

# HOUSE BILL 356

P3, G1, P1

CONSTITUTIONAL AMENDMENT

8lr0138  
CF SB 307

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By: **The Speaker (By Request – Administration) and Delegates Adams, Afzali, Anderton, Arentz, Aumann, Beitzel, Buckel, Carozza, Cassilly, Clark, Cluster, Corderman, Fisher, Flanagan, Folden, Ghrist, Glass, Grammer, Hornberger, S. Howard, Jacobs, Kipke, Kittleman, Krebs, Long, Malone, Mautz, McComas, McConkey, McDonough, McKay, McMillan, Metzgar, Miele, Morgan, Otto, Parrott, Reilly, Rey, Rose, Saab, Shoemaker, Vogt, West, and Wivell**

Introduced and read first time: January 24, 2018

Assigned to: Rules and Executive Nominations

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## A BILL ENTITLED

1 AN ACT concerning

2 **General Assembly and Congressional Legislative Redistricting and**  
3 **Apportionment Commission**

4 FOR the purpose of prohibiting multimember delegate districts; creating the General  
5 Assembly and Congressional Legislative Redistricting and Apportionment  
6 Commission; requiring the Commission to divide the State to create certain General  
7 Assembly legislative districts and congressional districts; establishing exclusive and  
8 original jurisdiction for the Court of Appeals to establish legislative districts and  
9 congressional districts under certain circumstances; providing for the membership,  
10 qualifications, and duties of the Commission; specifying certain requirements for the  
11 adoption of redistricting plans by the Commission; specifying that the redistricting  
12 plans meet certain standards and requirements; prohibiting the Commission from  
13 considering certain factors in adopting redistricting plans; requiring the Secretary  
14 of State to submit the Commission's final certified maps and plans for General  
15 Assembly legislative districts and congressional districts to the presiding officers of  
16 the General Assembly; requiring the presiding officers to introduce separate bills for  
17 the General Assembly legislative districts and congressional districts; specifying  
18 that the maps and plans become law only on adoption by three-fifths of the members  
19 of each house of the General Assembly; providing that the Commission shall submit  
20 an alternative map and plan if the General Assembly fails to adopt a previously  
21 submitted map and plan; requiring the Legislative Auditor to establish and  
22 administer an application process for individuals seeking appointment to the  
23 Commission; prohibiting certain individuals from serving as a member of the  
24 Commission; authorizing the Legislative Auditor to disqualify certain applicants  
25 seeking membership on the Commission; requiring the Legislative Auditor to

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 establish an Applicant Review Panel to identify and establish certain applicant pools  
2 from which certain members of the Commission are to be selected; requiring the  
3 Legislative Auditor to select at random a certain number of names from the applicant  
4 pools for membership on the Commission; requiring the Commission to elect a chair  
5 and establish certain rules and procedures; making Commission meetings and  
6 records subject to State laws governing open meetings and public records; providing  
7 that the maps and plans drawn by the Commission are final and subject to review  
8 by the Court of Appeals; authorizing certain persons to petition the Court of Appeals  
9 to challenge or to establish General Assembly legislative districts or congressional  
10 districts under certain circumstances; requiring the Court of Appeals to establish the  
11 boundaries of General Assembly legislative districts or congressional districts or  
12 grant other relief under certain circumstances; requiring that the Commission have  
13 certain staff and other resources; requiring the Governor to include certain funding  
14 for the Legislative Auditor, the Commission, the Secretary of State, and the  
15 Department of Legislative Services in the State budget for certain years; requiring  
16 the General Assembly to make a certain appropriation in the State budget; requiring  
17 that the appropriation be available during a certain time period and be equal to a  
18 certain amount; requiring that the Commission, with certain oversight, have  
19 procurement and contracting authority; authorizing the Commission, with certain  
20 oversight, to hire staff and consultants; defining certain terms; providing for the  
21 effective date of this Act; providing for the termination of certain provisions of this  
22 Act under certain circumstances; submitting this amendment to the qualified voters  
23 of the State for their adoption or rejection; and generally relating to the General  
24 Assembly and Congressional Legislative Redistricting and Apportionment  
25 Commission.

26 BY proposing an amendment to the Maryland Constitution  
27 Article III – Legislative Department  
28 Section 3

29 BY proposing a repeal of the Maryland Constitution  
30 Article III – Legislative Department  
31 Section 5

32 BY proposing an addition to the Maryland Constitution  
33 Article III – Legislative Department  
34 Section 5

35 BY proposing an amendment to the Maryland Constitution  
36 Article IV – Judiciary Department  
37 Section 14

38 BY proposing an amendment to the Maryland Constitution  
39 Article V – Attorney–General and State’s Attorneys  
40 Section 3(a)(1)

41 BY adding to

1 Article – Election Law

2 Section 8–7A–01 through 8–7A–14 to be under the new subtitle “Subtitle 7A.  
3 General Assembly and Congressional Legislative Redistricting and  
4 Apportionment Commission”

5 Annotated Code of Maryland

6 (2017 Replacement Volume and 2017 Supplement)

7 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
8 (Three–fifths of all the members elected to each of the two Houses concurring), That it be  
9 proposed that the Maryland Constitution read as follows:

10 **Article III – Legislative Department**

11 3.

12 The State shall be divided by law into legislative districts for the election of members  
13 of the Senate and the House of Delegates. Each legislative district shall contain one (1)  
14 Senator and three (3) Delegates. Nothing herein shall prohibit the subdivision of any one  
15 or more of the legislative districts for the purpose of electing members of the House of  
16 Delegates into three (3) single–member delegate districts [or one (1) single–member  
17 delegate district and one (1) multi–member delegate district].

18 [5.

19 Following each decennial census of the United States and after public hearings, the  
20 Governor shall prepare a plan setting forth the boundaries of the legislative districts for  
21 electing of the members of the Senate and the House of Delegates.

22 The Governor shall present the plan to the President of the Senate and Speaker of  
23 the House of Delegates who shall introduce the Governor’s plan as a joint resolution to the  
24 General Assembly, not later than the first day of its regular session in the second year  
25 following every census, and the Governor may call a special session for the presentation of  
26 his plan prior to the regular session. The plan shall conform to Sections 2, 3 and 4 of this  
27 Article. Following each decennial census the General Assembly may by joint resolution  
28 adopt a plan setting forth the boundaries of the legislative districts for the election of  
29 members of the Senate and the House of Delegates, which plan shall conform to Sections  
30 2, 3 and 4 of this Article. If a plan has been adopted by the General Assembly by the 45th  
31 day after the opening of the regular session of the General Assembly in the second year  
32 following every census, the plan adopted by the General Assembly shall become law. If no  
33 plan has been adopted by the General Assembly for these purposes by the 45th day after  
34 the opening of the regular session of the General Assembly in the second year following  
35 every census, the Governor’s plan presented to the General Assembly shall become law.

