

HOUSE BILL 385

P5

CONSTITUTIONAL AMENDMENT

7lr0166
CF SB 252

By: **The Speaker (By Request – Administration)**

Introduced and read first time: January 25, 2017

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Redistricting Reform Act of 2017**

3 FOR the purpose of prohibiting multimember delegate districts; creating the General
4 Assembly and Congressional Legislative Redistricting and Apportionment
5 Commission; requiring the Commission to divide the State to create certain General
6 Assembly legislative districts and congressional districts; establishing exclusive and
7 original jurisdiction for the Court of Appeals to establish legislative and
8 congressional districts under certain circumstances; providing for the membership,
9 qualifications, and duties of the Commission; specifying certain requirements for the
10 adoption of redistricting plans by the Commission; specifying that the redistricting
11 plans meet certain standards and requirements; prohibiting the Commission from
12 considering certain factors in adopting redistricting plans; requiring the Secretary
13 of State to submit the Commission's final certified map and plan for General
14 Assembly legislative districts and congressional districts to the presiding officers of
15 the General Assembly; requiring the presiding officers to introduce separate bills for
16 the General Assembly legislative districts and congressional districts; specifying
17 that the maps and plans become law only on adoption by two-thirds of the members
18 of each house of the General Assembly; providing that the Commission shall submit
19 an alternative map and plan if the General Assembly fails to adopt a previously
20 submitted map and plan; requiring the Legislative Auditor to establish and
21 administer an application process for individuals seeking appointment to the
22 Commission; prohibiting certain individuals from serving as a member of the
23 Commission; authorizing the Legislative Auditor to disqualify certain applicants
24 seeking membership on the Commission; requiring the Legislative Auditor to
25 establish an Applicant Review Panel to identify and establish certain applicant pools
26 from which certain members of the Commission are to be selected; requiring the
27 Legislative Auditor to select at random a certain number of names from the applicant
28 pools for membership on the Commission; requiring the Commission to elect a chair
29 and establish certain rules and procedures; making Commission meetings and
30 records subject to State laws governing open meetings and public records; providing
31 that the maps and plans drawn by the Commission are final and subject to review

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



by the Court of Appeals; authorizing certain persons to petition the Court of Appeals to challenge or to establish General Assembly legislative districts or congressional districts under certain circumstances; requiring the Court of Appeals to establish the boundaries of General Assembly legislative districts or congressional districts or grant other relief under certain circumstances; specifying that the Commission shall have certain staff and other resources; requiring the Governor to include certain funds for the Commission in the State budget; defining certain terms; providing for the effective date of this Act; providing for the termination of certain provisions of this Act under certain circumstances; submitting this amendment to the qualified voters of the State for their adoption or rejection; and generally relating to the General Assembly and Congressional Legislative Redistricting and Apportionment Commission.

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

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

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

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

BY adding to
Article – Election Law
Section 8–7A–01 through 8–7A–14 to be under the new subtitle “Subtitle 7A. General Assembly and Congressional Legislative Redistricting and Apportionment Commission”
Annotated Code of Maryland
(2010 Replacement Volume and 2016 Supplement)

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

Article III – Legislative Department

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)

1 Senator and three (3) Delegates. Nothing herein shall prohibit the subdivision of any one
2 or more of the legislative districts for the purpose of electing members of the House of
3 Delegates into three (3) single-member delegate districts [or one (1) single-member
4 delegate district and one (1) multi-member delegate district].

5 [5.

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

9 The Governor shall present the plan to the President of the Senate and Speaker of
10 the House of Delegates who shall introduce the Governor's plan as a joint resolution to the
11 General Assembly, not later than the first day of its regular session in the second year
12 following every census, and the Governor may call a special session for the presentation of
13 his plan prior to the regular session. The plan shall conform to Sections 2, 3 and 4 of this
14 Article. Following each decennial census the General Assembly may by joint resolution
15 adopt a plan setting forth the boundaries of the legislative districts for the election of
16 members of the Senate and the House of Delegates, which plan shall conform to Sections
17 2, 3 and 4 of this Article. If a plan has been adopted by the General Assembly by the 45th
18 day after the opening of the regular session of the General Assembly in the second year
19 following every census, the plan adopted by the General Assembly shall become law. If no
20 plan has been adopted by the General Assembly for these purposes by the 45th day after
21 the opening of the regular session of the General Assembly in the second year following
22 every census, the Governor's plan presented to the General Assembly shall become law.

