

May 8, 2017

The Honorable Thomas V. Mike Miller
President of the Senate
State House
Annapolis, Maryland 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed Senate Bill 1023 – *Independent Congressional Redistricting Commission – Mid-Atlantic States Regional Districting Process*.

This legislation is a disingenuous attempt to fix a major problem plaguing Maryland's elections and, if enacted, would be a cynical effort to stifle meaningful redistricting reform just when it appears to be becoming more of a reality.

Overwhelming numbers of Maryland citizens have reached a consensus that transcends other political differences — redistricting reform in Maryland is desperately needed and has been overdue for decades. The current process is nothing less than a form of political subterfuge that deprives Maryland citizens of free and fair elections and has saddled our state with the dubious distinction of being home to the most gerrymandered districts in the nation. This inequitable process is currently the subject of an ongoing federal lawsuit, in which the former governor and senior elected officials have been deposed.

During our first year in office, we established the non-partisan Maryland Redistricting Reform Commission. We tasked members with traveling the state to hear what Marylanders wanted. In consultation with the commission, we introduced legislation that would make Maryland a leader in reform and develop a new process, independent from political influence. This process was modeled after meaningful redistricting reform in other states and would have gone a long way in restoring citizens' faith in the fairness of their congressional and legislative districts.

However, the General Assembly chose to give no consideration to my legislation, and instead snuffed out the chance of real reform by passing Senate Bill 1023. The fatal flaw in this legislation is making any reform here in Maryland contingent on New York, New Jersey, Virginia, North Carolina, and Pennsylvania taking action. Maryland is a leader in so many areas, since when do we wait for five other states to pass legislation before enacting something that the vast majority of our citizens want?

Marylanders should not have to wait for five other states to act, they want and deserve fair representation now! This provision is a simply a safeguard for lawmakers to ensure that true redistricting reform never comes to fruition. Marylanders deserve better.

Another troubling aspect of this legislation is that it would only apply to congressional districts and leaves the current system intact to draw state legislative districts. This process has not served the voters well either, which has been made evident by recent comments from none other than former Governor Martin O'Malley, who said: "*As a governor, I held that redistricting pen in my own Democratic hand. I was convinced that we should use our political power to pass a map that was more favorable for the election of Democratic candidates.*"

Out-of-touch lawmakers have repeatedly turned a blind eye to the blatant political machinations of the previous governor's Redistricting Advisory Commission. Recent election cycles have resulted in numerous lawsuits. Maps were invalidated in 1994 for failing to create a majority-minority district as required by the Voting Rights Act of 1965. Again, maps were overturned in 2002 for repeated crossings of lines between Baltimore City and Baltimore County that improperly prioritized political goals over constitutional congruence standards.

The legislation we proposed addressed both congressional and legislative districts, giving Marylanders the opportunity to vote on a referendum in the next election. Senate Bill 1023 missed the mark by failing to include legislative districts, which, if not reformed, will continue to produce the same faulty maps.

Finally this bill purports to create a non-partisan independent redistricting process. In stark contrast to its misleading title, it actually does quite the opposite. The so-called "independent commission" proposed in Senate Bill 1023 would continue to be politically charged, with members being selected by leadership in the House of Delegates and Senate. This differs greatly from my legislation, which would remove legislators from having any control over the redistricting process.

I proudly and enthusiastically support redistricting reform and have done so since prior to my election. However, this legislation is an attempt by lawmakers to deceive the public into thinking they are sincere, when in fact they have zero intention of fixing the current process.

I simply refuse to lend my signature to a piece of legislation that deters and further delays Maryland from doing the right thing. I sincerely and respectfully ask you once again to join me next session to pass meaningful redistricting reform that will not mislead Marylanders and actually achieves the free and fair elections the voters deserve.

For these reasons, I have vetoed SB 1023.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

cc:The Honorable Michael E. Busch