36 Upon petition of any registered voter, the Court of Appeals shall have original  
37 jurisdiction to review the legislative districting of the State and may grant appropriate  
38 relief, if it finds that the districting of the State is not consistent with requirements of either  
39 the Constitution of the United States of America, or the Constitution of Maryland.]

1 5.

2 (A) IN THE YEAR FOLLOWING EACH DECENNIAL CENSUS OF THE UNITED  
3 STATES OR WHEN REQUIRED BY THE UNITED STATES OR BY COURT ORDER, A  
4 GENERAL ASSEMBLY AND CONGRESSIONAL LEGISLATIVE REDISTRICTING AND  
5 APPORTIONMENT COMMISSION SHALL BE APPOINTED:

6 (1) TO DIVIDE THE STATE INTO CONSECUTIVELY NUMBERED  
7 GENERAL ASSEMBLY LEGISLATIVE DISTRICTS THAT CONFORM TO SECTIONS 2, 3,  
8 AND 4 OF THIS ARTICLE; AND

9 (2) TO DIVIDE THE STATE TO CREATE AS MANY CONGRESSIONAL  
10 DISTRICTS AS THERE ARE REPRESENTATIVES IN CONGRESS APPORTIONED TO THE  
11 STATE.

12 (B) (1) GENERAL ASSEMBLY LEGISLATIVE DISTRICTS AND  
13 CONGRESSIONAL LEGISLATIVE DISTRICTS SHALL BE ESTABLISHED IN ACCORDANCE  
14 WITH THE CONSTITUTION OF THE UNITED STATES OF AMERICA AND THIS  
15 CONSTITUTION.

16 (2) GENERAL ASSEMBLY LEGISLATIVE DISTRICTS SHALL BE AS  
17 NEARLY EQUAL IN POPULATION AS PRACTICABLE, BUT MAY NOT DEVIATE MORE  
18 THAN 2% IN POPULATION BETWEEN DISTRICTS.

19 (C) IN ORDER TO ADOPT A MAP AND PLAN FOR LEGISLATIVE AND  
20 CONGRESSIONAL DISTRICTS, EACH HOUSE OF THE GENERAL ASSEMBLY SHALL  
21 PASS THE BILL BY A VOTE OF THREE-FIFTHS OF THE MEMBERS OF THAT HOUSE.

#### 22 Article IV – Judiciary Department

23 14.

24 The Court of Appeals shall be composed of seven judges, one from the First Appellate  
25 Judicial Circuit consisting of Caroline, Cecil, Dorchester, Kent, Queen Anne's, Somerset,  
26 Talbot, Wicomico, and Worcester Counties; one from the Second Appellate Judicial Circuit  
27 consisting of Baltimore and Harford Counties; one from the Third Appellate Judicial  
28 Circuit, consisting of Allegany, Carroll, Frederick, Garrett, Howard, and Washington  
29 Counties; one from the Fourth Appellate Judicial Circuit, consisting of Prince George's  
30 County; one from the Fifth Appellate Judicial Circuit, consisting of Anne Arundel, Calvert,  
31 Charles, and St. Mary's Counties; one from the Sixth Appellate Judicial Circuit, consisting  
32 of Baltimore City; and one from the Seventh Appellate Judicial Circuit, consisting of  
33 Montgomery County. The Judges of the Court of Appeals shall be residents of their  
34 respective Appellate Judicial Circuits. The term of each Judge of the Court of Appeals shall  
35 begin on the date of his qualification. One of the Judges of the Court of Appeals shall be

1 designated by the Governor as the Chief Judge. The jurisdiction of the Court of Appeals  
 2 shall be co-extensive with the limits of the State and such as now is or may hereafter be  
 3 prescribed by law **AND SHALL INCLUDE ORIGINAL JURISDICTION TO ESTABLISH THE**  
 4 **LEGISLATIVE DISTRICT AND CONGRESSIONAL DISTRICT MAPS AND PLANS IN THE**  
 5 **EVENT THE GENERAL ASSEMBLY FAILS TO ADOPT LEGISLATIVE DISTRICT AND**  
 6 **CONGRESSIONAL DISTRICT MAPS AND PLANS ON OR BEFORE THE FIRST DAY OF MAY**  
 7 **IN ANY YEAR ENDING IN THE NUMBER TWO AND THIS JURISDICTION SHALL BE**  
 8 **EXCLUSIVE AMONG THE STATE COURTS.** It shall hold its sessions in the City of  
 9 Annapolis at such time or times as it shall from time to time by rule prescribe. Its session  
 10 or sessions shall continue not less than ten months in each year, if the business before it  
 11 shall so require, and it shall be competent for the judges temporarily to transfer their  
 12 sittings elsewhere upon sufficient cause. The salary of each Judge of the Court of Appeals  
 13 shall be that now or hereafter prescribed by the General Assembly and shall not be  
 14 diminished during his continuance in office. Five of the judges shall constitute a quorum,  
 15 and five judges shall sit in each case unless the Court shall direct that an additional judge  
 16 or judges sit for any case. The concurrence of a majority of those sitting shall be sufficient  
 17 for the decision of any cause, and an equal division of those sitting in a case has the effect  
 18 of affirming the decision appealed from if there is no application for reargument as  
 19 hereinafter provided. In any case where there is an equal division or a three to two division  
 20 of the Court a reargument before the full Court of seven judges shall be granted to the  
 21 losing party upon application as a matter of right.

## 22 **Article V – Attorney-General and State’s Attorneys**

23 3.

24 (a) The Attorney General shall:

25 (1) [Prosecute] **EXCEPT FOR CASES DEFENDED BY THE GENERAL**  
 26 **ASSEMBLY AND CONGRESSIONAL LEGISLATIVE REDISTRICTING AND**  
 27 **APPORTIONMENT COMMISSION, PROSECUTE** and defend on the part of the State all  
 28 cases pending in the appellate courts of the State, in the Supreme Court of the United  
 29 States or the inferior Federal Courts, by or against the State, or in which the State may be  
 30 interested, except those criminal appeals otherwise prescribed by the General Assembly.

31 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read  
 32 as follows:

## 33 **Article – Election Law**

### 34 **SUBTITLE 7A. GENERAL ASSEMBLY AND CONGRESSIONAL LEGISLATIVE** 35 **REDISTRICTING AND APPORTIONMENT COMMISSION.**

36 **8-7A-01.**

37 **(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS**

1 INDICATED.

2 (B) "COMMISSION" MEANS THE GENERAL ASSEMBLY AND CONGRESSIONAL  
3 LEGISLATIVE REDISTRICTING AND APPORTIONMENT COMMISSION.

4 (C) "DAY" MEANS A CALENDAR DAY, EXCEPT THAT IF THE FINAL DAY OF A  
5 PERIOD WITHIN WHICH AN ACT IS TO BE PERFORMED IS A SATURDAY, SUNDAY, OR  
6 HOLIDAY, THE PERIOD IS EXTENDED TO THE NEXT DAY THAT IS NOT A SATURDAY,  
7 SUNDAY, OR HOLIDAY.

