#### HB0367/873622/1

#### BY: Rules and Executive Nominations Committee

## <u>AMENDMENTS TO HOUSE BILL 367</u> (First Reading File Bill)

#### AMENDMENT NO. 1

On page 1, at the top of the page, strike "CONSTITUTIONAL AMENDMENT"; and strike line 2 in its entirety and substitute "<u>Independent Congressional Redistricting</u> <u>Commission – Mid-Atlantic States Regional Districting Process</u>".

On pages 1 and 2, strike beginning with "proposing" in line 3 on page 1 down through "rejection" in line 10 on page 2 and substitute "requiring the Department of Legislative Services to obtain certain census data, adjust the census data for certain purposes, and provide the adjusted census data to a temporary redistricting commission within a certain time period; creating a temporary redistricting commission in the State; providing for the membership of the commission and the qualifications of its members; providing that individuals cease to be members of the commission under certain circumstances; providing that a member may be removed from the commission under certain circumstances and in a certain manner; providing that the commission is subject to certain laws governing open meetings and access to public records; requiring the commission to hold certain hearings to receive public testimony at certain times, in certain places, and in certain geographic areas to accommodate the public and to reflect certain demographics and characteristics of the population of the State; requiring the Department to staff and provide certain support for the commission; requiring the commission to use certain census data to prepare and adopt a districting plan for congressional districting within a certain time period; specifying that a certain districting plan is the plan for the State; requiring that a certain districting plan be filed with the Secretary of State within a certain time period; providing for the effectiveness of a certain districting plan; specifying certain criteria for the formation of the districts; providing for the application of this Act; making this Act contingent on the enactment of a similar independent redistricting process by certain states; defining certain terms; directing the Secretary of State to send copies of this Act to the presiding officers of both Houses of the legislature of certain states with a request that each of the states join

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Maryland in the enactment of a certain congressional redistricting process; and generally relating to the establishment of districts in Maryland for the election of members of Congress and a mid-Atlantic states regional compact".

On page 2, strike in their entirety lines 11 through 19, inclusive, and substitute:

#### "<u>BY adding to</u>

<u>Article – Election Law</u> <u>Section 8–6A–01 through 8–6A–09 to be under the new subtitle "Subtitle 6A.</u> <u>Congressional Districting Process"</u> <u>Annotated Code of Maryland</u> (2010 Replacement Volume and 2016 Supplement)".

#### AMENDMENT NO. 2

On page 2, strike beginning with "(Three-fifths" in line 21 down through "Constitution" in line 22 and substitute "<u>That the Laws of Maryland</u>"; and after line 22, insert:

## "<u>Article – Election Law</u>

## SUBTITLE 6A. CONGRESSIONAL DISTRICTING PROCESS.

## <u>8-6A-01.</u>

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

## (B) <u>"COMMISSION" MEANS A TEMPORARY REDISTRICTING COMMISSION.</u>

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

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<u>8-6A-02.</u>

<u>NOTWITHSTANDING ANY OTHER PROVISION OF LAW, IN THE YEAR</u> <u>IMMEDIATELY FOLLOWING THE DECENNIAL UNITED STATES CENSUS, THE</u> <u>DEPARTMENT SHALL:</u>

(1) OBTAIN THE ADJUSTED CENSUS DATA FOR THE STATE FOR THAT CENSUS; AND

## (2) PROVIDE THE ADJUSTED CENSUS DATA TO THE COMMISSION WITHIN 30 DAYS AFTER THE DEPARTMENT RECEIVES THE DATA.

<u>8-6A-03.</u>

- (A) THERE IS A TEMPORARY REDISTRICTING COMMISSION.
- (B) (1) THE COMMISSION SHALL CONSIST OF NINE MEMBERS.

