PLAN SHALL BECOME THE DISTRICTS FOR THE SUBSEQUENT ELECTION OF COUNTY COMMISSIONERS IN ACCORDANCE WITH LAW.

F. ANY REDISTRICTING BOARD APPOINTED BEFORE OCTOBER 1, 2012, SHALL BE CONCLUSIVELY PRESUMED TO HAVE BEEN LAWFULLY CONSTITUTED, AND ANY REDISTRICTING PLAN SUBMITTED TO THE BOARD OF COUNTY COMMISSIONERS BEFORE THAT DATE SHALL BE CONCLUSIVELY PRESUMED TO HAVE BECOME LAW.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2012.

Approved by the Governor, May 2, 2012.