8 (D) "PANEL" MEANS THE APPLICANT REVIEW PANEL.

9 (E) "QUALIFIED INDEPENDENT AUDITOR" MEANS A CERTIFIED PUBLIC  
10 ACCOUNTANT WHO IS CURRENTLY LICENSED BY THE STATE AND HAS BEEN A  
11 PRACTICING CERTIFIED PUBLIC ACCOUNTANT FOR AT LEAST 10 YEARS BEFORE  
12 APPOINTMENT TO THE APPLICANT REVIEW PANEL.

13 8-7A-02.

14 IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT NEITHER THE GENERAL  
15 ASSEMBLY LEGISLATIVE DISTRICTS NOR THE DISTRICTS FOR THE STATE'S  
16 REPRESENTATIVES IN CONGRESS BE DRAWN FOR THE PURPOSE OF FAVORING OR  
17 DISCRIMINATING AGAINST AN INCUMBENT OFFICEHOLDER, A CANDIDATE, OR A  
18 POLITICAL PARTY.

19 8-7A-03.

20 (A) IN THE YEAR FOLLOWING THE YEAR IN WHICH THE NATIONAL CENSUS  
21 IS TAKEN UNDER THE DIRECTION OF CONGRESS AT THE BEGINNING OF EACH  
22 DECADE, THE COMMISSION SHALL ADJUST THE BOUNDARY LINES OF GENERAL  
23 ASSEMBLY LEGISLATIVE DISTRICTS AND CONGRESSIONAL DISTRICTS IN  
24 CONFORMANCE WITH THE FOLLOWING STANDARDS AND PROCESS:

25 (1) (I) EACH MEMBER OF THE SENATE OF MARYLAND SHALL BE  
26 ELECTED FROM A SINGLE-MEMBER DISTRICT; AND

27 (II) A MEMBER OF THE HOUSE OF DELEGATES MAY BE ELECTED  
28 FROM A SINGLE-MEMBER DISTRICT OR A THREE-MEMBER DISTRICT;

29 (2) EACH MEMBER OF CONGRESS SHALL BE ELECTED FROM A  
30 SINGLE-MEMBER DISTRICT;

31 (3) THE POPULATION OF EACH GENERAL ASSEMBLY LEGISLATIVE

1 DISTRICT SHALL BE REASONABLY EQUAL IN POPULATION, BUT MAY NOT DEVIATE  
2 MORE THAN 2% IN POPULATION BETWEEN DISTRICTS;

3 (4) THE POPULATION OF ALL CONGRESSIONAL DISTRICTS SHALL BE  
4 EQUAL TO THE GREATEST EXTENT PRACTICABLE; AND

5 (5) GENERAL ASSEMBLY LEGISLATIVE DISTRICTS AND  
6 CONGRESSIONAL DISTRICTS SHALL COMPLY WITH THE REQUIREMENTS OF §  
7 8-7A-05(A) OF THIS SUBTITLE.

8 (B) (1) FOLLOWING THE CRITERIA SPECIFIED UNDER SUBSECTION (A) OF  
9 THIS SECTION, THE COMMISSION SHALL ADJUST THE BOUNDARY LINES ACCORDING  
10 TO THE CRITERIA SET FORTH AND PRIORITIZED IN THIS SUBTITLE.

11 (2) THE COMMISSION SHALL ISSUE WITH ITS FINAL MAPS A REPORT  
12 THAT:

13 (I) EXPLAINS THE BASIS ON WHICH THE COMMISSION MADE  
14 THE DECISIONS IN ACHIEVING COMPLIANCE WITH THE CRITERIA; AND

15 (II) INCLUDES DEFINITIONS OF THE TERMS AND STANDARDS  
16 USED IN DRAWING THE FINAL MAPS.

17 (C) GENERAL ASSEMBLY LEGISLATIVE DISTRICTS AND CONGRESSIONAL  
18 DISTRICTS SHALL BE NUMBERED CONSECUTIVELY COMMENCING AT THE  
19 NORTHWESTERN BOUNDARY OF THE STATE AND ENDING AT THE SOUTHEASTERN  
20 BOUNDARY.

21 (D) IN DEVELOPING THE MAPS, THE COMMISSION SHALL:

22 (1) HOLD PUBLIC HEARINGS;

23 (2) PROVIDE ACCESS TO REDISTRICTING DATA AND SOFTWARE; AND

24 (3) OTHERWISE ENSURE FULL PUBLIC PARTICIPATION IN THE  
25 REDISTRICTING PROCESS.

26 8-7A-04.

27 (A) THE COMMISSION SHALL:

28 (1) CONDUCT AN OPEN AND TRANSPARENT PROCESS ENABLING FULL  
29 PUBLIC CONSIDERATION OF AND COMMENT ON THE DRAWING OF DISTRICT LINES;

1           **(2) DRAW GENERAL ASSEMBLY LEGISLATIVE DISTRICT AND**  
2 **CONGRESSIONAL DISTRICT LINES ACCORDING TO THE REDISTRICTING CRITERIA**  
3 **SPECIFIED IN THIS SUBTITLE; AND**

4           **(3) CONDUCT ITS BUSINESS WITH INTEGRITY AND FAIRNESS.**

5           **(B) (1) THE SELECTION PROCESS FOR THE COMMISSION IS DESIGNED TO**  
6 **PRODUCE A COMMISSION THAT IS INDEPENDENT FROM LEGISLATIVE INFLUENCE**  
7 **AND REASONABLY REPRESENTATIVE OF THE STATE'S DIVERSITY.**

8           **(2) THE COMMISSION SHALL CONSIST OF THE FOLLOWING NINE**  
9 **MEMBERS:**

10           **(I) THREE MEMBERS REGISTERED WITH THE POLITICAL PARTY**  
11 **THAT HAS THE HIGHEST NUMBER OF REGISTERED VOTERS IN THE STATE;**

12           **(II) THREE MEMBERS REGISTERED WITH THE POLITICAL PARTY**  
13 **THAT HAS THE SECOND HIGHEST NUMBER OF REGISTERED VOTERS IN THE STATE;**  
14 **AND**

15           **(III) THREE MEMBERS NOT REGISTERED WITH EITHER OF THE**  
16 **TWO POLITICAL PARTIES THAT HAVE THE HIGHEST AND SECOND HIGHEST NUMBER**  
17 **OF REGISTERED VOTERS IN THE STATE.**

18           **(3) EACH MEMBER OF THE COMMISSION:**

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

24           **(II) 1. MAY NOT HAVE BEEN A CANDIDATE FOR ELECTION TO**  
25 **OR SERVED AS A MEMBER OF THE GENERAL ASSEMBLY OR OF CONGRESS FROM**  
26 **THIS STATE DURING THE 5 YEARS IMMEDIATELY PRECEDING THE DATE OF THE**  
27 **INDIVIDUAL'S APPOINTMENT, OR AN IMMEDIATE FAMILY MEMBER ESTABLISHED**  
28 **THROUGH BLOOD OR LEGAL RELATION OF SUCH CANDIDATE OR MEMBER;**

29                           **2. MAY NOT BE A REGULATED LOBBYIST IN THIS STATE;**  
30 **AND**

31                           **3. MAY NOT BE OR HAVE SERVED AS STAFF OR A**



1 CONSULTANT TO A PERSON UNDER A CONTRACT WITH, OR ANY PERSON WITH AN  
2 IMMEDIATE FAMILY RELATIONSHIP THROUGH BLOOD OR LEGAL RELATION TO, THE  
3 GOVERNOR, A MEMBER OF THE GENERAL ASSEMBLY, OR A MEMBER OF CONGRESS  
4 FROM THIS STATE.