(2) BY FEBRUARY 1 OF THE FIRST YEAR FOLLOWING THE UNITED STATES CENSUS, EIGHT MEMBERS SHALL BE APPOINTED AS FOLLOWS:

(I) <u>TWO APPOINTED BY THE PRESIDENT OF THE SENATE;</u>

(II) TWO APPOINTED BY THE MINORITY LEADER OF THE

SENATE;

(III) <u>TWO APPOINTED BY THE SPEAKER OF THE HOUSE OF</u> <u>Delegates; and</u>

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(IV) <u>TWO APPOINTED BY THE MINORITY LEADER OF THE</u> <u>HOUSE OF DELEGATES.</u>

(3) (1) WITHIN 30 DAYS OF THEIR APPOINTMENTS TO THE COMMISSION, BUT NOT LATER THAN MARCH 1 OF THAT YEAR, THE COMMISSION MEMBERS SHALL SELECT, BY VOTE OF AT LEAST FIVE OF THE MEMBERS, THE NINTH COMMISSION MEMBER, WHO:

#### **<u>1.</u>** SHALL SERVE AS CHAIR; AND

2. <u>MAY NOT BE AFFILIATED WITH EITHER OF THE</u> PRINCIPAL POLITICAL PARTIES IN THE STATE.

(II) IF THE COMMISSION IS UNABLE TO SELECT THE NINTH MEMBER:

1. <u>THE COMMISSION SHALL SUBMIT A LIST OF THREE</u> NAMES FOR THE APPOINTMENT OF THAT MEMBER TO:

<u>A.</u> <u>THE CHIEF ADMINISTRATIVE LAW JUDGE OF THE</u> <u>OFFICE OF ADMINISTRATIVE HEARINGS;</u>

**B.** <u>THE CHAIR OF THE STATE ETHICS COMMISSION;</u>

<u>C.</u> <u>T</u> LEGISLATIVE ETHICS; AND

AND

THE COCHAIRS OF THE JOINT COMMITTEE ON

2. <u>NO LATER THAN 10 DAYS AFTER RECEIPT OF THE</u> LIST SUBMITTED BY THE COMMISSION TO THE ENTITIES DESIGNATED UNDER HB0367/873622/1 Rules and Executive Nominations Committee Amendments to HB 367 Page 5 of 15

ITEM 1 OF THIS SUBPARAGRAPH, THE ENTITIES SHALL SELECT THE NINTH MEMBER AND CHAIR OF THE COMMISSION.

## <u>8-6A-04.</u>

## (A) EACH MEMBER OF THE COMMISSION:

(1) (I) SHALL BE A VOTER WHO, FOR 5 OR MORE YEARS IMMEDIATELY PRECEDING THE DATE OF THE INDIVIDUAL'S APPOINTMENT, HAS BEEN REGISTERED CONTINUOUSLY IN THE STATE WITH THE SAME POLITICAL PARTY OR HAS BEEN UNAFFILIATED WITH A POLITICAL PARTY AND HAS NOT CHANGED POLITICAL PARTY AFFILIATION; AND

(II) IN THE 5 YEARS IMMEDIATELY PRECEDING THE DATE OF THE INDIVIDUAL'S APPOINTMENT, HAS VOTED IN AT LEAST TWO ELECTIONS; AND

(2) (I) MAY NOT HAVE BEEN A CANDIDATE FOR ELECTION TO OR SERVED AS GOVERNOR, AS A MEMBER OF THE GENERAL ASSEMBLY, OR AS A REPRESENTATIVE OF THE UNITED STATES CONGRESS FROM THIS STATE DURING THE 5 YEARS IMMEDIATELY PRECEDING THE DATE OF THE INDIVIDUAL'S APPOINTMENT, OR BE AN IMMEDIATE FAMILY MEMBER ESTABLISHED THROUGH BLOOD OR LEGAL RELATION OF SUCH CANDIDATE OR MEMBER;