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

27 5.

28 **(A) IN THE YEAR FOLLOWING EACH DECENNIAL CENSUS OF THE UNITED**
29 **STATES OR WHEN REQUIRED BY THE UNITED STATES OR BY COURT ORDER, A**
30 **GENERAL ASSEMBLY AND CONGRESSIONAL LEGISLATIVE REDISTRICTING AND**
31 **APPORTIONMENT COMMISSION SHALL BE APPOINTED:**

32 **(1) TO DIVIDE THE STATE INTO CONSECUTIVELY NUMBERED**
33 **GENERAL ASSEMBLY LEGISLATIVE DISTRICTS THAT CONFORM TO SECTIONS 2, 3,**
34 **AND 4 OF THIS ARTICLE; AND**

35 **(2) TO DIVIDE THE STATE TO CREATE AS MANY CONGRESSIONAL**
36 **DISTRICTS AS THERE ARE REPRESENTATIVES IN CONGRESS APPORTIONED TO THE**
37 **STATE.**

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

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

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

Article IV – Judiciary Department

14.

The Court of Appeals shall be composed of seven judges, one from the First Appellate Judicial Circuit consisting of Caroline, Cecil, Dorchester, Kent, Queen Anne's, Somerset, Talbot, Wicomico, and Worcester Counties; one from the Second Appellate Judicial Circuit consisting of Baltimore and Harford Counties; one from the Third Appellate Judicial Circuit, consisting of Allegany, Carroll, Frederick, Garrett, Howard, and Washington Counties; one from the Fourth Appellate Judicial Circuit, consisting of Prince George's County; one from the Fifth Appellate Judicial Circuit, consisting of Anne Arundel, Calvert, Charles, and St. Mary's Counties; one from the Sixth Appellate Judicial Circuit, consisting of Baltimore City; and one from the Seventh Appellate Judicial Circuit, consisting of Montgomery County. The Judges of the Court of Appeals shall be residents of their respective Appellate Judicial Circuits. The term of each Judge of the Court of Appeals shall begin on the date of his qualification. One of the Judges of the Court of Appeals shall be designated by the Governor as the Chief Judge. The jurisdiction of the Court of Appeals shall be co-extensive with the limits of the State and such as now is or may hereafter be prescribed by law AND SHALL INCLUDE EXCLUSIVE AND ORIGINAL JURISDICTION TO ESTABLISH THE LEGISLATIVE AND CONGRESSIONAL DISTRICT MAPS AND PLANS IN THE EVENT THE GENERAL ASSEMBLY FAILS TO ADOPT LEGISLATIVE AND CONGRESSIONAL DISTRICT MAPS AND PLANS ON OR BEFORE THE FIRST DAY OF MAY IN ANY YEAR ENDING IN THE NUMBER TWO. It shall hold its sessions in the City of Annapolis at such time or times as it shall from time to time by rule prescribe. Its session or sessions shall continue not less than ten months in each year, if the business before it shall so require, and it shall be competent for the judges temporarily to transfer their sittings elsewhere upon sufficient cause. The salary of each Judge of the Court of Appeals shall be that now or hereafter prescribed by the General Assembly and shall not be diminished during his continuance in office. Five of the judges shall constitute a quorum, and five judges shall sit in each case unless the Court shall direct that an additional judge or judges sit for any case. The concurrence of a majority of those sitting shall be sufficient for the decision of any cause, and an equal division of those sitting in a case has the effect of affirming the decision appealed from if there is no application for reargument as

hereinafter provided. In any case where there is an equal division or a three to two division of the Court a reargument before the full Court of seven judges shall be granted to the losing party upon application as a matter of right.

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

Article – Election Law

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

8-7A-01.

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

(B) “COMMISSION” MEANS THE GENERAL ASSEMBLY AND CONGRESSIONAL REDISTRICTING AND APPORTIONMENT COMMISSION.

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

(D) “PANEL” MEANS THE APPLICANT REVIEW PANEL.