5 (4) THE TERM OF OFFICE OF EACH MEMBER OF THE COMMISSION  
6 EXPIRES ON THE APPOINTMENT OF THE FIRST MEMBER OF THE SUCCEEDING  
7 COMMISSION.

8 (5) (I) SEVEN MEMBERS OF THE COMMISSION SHALL CONSTITUTE  
9 A QUORUM.

10 (II) SIX OR MORE AFFIRMATIVE VOTES OF THE COMMISSION  
11 SHALL BE REQUIRED FOR ANY OFFICIAL ACTION, INCLUDING ANY FINAL PROPOSED  
12 MAPS AND PLANS FOR GENERAL ASSEMBLY LEGISLATIVE DISTRICTS OR  
13 CONGRESSIONAL DISTRICTS ADOPTED BY THE COMMISSION.

14 (6) EACH MEMBER OF THE COMMISSION SHALL:

15 (I) APPLY THE PROVISIONS OF THIS SUBTITLE IN A MANNER  
16 THAT IS IMPARTIAL AND THAT REINFORCES PUBLIC CONFIDENCE IN THE INTEGRITY  
17 OF THE REDISTRICTING PROCESS; AND

18 (II) BE INELIGIBLE FOR A PERIOD OF 5 YEARS BEGINNING FROM  
19 THE DATE OF APPOINTMENT:

20 1. TO HOLD APPOINTIVE FEDERAL, STATE, OR LOCAL  
21 PUBLIC OFFICE;

22 2. TO SERVE AS PAID STAFF FOR THE GENERAL  
23 ASSEMBLY OR ANY INDIVIDUAL LEGISLATOR; OR

24 3. TO REGISTER AS A FEDERAL, STATE, COUNTY, OR  
25 MUNICIPAL LOBBYIST IN THE STATE.

26 8-7A-05.

27 (A) (1) EACH GENERAL ASSEMBLY LEGISLATIVE DISTRICT SHALL  
28 COMPLY WITH ARTICLE III, §§ 2, 3, AND 4 OF THE MARYLAND CONSTITUTION.

29 (2) EACH CONGRESSIONAL DISTRICT SHALL:

30 (I) COMPLY WITH THE UNITED STATES CONSTITUTION;

1 (II) COMPLY WITH THE FEDERAL VOTING RIGHTS ACT;

2 (III) BE EQUAL IN POPULATION, EXCEPT WHERE DEVIATION IS  
3 REQUIRED TO COMPLY WITH THE FEDERAL VOTING RIGHTS ACT (42 U.S.C. SEC.  
4 1971 AND FOLLOWING) OR IS ALLOWABLE BY LAW;

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

8 (V) BE GEOGRAPHICALLY CONTIGUOUS; AND

9 (VI) TO THE EXTENT PRACTICABLE, AND IF IT DOES NOT  
10 CONFLICT WITH THE CRITERIA SPECIFIED IN ITEMS (I) THROUGH (V) OF THIS  
11 PARAGRAPH, BE DRAWN TO ENCOURAGE GEOGRAPHIC COMPACTNESS SO THAT  
12 NEARBY AREAS OF POPULATION ARE NOT BYPASSED FOR MORE DISTANT AREAS OF  
13 POPULATION.

14 (B) THE PLACE OF RESIDENCE OF AN INCUMBENT OFFICEHOLDER OR THE  
15 CANDIDATE FOR A POLITICAL PARTY OR OF ANY OTHER PERSON MAY NOT BE  
16 CONSIDERED IN THE CREATION OF A MAP.

17 (C) BY SEPTEMBER 15 OF EACH YEAR ENDING IN THE NUMBER ONE, THE  
18 COMMISSION SHALL APPROVE A FINAL MAP THAT SEPARATELY SETS FORTH THE  
19 DISTRICT BOUNDARY LINES FOR THE MEMBERS OF THE GENERAL ASSEMBLY AND  
20 FOR THE MEMBERS OF CONGRESS OF THIS STATE.

21 (D) (1) THE COMMISSION SHALL ISSUE WITH EACH FINAL MAP A REPORT  
22 THAT:

23 (I) EXPLAINS THE BASIS ON WHICH THE COMMISSION MADE ITS  
24 DECISIONS TO ACHIEVE COMPLIANCE WITH THE CRITERIA SPECIFIED UNDER THIS  
25 SUBTITLE; AND

26 (II) INCLUDES DEFINITIONS OF THE TERMS AND STANDARDS  
27 USED IN DRAWING EACH FINAL MAP.

28 (2) ON ADOPTION, THE COMMISSION SHALL SUBMIT ITS CERTIFIED  
29 FINAL MAPS AND PLANS TO THE SECRETARY OF STATE.

30 8-7A-06.

1           **(A) THE COMMISSION:**

2                   **(1) HAS THE SOLE LEGAL STANDING TO DEFEND ANY ACTION**  
3 **REGARDING A CERTIFIED FINAL MAP AND PLAN; AND**

4                   **(2) SHALL INFORM THE GENERAL ASSEMBLY IF THE COMMISSION**  
5 **DETERMINES THAT FUNDS OR OTHER RESOURCES PROVIDED FOR THE OPERATION**  
6 **OF THE COMMISSION ARE NOT ADEQUATE.**

7           **(B) THE GENERAL ASSEMBLY SHALL PROVIDE ADEQUATE FUNDING TO**  
8 **DEFEND ANY ACTION REGARDING A CERTIFIED FINAL MAP AND PLAN.**

9 **8-7A-07.**

10           **(A) THE SECRETARY OF STATE SHALL FORWARD CERTIFIED FINAL MAPS**  
11 **AND PLANS SUBMITTED BY THE COMMISSION TO THE PRESIDING OFFICERS OF THE**  
12 **GENERAL ASSEMBLY FOR THE INTRODUCTION BY THE PRESIDING OFFICERS OF A**  
13 **SEPARATE BILL CONTAINING:**

14                   **(1) THE GENERAL ASSEMBLY LEGISLATIVE DISTRICT PLAN; AND**

15                   **(2) THE CONGRESSIONAL DISTRICT PLAN.**

16           **(B) (1) A FINAL CERTIFIED MAP AND PLAN INTRODUCED BY THE**  
17 **PRESIDING OFFICERS OF THE GENERAL ASSEMBLY MAY NOT BE AMENDED.**