(II) MAY NOT BE A REGULATED LOBBYIST IN THIS STATE, AS DESCRIBED IN § 5–702(A) OF THE GENERAL PROVISIONS ARTICLE, REGISTERED AS A LOBBYIST BEFORE A COUNTY OR MUNICIPAL GOVERNMENT IN THE STATE, OR REGISTERED AS A LOBBYIST BEFORE THE FEDERAL GOVERNMENT;

(III) MAY NOT BE OR HAVE SERVED AS STAFF OR A CONSULTANT TO A PERSON UNDER A CONTRACT WITH, OR ANY PERSON WITH AN

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IMMEDIATE FAMILY RELATIONSHIP THROUGH BLOOD OR LEGAL RELATION TO, THE GOVERNOR, A MEMBER OF THE GENERAL ASSEMBLY, OR A MEMBER OF THE UNITED STATES CONGRESS FROM THIS STATE;

(IV) MAY NOT HOLD AN APPOINTIVE OFFICE IN THE EXECUTIVE BRANCH OR LEGISLATIVE BRANCH OF THE FEDERAL, STATE, OR A LOCAL GOVERNMENT; AND

(V) MAY NOT HAVE MADE A CONTRIBUTION OF \$2,000 OR MORE TO A POLITICAL COMMITTEE FOR ELECTORAL PURPOSES FOR A CONGRESSIONAL, STATE, OR LOCAL GOVERNMENT ELECTION IN THE STATE IN ANY YEAR, WHICH AMOUNT SHALL BE ADJUSTED EVERY 10 YEARS BY THE CUMULATIVE CHANGE IN THE MARYLAND CONSUMER PRICE INDEX OR ITS SUCCESSOR.

(B) THE TERM OF OFFICE OF EACH MEMBER OF THE COMMISSION EXPIRES ON THE APPOINTMENT OF THE FIRST MEMBER OF THE SUCCEEDING COMMISSION.

(C) (1) SEVEN MEMBERS OF THE COMMISSION SHALL CONSTITUTE A QUORUM.

(2) EXCEPT AS PROVIDED IN § 8–6A–03(B)(3) OF THIS SUBTITLE, SIX OR MORE AFFIRMATIVE VOTES OF THE COMMISSION SHALL BE REQUIRED FOR ANY OFFICIAL ACTION, INCLUDING ANY FINAL PROPOSED MAPS AND PLANS FOR CONGRESSIONAL DISTRICTS ADOPTED BY THE COMMISSION.

<u>8-6A-05.</u>

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(A) (1) IN THE EVENT OF SUBSTANTIAL NEGLECT OF DUTY, GROSS MISCONDUCT IN OFFICE, OR INABILITY TO DISCHARGE THE DUTIES OF OFFICE, A MEMBER OF THE COMMISSION MAY BE REMOVED BY THE GOVERNOR WITH THE CONCURRENCE OF THE LEGISLATIVE POLICY COMMITTEE OF THE GENERAL ASSEMBLY AFTER HAVING BEEN SERVED WRITTEN NOTICE AND PROVIDED WITH AN OPPORTUNITY FOR A RESPONSE.

(2) <u>A FINDING OF SUBSTANTIAL NEGLECT OF DUTY OR GROSS</u> <u>MISCONDUCT IN OFFICE MAY RESULT IN REFERRAL TO THE ATTORNEY GENERAL</u> <u>FOR CRIMINAL PROSECUTION OR THE APPROPRIATE ADMINISTRATIVE AGENCY</u> <u>FOR INVESTIGATION.</u>

(B) <u>A VACANCY, WHETHER CREATED BY REMOVAL, RESIGNATION, OR</u> <u>ABSENCE, IN A COMMISSION POSITION SHALL BE FILLED BY THE APPOINTING</u> <u>AUTHORITY FOR THAT MEMBER WITHIN 30 DAYS AFTER THE VACANCY OCCURS.</u>

## <u>8-6A-06.</u>

(A) (1) THE ACTIVITIES OF THE COMMISSION ARE SUBJECT TO APPLICABLE STATE LAW GOVERNING OPEN MEETINGS AND ACCESS TO PUBLIC INFORMATION.

