

Justin Gallardo
HB341
Favorable
(410) 818-7002
jsbgallardo@gmail.com
Represent Maryland

Food For Thought

1. **10 States** – Maryland is one of the last 10 states to have Multimember Districts (MMDs) in their state legislature. The other states include – Arizona, Idaho, New Jersey, New Hampshire, North Dakota, South Dakota, Vermont Washington, and West Virginia. Since 1965 (around the passage of the Voting Rights Act), many states have eliminated this system – not one state has reinstated it!
2. **Nevada** – In 2012, the Silver State eliminated MMDs in their state legislature. Many proponents of MMDs claim it helps women to be elected; however, by changing to this system, Nevada became the first state to have a female/woman-majority legislature (both chambers) in the Union.
3. **Ambiguity** – Determining which Delegate districts are MMDs and which ones are Single Members is extremely open-ended and random.

Maryland State Constitution, Article III, Section 3:

“The State shall be divided by law into legislative districts for the election of members of the Senate and the House of Delegates. Each legislative district shall contain one (1) Senator and three (3) Delegates. Nothing herein shall prohibit the subdivision of any one or more of the legislative

districts for the purpose of electing members of the House of Delegates into three (3) single-member delegate districts or one (1) single-member delegate district and one (1) multi-member delegate district.”

4. **Baltimore City** – In 2002, Baltimore City voters passed Question P, a ballot initiative to instate a single member district system for the City Council. The changes would take effect for the 2004 City Elections. This issue was thought to be a perennial and partisan issue for decades. Republicans in Baltimore City advocated for this change as they thought it would increase their chances winning a city council seat (that is yet to happen). The change to a single-member system found an unlikely alliance with current Delegate Curt Anderson, then-Delegate (now Senator) Jill Carter, and the ALF-CIO. Despite disapproval from then-Council President Sheila Dixon and then-Mayor Martin O’Malley, the referendum passed with 67%.

5. **Prince George’s County** – In 2016, Prince George’s County’s ballot included Question D, a charter amendment for the addition of 2 at-large County Council **seats**. Initially the change was to have 2 new County Council **districts** to serve the diversifying and growing population. College Park community activist Suchitra Balachandra led the campaign against this ballot initiative as the at-large members would have different term limits from those of single member districts. She worried that the only successful candidates for this position would be either wealthy or special interest funded. Delegate Joseline Peña-Melnyk also opposed the addition of two at-large seats. Question D passed.

6. **Montgomery County** – The County Council has 4 at-large County Council seats. Almost all elected councilmembers are from wealthier neighborhoods like Silver Spring and Takoma

Park. Their geographical residency is not reflective of the population of Montgomery County. These councilmembers do not need to win a majority of the county. This is not favorable as the income, racial, and political composition of the county change. Many major cities in the US have the same population as Montgomery County (roughly 1 million residents) and either have 1 or 2 at-large councilmembers, but not 4!

7. **Gerrymandering/Cracking-and-Packing** – There is a fear that single member districts can lead to gerrymandering. It can happen with MMDs. That is the job of the legislature to ensure that the redistricting process is fair. MMDs in this state show gerrymandering as there are partisan reasons for the surpluses and deficits of populations in state legislative districts. For example, the Cranbrook district of Cockeysville is in Legislative District 11 (a MMD) where almost all the Delegates live in Pikesville. This gerrymandered district was created to isolate Democratic voters from incumbent (now former) Senator Jim Brochin against the neighboring Republican leaning precincts. This area would be better served by a single-member district as the immigrant population grows.
8. **Cost of Campaigning** – In a phone interview with Baltimore City Councilwoman Mary Pat Clarke, the adoption of a single-member system greatly reduced campaign costs. In a MMD system, mail ads would cost \$8,000 in 1992 (\$15,000 adjusted to inflation). Under a single-member system, mail ads cost \$3,500 in 2002 (\$5,100 adjusted to inflation).
9. **Deficit/Surplus** – Based on the data from the Department of Planning, it is no surprise that MMDs with a surplus of 6,000 people from the “Deviation from Ideal Population” of

123,000 people were more likely to have a solid Republican electability and incumbency, while MMDs with a deficit of 6,000 people from the “Deviation from Ideal Population” were more likely to have a solid Democratic electability and incumbency.

(Source:

https://planning.maryland.gov/Redistricting/Documents/2010data/Legislative_total_population.pdf)

10. Lack of Public Participation – After the decennial census, the state legislature is required to draw both new Congressional and State Legislative districts. The Governor’s Advisory Redistricting Committee (GARC) is responsible for making recommendations on how districts should be drawn. Based on the last one from 2010, there were only 12 public hearings within a year, the state constitution gives a 2 year window. GARC is comprised of the Senate President, the Speaker, and the Governor, which is clearly a conflict-of-interest. Districts were extremely gerrymander due to 3 of the players being of the same party. It is even more unfair when the state legislature’s majority is of the same party. All of this is legal!

Supreme Court's Acknowledgment of the Issue

Shelby County v. Holder (2013):

Chief Justice John Robert's Majority Opinion - "Our Country has changed. While any racial discrimination in voting is too much, **Congress must ensure** that the legislation it passes to remedy that problem **speaks to current conditions.**"

Justice Ruth Bader Ginsberg's Dissent Opinion – "Second generation barriers come in various forms. One of the blockages in racial gerrymandering, the redrawing of legislative districts in an effort to segregate the races for the purpose of voting. Another is **adoption of a system of at-large voting** in lieu of district-by-district voting in a city with a sizable black majority. By switching to at-large voting, the overall majority could control the election of each city council member, effectively eliminating potency of the minority's vote."

Case Study

In 1957, Lowell, Massachusetts adopted an at-large system for both their School Committee and City Council to retain their Irish American majority. Contemporarily, as the city's population diversifies with an influx of Latinx, Asian, and other People-of-color (75% of the school population being non-white); the School Committee and City Council remain white-majority.

“Equal representation – why should some voters be forced to limit themselves to a fraction of their voting power, while the majority block finds strength in using all of theirs?”

Single member districts are more community focused. At-large seats can work in small towns (College Park), but not in large cities (Baltimore).

(Source: <https://www.nonprofitvote.org/bias-large-elections-works/>)