18                   **(2) A MEMBER OF THE GENERAL ASSEMBLY MAY NOT INTRODUCE A**  
19 **BILL CONTAINING A GENERAL ASSEMBLY LEGISLATIVE DISTRICT OR**  
20 **CONGRESSIONAL DISTRICT PLAN THAT IS DIFFERENT FROM THE CERTIFIED FINAL**  
21 **MAPS AND PLANS PROPOSED BY THE COMMISSION AND INTRODUCED BY THE**  
22 **PRESIDING OFFICERS.**

23           **(C) (1) THE GENERAL ASSEMBLY MAY APPROVE OR REJECT A BILL FOR**  
24 **A GENERAL ASSEMBLY LEGISLATIVE DISTRICT OR CONGRESSIONAL DISTRICT MAP**  
25 **AND PLAN AS PROVIDED IN THIS SUBSECTION.**

26                   **(2) (I) 1. TO ADOPT A MAP AND PLAN, EACH HOUSE OF THE**  
27 **GENERAL ASSEMBLY SHALL PASS THE BILL BY A VOTE OF THREE-FIFTHS OF THE**  
28 **MEMBERS OF THAT HOUSE.**

29                                   **2. ON PASSAGE BY THE GENERAL ASSEMBLY, THE BILL**  
30 **SHALL BE PRESENTED TO THE GOVERNOR FOR SIGNATURE OR VETO.**

1 (ii) 1. IF THE GOVERNOR VETOES THE BILL AND THE  
2 GENERAL ASSEMBLY OVERRIDES THE VETO, THE BILL SHALL BECOME LAW, IN  
3 ACCORDANCE WITH ARTICLE II, § 17 OF THE MARYLAND CONSTITUTION.

4 2. IF THE GOVERNOR VETOES THE BILL AND THE  
5 GENERAL ASSEMBLY FAILS TO OVERRIDE THE VETO, IN ACCORDANCE WITH  
6 ARTICLE II, § 17 OF THE MARYLAND CONSTITUTION, THE PRESIDING OFFICERS OF  
7 THE GENERAL ASSEMBLY SHALL RETURN THE BILL TOGETHER WITH  
8 RECOMMENDATIONS, IF ANY, TO THE COMMISSION AND REQUEST THAT THE  
9 COMMISSION PROPOSE AN ALTERNATIVE MAP AND PLAN.

10 (3) (i) IF THE GENERAL ASSEMBLY FAILS TO PASS THE BILL FOR A  
11 MAP AND PLAN ON THE VOTE OF THREE-FIFTHS OF THE MEMBERS OF EITHER OR  
12 BOTH HOUSES OF THE GENERAL ASSEMBLY, THE PRESIDING OFFICERS OF THE  
13 GENERAL ASSEMBLY SHALL RETURN THE BILL TOGETHER WITH THE  
14 RECOMMENDATIONS OF THE GENERAL ASSEMBLY, IF ANY, TO THE COMMISSION  
15 AND REQUEST THAT THE COMMISSION PROPOSE AN ALTERNATIVE MAP AND PLAN.

16 (ii) IF THE GENERAL ASSEMBLY FAILS TO PASS BY A  
17 THREE-FIFTHS VOTE OF EACH HOUSE THE BILL FOR AN ALTERNATIVE MAP AND  
18 PLAN SUBMITTED BY THE COMMISSION, OR IF THE BILL IS VETOED BY THE  
19 GOVERNOR AND NOT OVERRIDDEN BY THE GENERAL ASSEMBLY, THE COURT OF  
20 APPEALS SHALL ESTABLISH THE MAP AND PLAN FOR THE GENERAL ASSEMBLY  
21 LEGISLATIVE DISTRICTS OR CONGRESSIONAL DISTRICTS IN ACCORDANCE WITH §  
22 8-7A-08 OF THIS SUBTITLE.

23 8-7A-08.

24 (A) THE COURT OF APPEALS HAS ORIGINAL AND EXCLUSIVE JURISDICTION  
25 IN ALL STATE COURT PROCEEDINGS IN WHICH A CERTIFIED FINAL MAP AND PLAN IS  
26 CHALLENGED.

27 (B) (1) ON THE ENACTMENT OF A BILL ESTABLISHING GENERAL  
28 ASSEMBLY LEGISLATIVE DISTRICTS OR CONGRESSIONAL DISTRICTS IN  
29 ACCORDANCE WITH § 8-7A-07 OF THIS SUBTITLE, ANY REGISTERED VOTER IN THE  
30 STATE MAY FILE A PETITION FOR A WRIT OF MANDAMUS OR A WRIT OF PROHIBITION  
31 WITH THE COURT OF APPEALS TO BAR THE MAP AND PLAN FROM TAKING EFFECT  
32 ON THE GROUNDS THAT THE MAP AND PLAN VIOLATE THE MARYLAND  
33 CONSTITUTION, THE UNITED STATES CONSTITUTION, OR A FEDERAL OR STATE  
34 STATUTE.

35 (2) IF THE COURT DETERMINES THAT A FINAL MAP AND PLAN IN A  
36 BILL ESTABLISHING GENERAL ASSEMBLY LEGISLATIVE DISTRICTS OR

1 CONGRESSIONAL DISTRICTS VIOLATE THE MARYLAND CONSTITUTION, THE UNITED  
2 STATES CONSTITUTION, OR A FEDERAL OR STATE STATUTE, THE COURT SHALL  
3 ISSUE THE RELIEF THAT IT DEEMS APPROPRIATE.

4 (C) (1) IF THE GENERAL ASSEMBLY FAILS TO PASS BY A THREE-FIFTHS  
5 VOTE OF EACH HOUSE THE BILL FOR AN ALTERNATIVE MAP AND PLAN SUBMITTED  
6 BY THE COMMISSION TO ESTABLISH GENERAL ASSEMBLY LEGISLATIVE DISTRICTS  
7 OR CONGRESSIONAL DISTRICTS, OR IF THE BILL IS VETOED BY THE GOVERNOR AND  
8 NOT OVERRIDDEN BY THE GENERAL ASSEMBLY, THE COMMISSION SHALL FILE A  
9 PETITION WITH THE COURT OF APPEALS TO REVIEW THE MAP AND PLAN AND  
10 ESTABLISH THE DISTRICTS.

11 (2) ON APPROVAL OF THE COURT OF APPEALS, ANY REGISTERED  
12 VOTER OF THE STATE MAY BECOME A PARTY TO THE PROCEEDING.

13 (D) THE COURT OF APPEALS SHALL GIVE PRIORITY TO RULING ON A  
14 PETITION FILED UNDER THIS SECTION.

15 8-7A-09.