(2) <u>THE COMMISSION SHALL PROVIDE NOT LESS THAN 14 DAYS'</u> <u>PUBLIC NOTICE FOR EACH MEETING.</u>

(B) (1) THE COMMISSION SHALL ESTABLISH AND IMPLEMENT AN OPEN HEARING PROCESS FOR PUBLIC INPUT AND DELIBERATION THAT IS DESIGNED TO ENCOURAGE CITIZEN OUTREACH AND SOLICIT BROAD PUBLIC PARTICIPATION IN THE REDISTRICTING PUBLIC REVIEW PROCESS. HB0367/873622/1 Rules and Executive Nominations Committee Amendments to HB 367 Page 8 of 15

(2) (1) 1. THE HEARING PROCESS SHALL INCLUDE HEARINGS TO RECEIVE PUBLIC INPUT BEFORE THE COMMISSION DRAWS ANY MAPS AND AT LEAST ONE HEARING FOLLOWING THE DRAWING AND DISPLAY OF ANY COMMISSION MAPS.

2. HEARINGS SHALL BE SUPPLEMENTED WITH OTHER ACTIVITIES AS APPROPRIATE TO FURTHER INCREASE OPPORTUNITIES FOR THE PUBLIC TO OBSERVE AND PARTICIPATE IN THE REVIEW PROCESS.

(II) THE COMMISSION SHALL:

<u>1.</u> <u>DISPLAY THE MAPS FOR PUBLIC COMMENT IN A</u> <u>MANNER DESIGNED TO ACHIEVE THE WIDEST PUBLIC ACCESS REASONABLY</u> <u>POSSIBLE; AND</u>

2. <u>TAKE PUBLIC COMMENT FOR AT LEAST 14 DAYS</u> FROM THE DATE OF PUBLIC DISPLAY OF ANY MAP.

(C) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, COMMISSION MEMBERS AND STAFF MAY NOT COMMUNICATE WITH OR RECEIVE COMMUNICATIONS ABOUT REDISTRICTING MATTERS FROM ANYONE OUTSIDE A PUBLIC HEARING.

(2) <u>Communication between commission members, staff,</u> <u>LEGAL COUNSEL, AND CONSULTANTS RETAINED BY THE COMMISSION IS</u> <u>ALLOWED.</u>

(D) <u>Members of the commission may not receive a salary but</u> <u>Are entitled to reimbursement for expenses under the Standard</u> <u>State Travel Regulations, as provided in the State budget.</u> HB0367/873622/1 Rules and Executive Nominations Committee Amendments to HB 367 Page 9 of 15

(E) INDIVIDUALS APPOINTED AS MEMBERS OF THE COMMISSION SHALL CEASE TO BE MEMBERS OF THE COMMISSION ON THE FILING OF THE DISTRICTING PLAN FOR CONGRESSIONAL DISTRICTS WITH THE SECRETARY OF STATE AS REQUIRED BY § 8–6A–08 OF THIS SUBTITLE.

(F) THE DEPARTMENT SHALL STAFF AND PROVIDE TECHNICAL SUPPORT FOR THE COMMISSION.

<u>8-6A-07.</u>

(A) THE COMMISSION SHALL CONVENE ITS FIRST MEETING ON OR BEFORE MARCH 1 OF THE YEAR FOLLOWING EACH DECENNIAL CENSUS.

(B) (1) AT ITS FIRST MEETING, OR ON OR BEFORE 30 DAYS AFTER THE COMMISSION RECEIVES ADJUSTED CENSUS DATA FROM THE DEPARTMENT, WHICHEVER IS LATER, THE COMMISSION SHALL COMMENCE A SERIES OF PUBLIC HEARINGS TO RECEIVE PUBLIC TESTIMONY CONCERNING A REDISTRICTING PLAN.

