

Redistricting in Maryland

Everything you think you
want to know



Why Redistrict?

To ensure that every person's vote is worth the same as any others

To assure equal opportunity to elect representatives of choice

When Does Redistricting Happen?

- Every 10 years following the U.S. decennial census
- Census data must be delivered to the State by April 1, 2011
- Plans are developed in 2011
- The General Assembly considers legislative redistricting plans during its 2012 Session

Reapportionment or Redistricting?

- Reapportionment is the distribution of “seats” among governmental units based on population
- Redistricting is the actual drawing of districts

Maryland Constitutional Requirements for Legislative Districts

- Requires 47 Legislative Districts (one senator and 3 delegates from each);
- Legislative districts can be subdivided for electing delegates;
- Resident Delegate Requirement (usually included in Joint Resolution of proposed districts)
 - (1) where Delegates are to be elected at-large by voters of the entire legislative district any such district which contains more than two counties a county, or part of a county, may not have more than 1 Delegate residing in that district; and
 - (2) 2-member delegate districts which contain more than 2 counties or parts of more than 2 counties, a county or a part of a county may not have more than 1 Delegate residing in that subdistrict
- Must be of substantially equal population (usually defined as + or – 5% of ideal population)
- Compactness
- Contiguity
- Due regard for natural boundaries and the boundaries of political subdivisions

Federal Requirements

- 14th Amendment, U.S. Constitution
- Voting Rights Act (Section 2)
- Case Law

Congressional Redistricting

- Maryland Constitution and laws are silent
- Federal requirements control
- No automatically acceptable population variance
- 14th Amendment/Voting Rights Act
- Extensive case law

Probable Redistricting Process and Timeline

- By April 1, 2011: PL 94-171 data received
- May 2011: Governor appoints advisory committee (?)
- May – June: Public hearings around the state
- Summer – Fall: Legislative & Congressional plans developed
- Fall, 2011 – Special Session for Congressional redistricting
- November 2011: Legislative Plan(s) submitted to Governor
- December 2011: Governor holds public hearing (?)
- January 11, 2012: Governor submits legislative districting plan to General Assembly as joint resolution
- February 24, 2012: 45th Day, General Assembly must enact plan by end of this day or Governor's plan takes effect
- Maryland Court of Appeals has original jurisdiction for legislative plans.

The congressional process is slightly different

- Plan developed concurrently with legislative plan, but Governor has no constitutional or statutory responsibility
- A regular bill
- Special session needed in Fall 2011 to enact plan due to early primary election in 2012 (Presidential Election year)
- Must be signed by Governor and is subject to veto
- No time limit

New State law requires Maryland adjust its census count

By statute, prisoners must be reallocated to their last known address if they were Maryland residents prior to incarceration. If not Maryland residents they must be excluded for redistricting purposes. The law applies to all redistricting – congressional, state, local.

Things to consider

- State population (2010 Census): 5,773,552
- State population (Adjusted): 5,772,231
- Ideal Legislative District: 122,813
- Ideal SMD: 40,938// Ideal TMD: 81,875
- Ideal Congressional District: 721,529
- It is not whether you gain or lose population, it is the relationship of the gain or loss to that of others
- Those members elected in 2010 will not run in their new districts until 2014