16 TO AMEND THIS SUBTITLE, THE GENERAL ASSEMBLY SHALL ENSURE THAT  
17 ALL OF THE FOLLOWING CRITERIA ARE MET:

18 (1) BY THE SAME VOTE REQUIRED FOR THE ADOPTION OF THE FINAL  
19 SET OF MAPS AND PLANS PROPOSED BY THE COMMISSION UNDER §  
20 8-7A-04(B)(5) OF THIS TITLE, THE COMMISSION RECOMMENDS AMENDMENTS TO  
21 THIS SUBTITLE TO CARRY OUT THE PURPOSE AND INTENT OF THE COMMISSION;

22 (2) ANY AMENDMENT PROPOSED BY THE COMMISSION IS ENACTED AS  
23 A STATUTE APPROVED BY A TWO-THIRDS VOTE OF EACH HOUSE OF THE GENERAL  
24 ASSEMBLY AND SIGNED BY THE GOVERNOR;

25 (3) THE BILL CONTAINING ANY AMENDMENTS PROPOSED BY THE  
26 COMMISSION IS IN PRINT FOR AT LEAST 10 DAYS BEFORE FINAL PASSAGE BY THE  
27 GENERAL ASSEMBLY;

28 (4) THE AMENDMENT FURTHERS THE PURPOSES OF THIS SUBTITLE;  
29 AND

30 (5) THE AMENDMENT IS NOT PASSED BY THE GENERAL ASSEMBLY IN  
31 A YEAR ENDING IN THE NUMBER ZERO OR THE NUMBER ONE.

32 8-7A-10.

1           **(A) (1) IN EACH YEAR ENDING IN THE NUMBER ZERO, THE LEGISLATIVE**  
2 **AUDITOR SHALL INITIATE AN APPLICATION PROCESS THAT IS OPEN TO ALL**  
3 **REGISTERED VOTERS IN THE STATE IN A MANNER THAT PROMOTES A DIVERSE AND**  
4 **QUALIFIED APPLICANT POOL FOR MEMBERSHIP ON THE COMMISSION.**

5           **(2) THE LEGISLATIVE AUDITOR SHALL REMOVE FROM THE**  
6 **APPLICANT POOL INDIVIDUALS WITH CONFLICTS OF INTEREST, INCLUDING, WITHIN**  
7 **THE 5 YEARS IMMEDIATELY PRECEDING THE DATE OF APPLICATION, THE**  
8 **APPLICANT, OR A MEMBER OF THE APPLICANT'S IMMEDIATE FAMILY, WHO HAS:**

9                   **(I) BEEN APPOINTED TO, BEEN ELECTED TO, OR BEEN A**  
10 **CANDIDATE FOR FEDERAL OR STATE OFFICE;**

11                   **(II) SERVED AS AN OFFICER, AN EMPLOYEE, OR A PAID**  
12 **CONSULTANT OF A POLITICAL PARTY OR OF THE POLITICAL COMMITTEE OF A**  
13 **CANDIDATE FOR ELECTED FEDERAL OR STATE OFFICE;**

14                   **(III) SERVED AS AN ELECTED OR APPOINTED MEMBER OF A**  
15 **POLITICAL PARTY CENTRAL COMMITTEE;**

16                   **(IV) BEEN A REGISTERED LOBBYIST FOR THE FEDERAL, STATE,**  
17 **OR LOCAL GOVERNMENT; OR**

18                   **(V) CONTRIBUTED \$2,000 OR MORE TO ANY CANDIDATE FOR**  
19 **ELECTION TO A CONGRESSIONAL, STATE, OR LOCAL PUBLIC OFFICE IN ANY YEAR,**  
20 **WHICH AMOUNT SHALL BE ADJUSTED EVERY 10 YEARS BY THE CUMULATIVE**  
21 **CHANGE IN THE MARYLAND CONSUMER PRICE INDEX OR ITS SUCCESSOR.**

22           **(B) (1) THE LEGISLATIVE AUDITOR SHALL:**

23                   **(I) ESTABLISH AN APPLICANT REVIEW PANEL CONSISTING OF**  
24 **THREE QUALIFIED INDEPENDENT AUDITORS TO SCREEN APPLICANTS TO SERVE ON**  
25 **THE COMMISSION;**

26                   **(II) RANDOMLY DRAW THE NAMES OF THREE QUALIFIED**  
27 **INDEPENDENT AUDITORS FROM A POOL CONSISTING OF ALL AUDITORS EMPLOYED**  
28 **BY THE STATE AND LICENSED BY THE STATE AT THE TIME OF THE DRAWING; AND**

29                   **(III) DRAW UNTIL THE NAMES OF THREE AUDITORS HAVE BEEN**  
30 **DRAWN, INCLUDING:**

31                           **1. ONE WHO IS REGISTERED WITH THE POLITICAL PARTY**

1 THAT HAS THE HIGHEST NUMBER OF REGISTERED VOTERS IN THE STATE;

2                   2. ONE WHO IS REGISTERED WITH THE POLITICAL PARTY  
3 THAT HAS THE SECOND HIGHEST NUMBER OF REGISTERED VOTERS IN THE STATE;  
4 AND

5                   3. ONE WHO IS NOT REGISTERED WITH EITHER OF THE  
6 TWO POLITICAL PARTIES THAT HAVE THE HIGHEST AND SECOND HIGHEST NUMBER  
7 OF REGISTERED VOTERS IN THE STATE.

8                   (2) (I) AFTER THE DRAWING, THE LEGISLATIVE AUDITOR SHALL  
9 NOTIFY THE THREE QUALIFIED INDEPENDENT AUDITORS WHOSE NAMES HAVE BEEN  
10 DRAWN THAT THEY HAVE BEEN SELECTED TO SERVE ON THE PANEL.

11                   (II) IF ANY OF THE THREE QUALIFIED INDEPENDENT AUDITORS  
12 DECLINE TO SERVE ON THE PANEL, THE LEGISLATIVE AUDITOR SHALL RESUME THE  
13 RANDOM DRAWING UNTIL THREE QUALIFIED INDEPENDENT AUDITORS WHO MEET  
14 THE REQUIREMENTS OF THIS SUBTITLE HAVE AGREED TO SERVE ON THE PANEL.

15                   (III) A MEMBER OF THE PANEL SHALL BE SUBJECT TO THE  
16 CONFLICT OF INTEREST PROVISIONS SET FORTH IN THIS SECTION.

17                   (3) NOT LATER THAN AUGUST 1 OF EACH YEAR ENDING IN THE  
18 NUMBER ZERO AND AFTER REMOVING INDIVIDUALS WITH CONFLICTS OF INTEREST  
19 FROM THE APPLICANT POOL, THE LEGISLATIVE AUDITOR SHALL:

20                   (I) PUBLICIZE THE NAMES OF THE INDIVIDUALS IN THE  
21 APPLICANT POOL FOR MEMBERSHIP ON THE COMMISSION; AND

22                   (II) PROVIDE COPIES OF THE APPLICATIONS OF THE NAMES IN  
23 THE APPLICANT POOL TO THE PANEL.