(2) (1) ON OR BEFORE JULY 1 OF THE YEAR THAT THE COMMISSION RECEIVES THE ADJUSTED CENSUS DATA FROM THE DEPARTMENT, THE COMMISSION SHALL HOLD AT LEAST SIX HEARINGS THROUGHOUT THE STATE.

(II) <u>THE HEARINGS REQUIRED UNDER THIS PARAGRAPH</u> <u>SHALL BE HELD AT TIMES THAT ARE LIKELY TO MAXIMIZE PUBLIC</u> <u>PARTICIPATION AND IN LOCATIONS THAT ENCOMPASS THE GEOGRAPHIC,</u> <u>RACIAL, AND ETHNIC DIVERSITY OF THE STATE.</u> HB0367/873622/1 Rules and Executive Nominations Committee Amendments to HB 367 Page 10 of 15

(III) THE COMMISSION SHALL CONDUCT AN OPEN AND TRANSPARENT PROCESS ENABLING FULL PUBLIC CONSIDERATION OF AND COMMENT ON THE DRAWING OF DISTRICT LINES.

(3) FOLLOWING THE CONCLUSION OF THE PUBLIC HEARINGS REQUIRED UNDER SUBPARAGRAPH (2) OF THIS SUBSECTION, BUT NO LATER THAN SEPTEMBER 30 OF THE YEAR THAT THE COMMISSION RECEIVES THE ADJUSTED CENSUS DATA FROM THE DEPARTMENT, THE COMMISSION SHALL PREPARE AND ADOPT A DISTRICTING PLAN AND MAP FOR CONGRESSIONAL DISTRICTS.

(4) ON OR BEFORE OCTOBER 30 OF THE YEAR THAT THE COMMISSION RECEIVES THE ADJUSTED CENSUS DATA FROM THE DEPARTMENT, THE COMMISSION SHALL:

(I) <u>PUBLISH THE PROPOSED FINAL DISTRICTING PLAN AND</u> MAP ON THE WEB SITE OF THE DEPARTMENT OF LEGISLATIVE SERVICES;

(II) ISSUE WITH THE PROPOSED FINAL DISTRICTING PLAN AND MAP A REPORT THAT:

1.EXPLAINS THE BASIS ON WHICH THE COMMISSIONMADE THE DECISIONS IN COMPLIANCE WITH THE CRITERIA REQUIRED UNDERTHIS SUBTITLE; AND

2. INCLUDES DEFINITIONS OF THE TERMS AND STANDARDS THE COMMISSION USED IN PREPARING THE PROPOSED FINAL DISTRICTING PLAN AND MAP; AND HB0367/873622/1 Rules and Executive Nominations Committee Amendments to HB 367 Page 11 of 15

# (III) 1. HOLD AT LEAST ONE PUBLIC HEARING ON THE PROPOSED FINAL DISTRICTING PLAN AND MAP TO RECEIVE PUBLIC TESTIMONY; AND

2. <u>ALLOW THE PUBLIC TO SUBMIT COMMENTS TO THE</u> <u>COMMISSION THROUGH THE WEB SITE OF THE DEPARTMENT OF LEGISLATIVE</u> <u>SERVICES CONCERNING THE PROPOSED FINAL DISTRICTING PLAN AND MAP.</u>

(5) ON OR BEFORE THE SECOND TUESDAY IN NOVEMBER OF THE YEAR THE COMMISSION RECEIVES THE ADJUSTED CENSUS DATA FROM THE DEPARTMENT, THE COMMISSION SHALL PUBLISH A FINAL CONGRESSIONAL DISTRICTING PLAN AND MAP ON THE WEB SITE OF THE DEPARTMENT OF LEGISLATIVE SERVICES.

(C) (1) (I) CONGRESSIONAL DISTRICTS SHALL BE ESTABLISHED ON THE BASIS OF POPULATION.

- (2) EACH CONGRESSIONAL DISTRICT SHALL:
  - (I) <u>COMPLY WITH THE UNITED STATES CONSTITUTION;</u>
  - (II) COMPLY WITH THE FEDERAL VOTING RIGHTS ACT;

# (III) <u>BE EQUAL IN POPULATION, EXCEPT WHERE DEVIATION</u> <u>IS REQUIRED TO COMPLY WITH THE FEDERAL VOTING RIGHTS ACT (42 U.S.C.</u> <u>SEC. 1971 AND FOLLOWING) OR IS ALLOWABLE BY LAW;</u>

(IV) WITHOUT VIOLATING THE REQUIREMENTS OF THIS SECTION, RESPECT THE GEOGRAPHIC INTEGRITY OF ANY MUNICIPAL CORPORATION OR COUNTY, TO THE EXTENT POSSIBLE;

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#### (V) BE GEOGRAPHICALLY CONTIGUOUS; AND

# (VI) TO THE EXTENT PRACTICABLE, AND IF IT DOES NOT CONFLICT WITH THE CRITERIA SPECIFIED IN ITEMS (I) THROUGH (V) OF THIS PARAGRAPH, BE DRAWN TO ENCOURAGE GEOGRAPHIC COMPACTNESS.

(D) (1) <u>A CONGRESSIONAL DISTRICT MAY NOT BE DRAWN FOR THE</u> <u>PURPOSE OF FAVORING A POLITICAL PARTY, AN ELECTED OFFICIAL, OR ANY</u> <u>OTHER PERSON OR GROUP, OR FOR THE PURPOSE OF AUGMENTING OR DILUTING</u> <u>THE VOTING STRENGTH OF A LANGUAGE OR RACIAL MINORITY GROUP.</u>

(2) IN ESTABLISHING DISTRICTS, NO USE SHALL BE MADE OF ADDRESSES OF ELECTED OFFICIALS, POLITICAL AFFILIATIONS OF REGISTERED VOTERS, POLLING DATA, PROPOSED DISTRICTING MAPS PREPARED BY PERSONS NOT EMPLOYED BY THE DEPARTMENT, AND DEMOGRAPHIC INFORMATION, OTHER THAN POPULATION HEAD COUNTS, EXCEPT AS REQUIRED BY THE CONSTITUTION OR LAWS OF THE UNITED STATES.

(E) THE CHESAPEAKE BAY MAY NOT BE CONSIDERED TO BE A BARRIER TO CONTIGUITY.

(F) AREAS THAT MEET ONLY AT THE POINTS OF ADJOINING CORNERS ARE NOT CONTIGUOUS.

<u>8-6A-08.</u>

# <u>THE DISTRICTING PLAN FOR CONGRESSIONAL DISTRICTS PREPARED AND</u> <u>ADOPTED BY THE COMMISSION UNDER § 8–6A–07 OF THIS SUBTITLE SHALL:</u>

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## (1) <u>BE THE DISTRICTING PLAN FOR THE STATE;</u>

## (2) <u>BE FILED WITH THE SECRETARY OF STATE WITHIN 7 DAYS OF</u> <u>THE PLAN BEING ADOPTED BY THE COMMISSION;</u>

(3) BECOME EFFECTIVE ON THE FILING OF THE PLAN WITH THE SECRETARY OF STATE; AND

(4) <u>REMAIN EFFECTIVE UNTIL THE ADOPTION OF A NEW</u> <u>DISTRICTING PLAN AFTER THE NEXT DECENNIAL CENSUS.</u>

<u>8-6A-09.</u>

(A) THIS SUBTITLE APPLIES ONLY IF THE DEPARTMENT, AFTER CONSULTATION WITH AND ON THE ADVICE OF THE ATTORNEY GENERAL, DETERMINES THAT EACH OF THE STATES OF NEW YORK, NEW JERSEY, PENNSYLVANIA, VIRGINIA, AND NORTH CAROLINA IN THE MID-ATLANTIC REGION ADOPTS A DISTRICTING PLAN FOR CONGRESSIONAL DISTRICTS THAT IS SUBSTANTIALLY SIMILAR TO THE PROCESS OUTLINED UNDER THIS SUBTITLE AND THE CRITERIA REQUIRED UNDER § 8–6A–07(C), (D), AND (F) OF THIS SUBTITLE FOR REDISTRICTING THE MARYLAND CONGRESSIONAL DISTRICTS.