24                   (4) (I) FROM THE APPLICANT POOL, THE PANEL SHALL SELECT 30  
25 OF THE MOST QUALIFIED APPLICANTS, INCLUDING:

26                   1. 10 APPLICANTS WHO ARE REGISTERED WITH THE  
27 POLITICAL PARTY THAT HAS THE HIGHEST NUMBER OF REGISTERED VOTERS IN THE  
28 STATE;

29                   2. 10 APPLICANTS WHO ARE REGISTERED WITH THE  
30 POLITICAL PARTY THAT HAS THE SECOND HIGHEST NUMBER OF REGISTERED  
31 VOTERS IN THE STATE; AND

1                   **3. 10 APPLICANTS WHO ARE NOT REGISTERED WITH**  
2 **EITHER OF THE TWO POLITICAL PARTIES THAT HAVE THE HIGHEST AND**  
3 **SECOND HIGHEST NUMBER OF REGISTERED VOTERS IN THE STATE.**

4                   **(II) THE SUBPOOLS SHALL BE CREATED ON THE BASIS OF**  
5 **RELEVANT ANALYTICAL SKILLS, ABILITY TO BE IMPARTIAL, AND APPRECIATION FOR**  
6 **THE STATE'S DIVERSE DEMOGRAPHICS AND GEOGRAPHY.**

7                   **(III) THE MEMBERS OF THE PANEL MAY NOT COMMUNICATE**  
8 **WITH ANY MEMBER OF THE GENERAL ASSEMBLY OR CONGRESS OR THEIR**  
9 **REPRESENTATIVES ABOUT ANY MATTER RELATED TO THE NOMINATION PROCESS OR**  
10 **APPLICANTS BEFORE THE PRESENTATION BY THE PANEL OF THE POOL OF**  
11 **RECOMMENDED APPLICANTS TO THE SECRETARY OF THE SENATE AND THE CHIEF**  
12 **CLERK OF THE HOUSE.**

13                   **(C) (1) NOT LATER THAN NOVEMBER 20 OF EACH YEAR ENDING IN THE**  
14 **NUMBER ZERO, THE LEGISLATIVE AUDITOR SHALL RANDOMLY DRAW NINE NAMES**  
15 **FROM THE REMAINING NAMES IN THE APPLICANT POOL AS FOLLOWS:**

16                   **(I) THREE NAMES FROM THE REMAINING SUBPOOL OF**  
17 **APPLICANTS REGISTERED WITH THE POLITICAL PARTY THAT HAS THE HIGHEST**  
18 **NUMBER OF REGISTERED VOTERS IN THE STATE;**

19                   **(II) THREE NAMES FROM THE REMAINING SUBPOOL OF**  
20 **APPLICANTS REGISTERED WITH THE POLITICAL PARTY THAT HAS THE**  
21 **SECOND HIGHEST NUMBER OF REGISTERED VOTERS IN THE STATE; AND**

22                   **(III) THREE NAMES FROM THE REMAINING SUBPOOL OF**  
23 **APPLICANTS WHO ARE NOT REGISTERED WITH EITHER OF THE TWO POLITICAL**  
24 **PARTIES THAT HAVE THE HIGHEST AND SECOND HIGHEST NUMBER OF REGISTERED**  
25 **VOTERS IN THE STATE.**

26                   **(2) THE NINE INDIVIDUALS SELECTED UNDER PARAGRAPH (1) OF**  
27 **THIS SUBSECTION SHALL SERVE ON THE COMMISSION.**

28 **8-7A-11.**

29                   **(A) (1) IN THE EVENT OF SUBSTANTIAL NEGLECT OF DUTY, GROSS**  
30 **MISCONDUCT IN OFFICE, OR INABILITY TO DISCHARGE THE DUTIES OF OFFICE, A**  
31 **MEMBER OF THE COMMISSION MAY BE REMOVED BY THE GOVERNOR WITH THE**  
32 **CONCURRENCE OF TWO-THIRDS OF THE MEMBERS OF THE SENATE AFTER HAVING**  
33 **BEEN SERVED WRITTEN NOTICE AND PROVIDED WITH AN OPPORTUNITY FOR A**  
34 **RESPONSE.**



1           **(2) A FINDING OF SUBSTANTIAL NEGLECT OF DUTY OR GROSS**  
2 **MISCONDUCT IN OFFICE MAY RESULT IN REFERRAL TO THE ATTORNEY GENERAL**  
3 **FOR CRIMINAL PROSECUTION OR THE APPROPRIATE ADMINISTRATIVE AGENCY FOR**  
4 **INVESTIGATION.**

5           **(B) (1) A VACANCY, WHETHER CREATED BY REMOVAL, RESIGNATION, OR**  
6 **ABSENCE, IN A COMMISSION POSITION SHALL BE FILLED WITHIN 30 DAYS AFTER**  
7 **THE VACANCY OCCURS FROM THE POOL OF APPLICANTS OF THE SAME VOTER**  
8 **REGISTRATION CATEGORY AS THE VACATING NOMINEE THAT WAS REMAINING AS OF**  
9 **NOVEMBER 20 OF THE YEAR IN WHICH THAT POOL WAS ESTABLISHED.**

10           **(2) IF NONE OF THE REMAINING APPLICANTS UNDER PARAGRAPH (1)**  
11 **OF THIS SUBSECTION ARE AVAILABLE FOR SERVICE, THE LEGISLATIVE AUDITOR**  
12 **SHALL FILL THE VACANCY FROM A NEW POOL CREATED FOR THE SAME VOTER**  
13 **REGISTRATION CATEGORY IN ACCORDANCE WITH § 8-7A-10 OF THIS SUBTITLE.**

14 **8-7A-12.**

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

18           **(2) THE COMMISSION SHALL PROVIDE NOT LESS THAN 14 DAYS'**  
19 **PUBLIC NOTICE FOR EACH MEETING, EXCEPT THAT MEETINGS HELD IN SEPTEMBER**  
20 **OF THE YEAR ENDING IN THE NUMBER ONE MAY BE HELD WITH 3 DAYS' NOTICE.**

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

25           **(2) COMMUNICATION BETWEEN COMMISSION MEMBERS, STAFF,**  
26 **LEGAL COUNSEL, AND CONSULTANTS RETAINED BY THE COMMISSION IS ALLOWED.**

27           **(C) (1) THE COMMISSION SHALL SELECT ONE OF THE MEMBERS OF THE**  
28 **COMMISSION TO SERVE AS CHAIR.**

29           **(2) THE CHAIR SHALL BE ONE OF THE MEMBERS NOT AFFILIATED**  
30 **WITH EITHER OF THE TWO POLITICAL PARTIES THAT HAVE THE HIGHEST AND**  
31 **SECOND HIGHEST NUMBER OF REGISTERED VOTERS IN THE STATE.**

32           **(D) (1) THE COMMISSION MAY HIRE STAFF, LEGAL COUNSEL, AND**

1 CONSULTANTS AS NEEDED.

2 (2) THE COMMISSION SHALL ESTABLISH CLEAR CRITERIA FOR THE  
3 HIRING AND REMOVAL OF THE INDIVIDUALS SPECIFIED UNDER PARAGRAPH (1) OF  
4 THIS SUBSECTION, COMMUNICATION PROTOCOLS, AND A CODE OF CONDUCT.