(B) THE DISTRICTING PLAN FOR A STATE SHALL BE CONSIDERED SUBSTANTIALLY SIMILAR FOR THE PURPOSES OF SUBSECTION (A) OF THIS SECTION ONLY IF:

(1) THE DEPARTMENT DETERMINES THAT THE REDISTRICTING PLAN IN THAT STATE IS DEVELOPED AND PROPOSED BY AN INDEPENDENT DISTRICTING COMMISSION THAT USES A PROCESS AND CRITERIA, AS SPECIFIED

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# UNDER SUBSECTION (A) OF THIS SECTION, TO ESTABLISH CONGRESSIONAL DISTRICTS; AND

# (2) (I) THE REDISTRICTING PLAN DEVELOPED AND PROPOSED BY AN INDEPENDENT REDISTRICTING COMMISSION IN THAT STATE BECOMES EFFECTIVE ON THE FILING OF THE PLAN WITH THE CHIEF ELECTION OFFICIAL IN THAT STATE; OR

# (II) NOTWITHSTANDING THAT THE STATE LEGISLATURE IN THAT STATE IS ALLOWED TO VOTE ON THE REDISTRICTING PLAN PROPOSED BY THE COMMISSION, THE LEGISLATURE IN THAT STATE IS PROHIBITED FROM ALTERING THE PLAN.".

On pages 2 through 11, strike in their entirety the lines beginning with line 23 on page 2 through line 25 on page 11, inclusive, and substitute:

"SECTION 2. AND BE IT FURTHER ENACTED, That this Act is contingent on the enactment of a nonpartisan districting process for representatives in the United States House of Representatives in the mid–Atlantic region in each of the states of New York, New Jersey, Pennsylvania, Virginia, and North Carolina. The Secretary of State shall monitor the enactment of districting legislation by the states of New York, New Jersey, Pennsylvania, Virginia, and North Carolina and, after consultation with the Attorney General, notify the Department of Legislative Services within 5 days after the contingency is met.

<u>SECTION 3. AND BE IT FURTHER ENACTED, That if the notice of the</u> <u>contingency described under Section 2 of this Act being met is not received by the</u> <u>Department of Legislative Services on or before December 31, 2020, this Act:</u>

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(a) may not be applied to the districting process for representatives from Maryland in the United States House of Representatives resulting from the 2020 decennial census; and

(b) the districting process for representatives from Maryland in the United States House of Representatives resulting from the 2020 decennial census set forth under the Maryland Constitution and provisions of Maryland law in effect on January 1, 2021, shall apply.

SECTION 4. AND BE IT FURTHER ENACTED, That if the Department of Legislative Services does not receive notice from the Secretary of State on or before December 31, 2032, that the contingency described in Section 2 of this Act is met, this Act shall be null and void without the necessity of further action by the General Assembly.

SECTION 5. AND BE IT FURTHER ENACTED, That the Secretary of State is directed to send copies of this Act to the presiding officers of both Houses of the legislature of each of the states of New York, New Jersey, Pennsylvania, Virginia, and North Carolina in the mid–Atlantic region, with the request that it be circulated among leaders in the legislative branches of those state governments; and with the further request that each of the states of New York, New Jersey, Pennsylvania, Virginia, and North Carolina in the mid–Atlantic region join the State of Maryland in the enactment of a nonpartisan districting process for representatives in the United States House of Representatives in the mid–Atlantic region.

<u>SECTION 6. AND BE IT FURTHER ENACTED</u>, That, subject to Sections 2, 3, and 4 of this Act, this Act shall take effect October 1, 2017.".