5 (3) THE COMMISSION SHALL ENSURE THAT AT LEAST ONE OF THE  
6 LEGAL COUNSEL HIRED BY THE COMMISSION HAS DEMONSTRATED EXTENSIVE  
7 EXPERIENCE AND EXPERTISE IN IMPLEMENTATION AND ENFORCEMENT OF THE  
8 FEDERAL VOTING RIGHTS ACT (42 U.S.C. SEC. 1971 AND FOLLOWING).

9 (4) THE COMMISSION SHALL MAKE HIRING, REMOVAL, OR  
10 CONTRACTING DECISIONS ON STAFF, LEGAL COUNSEL, AND CONSULTANTS BY SIX  
11 OR MORE AFFIRMATIVE VOTES.

12 (E) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, AN EMPLOYER MAY  
13 NOT DISCHARGE, THREATEN TO DISCHARGE, INTIMIDATE, COERCE, OR RETALIATE  
14 AGAINST ANY EMPLOYEE BY REASON OF THE EMPLOYEE'S ATTENDANCE OR  
15 SCHEDULED ATTENDANCE AT ANY MEETING OF THE COMMISSION.

16 (F) (1) THE COMMISSION SHALL ESTABLISH AND IMPLEMENT AN OPEN  
17 HEARING PROCESS FOR PUBLIC INPUT AND DELIBERATION THAT IS:

18 (I) SUBJECT TO PUBLIC NOTICE; AND

19 (II) DESIGNED TO ENCOURAGE CITIZEN OUTREACH AND  
20 SOLICIT BROAD PUBLIC PARTICIPATION IN THE REDISTRICTING PUBLIC REVIEW  
21 PROCESS.

22 (2) (I) 1. THE HEARING PROCESS SHALL INCLUDE HEARINGS  
23 TO RECEIVE PUBLIC INPUT BEFORE THE COMMISSION DRAWS ANY MAPS AND  
24 HEARINGS FOLLOWING THE DRAWING AND DISPLAY OF ANY COMMISSION MAPS.

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

28 (II) 1. THE COMMISSION SHALL DISPLAY THE MAPS FOR  
29 PUBLIC COMMENT IN A MANNER DESIGNED TO ACHIEVE THE WIDEST PUBLIC  
30 ACCESS REASONABLY POSSIBLE.

31 2. PUBLIC COMMENT SHALL BE TAKEN FOR AT LEAST 14  
32 DAYS FROM THE DATE OF PUBLIC DISPLAY OF ANY MAP.

1           **(G) THE GENERAL ASSEMBLY SHALL TAKE ALL STEPS NECESSARY TO**  
2 **ENSURE THAT A COMPLETE AND ACCURATE COMPUTERIZED DATABASE IS**  
3 **AVAILABLE FOR REDISTRICTING AND THAT PROCEDURES ARE IN PLACE TO PROVIDE**  
4 **THE PUBLIC READY ACCESS TO REDISTRICTING DATA AND COMPUTER SOFTWARE**  
5 **FOR DRAWING MAPS.**

6 **8-7A-13.**

7           **A MEMBER OF THE COMMISSION:**

8           **(1) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE**  
9 **COMMISSION; BUT**

10           **(2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE**  
11 **STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.**

12 **8-7A-14.**

13           **(A) IN EACH YEAR ENDING IN THE NUMBER NINE, THE GOVERNOR SHALL**  
14 **INCLUDE IN THE STATE BUDGET SUBMITTED TO THE GENERAL ASSEMBLY FUNDING**  
15 **IN AN AMOUNT EQUAL TO THE GREATER OF \$3,000,000 OR THE AMOUNT EXPENDED**  
16 **UNDER THIS SUBTITLE IN THE IMMEDIATELY PRECEDING REDISTRICTING PROCESS,**  
17 **AS EACH AMOUNT IS ADJUSTED BY THE CUMULATIVE CHANGE IN THE MARYLAND**  
18 **CONSUMER PRICE INDEX OR ITS SUCCESSOR INDEX SINCE THE DATE OF THE**  
19 **IMMEDIATELY PRECEDING APPROPRIATION FOR:**

20           **(1) THE LEGISLATIVE AUDITOR;**

21           **(2) THE COMMISSION;**

22           **(3) THE SECRETARY OF STATE; AND**

23           **(4) THE DEPARTMENT OF LEGISLATIVE SERVICES.**

24           **(B) THE GOVERNOR SHALL MAKE ADEQUATE OFFICE SPACE AVAILABLE**  
25 **FOR THE OPERATION OF THE COMMISSION.**

26           **(C) (1) THE GENERAL ASSEMBLY SHALL MAKE THE NECESSARY**  
27 **APPROPRIATION IN THE STATE BUDGET.**

28           **(2) THE APPROPRIATION MADE UNDER PARAGRAPH (1) OF THIS**  
29 **SUBSECTION SHALL BE:**

1                   **(I)     AVAILABLE DURING THE ENTIRE 3-YEAR PERIOD; AND**

2                   **(II)    EQUAL TO THE AMOUNT INCLUDED IN THE STATE BUDGET**  
3 **UNDER SUBSECTION (A) OF THIS SECTION.**

4           **(D)    THE COMMISSION, WITH FISCAL OVERSIGHT FROM THE DEPARTMENT**  
5 **OF BUDGET AND MANAGEMENT, SHALL HAVE PROCUREMENT AND CONTRACTING**  
6 **AUTHORITY.**

7           SECTION 3. AND BE IT FURTHER ENACTED, That the General Assembly  
8 determines that the amendment to the Maryland Constitution proposed by Section 1 of this  
9 Act affects multiple jurisdictions and that the provisions of Article XIV, § 1 of the Maryland  
10 Constitution concerning local approval of constitutional amendments do not apply.

11           SECTION 4. AND BE IT FURTHER ENACTED, That the amendment to the  
12 Maryland Constitution proposed by Section 1 of this Act shall be submitted to the qualified  
13 voters of the State at the next general election to be held in November 2018 for adoption  
14 or rejection pursuant to Article XIV of the Maryland Constitution. At that general election,  
15 the vote on the proposed amendment to the Constitution shall be by ballot, and on each  
16 ballot there shall be printed the words “For the Constitutional Amendment” and “Against  
17 the Constitutional Amendment”, as now provided by law. Immediately after the election,  
18 all returns shall be made to the Governor of the vote for and against the proposed  
19 amendment, as directed by Article XIV of the Maryland Constitution, and further  
20 proceedings had in accordance with Article XIV.

21           SECTION 5. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take  
22 effect on the taking effect of Section 1 of this Act. If Section 1 of this Act does not take effect,  
23 Section 2 of this Act shall be abrogated and of no further force and effect.

24           SECTION 6. AND BE IT FURTHER ENACTED, That, except as provided in  
25 Sections 4 and 5 of this Act, this Act shall take effect June 1, 2018.