(E) “QUALIFIED INDEPENDENT AUDITOR” MEANS AN AUDITOR WHO IS CURRENTLY LICENSED BY THE STATE AND HAS BEEN A PRACTICING INDEPENDENT AUDITOR FOR AT LEAST 10 YEARS BEFORE APPOINTMENT TO THE APPLICANT REVIEW PANEL.

8-7A-02.

IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT NEITHER THE GENERAL ASSEMBLY LEGISLATIVE DISTRICTS NOR THE DISTRICTS FOR THE STATE’S REPRESENTATIVES IN THE UNITED STATES CONGRESS BE DRAWN FOR THE PURPOSE OF FAVORING OR DISCRIMINATING AGAINST AN INCUMBENT OFFICEHOLDER, A CANDIDATE, OR A POLITICAL PARTY.

8-7A-03.

(A) IN THE YEAR FOLLOWING THE YEAR IN WHICH THE NATIONAL CENSUS IS TAKEN UNDER THE DIRECTION OF CONGRESS AT THE BEGINNING OF EACH

1 DECADE, THE COMMISSION SHALL ADJUST THE BOUNDARY LINES OF GENERAL
2 ASSEMBLY LEGISLATIVE AND CONGRESSIONAL DISTRICTS IN CONFORMANCE WITH
3 THE FOLLOWING STANDARDS AND PROCESS:

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

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

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

10 (3) THE POPULATION OF EACH GENERAL ASSEMBLY LEGISLATIVE
11 DISTRICT SHALL BE REASONABLY EQUAL IN POPULATION, BUT MAY NOT DEVIATE
12 MORE THAN 2% IN POPULATION BETWEEN DISTRICTS;

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

15 (5) GENERAL ASSEMBLY LEGISLATIVE DISTRICTS AND
16 CONGRESSIONAL DISTRICTS SHALL COMPLY WITH THE REQUIREMENTS OF §
17 8-7A-05(A) OF THIS SUBTITLE.

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

21 (2) THE COMMISSION SHALL ISSUE WITH ITS FINAL MAPS A REPORT
22 THAT:

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

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

27 (C) GENERAL ASSEMBLY LEGISLATIVE DISTRICTS AND CONGRESSIONAL
28 DISTRICTS SHALL BE NUMBERED CONSECUTIVELY COMMENCING AT THE
29 NORTHWESTERN BOUNDARY OF THE STATE AND ENDING AT THE SOUTHEASTERN
30 BOUNDARY.

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

1 (1) HOLD PUBLIC HEARINGS;

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

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

5 8-7A-04.

6 (A) THE COMMISSION SHALL:

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

9 (2) DRAW GENERAL ASSEMBLY LEGISLATIVE DISTRICTS AND
10 CONGRESSIONAL DISTRICT LINES ACCORDING TO THE REDISTRICTING CRITERIA
11 SPECIFIED IN THIS SUBTITLE; AND

12 (3) CONDUCT ITS BUSINESS WITH INTEGRITY AND FAIRNESS.

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

16 (2) THE COMMISSION SHALL CONSIST OF THE FOLLOWING NINE
17 MEMBERS:

18 (I) THREE MEMBERS REGISTERED WITH THE POLITICAL PARTY
19 THAT HAS THE HIGHEST NUMBER OF REGISTERED VOTERS IN THE STATE;

20 (II) THREE MEMBERS REGISTERED WITH THE POLITICAL PARTY
21 THAT HAS THE SECOND-HIGHEST NUMBER OF REGISTERED VOTERS IN THE STATE;
22 AND

23 (III) THREE MEMBERS NOT REGISTERED WITH EITHER OF THE
24 TWO POLITICAL PARTIES THAT HAVE THE HIGHEST AND SECOND-HIGHEST NUMBER
25 OF REGISTERED VOTERS IN THE STATE.

26 (3) EACH MEMBER OF THE COMMISSION:

27 (I) SHALL BE A VOTER WHO, FOR 5 OR MORE YEARS
28 IMMEDIATELY PRECEDING THE DATE OF THE INDIVIDUAL'S APPOINTMENT, HAS

1 BEEN REGISTERED CONTINUOUSLY IN THE STATE WITH THE SAME POLITICAL PARTY
2 OR HAS BEEN UNAFFILIATED WITH A POLITICAL PARTY AND HAS NOT CHANGED
3 POLITICAL PARTY AFFILIATION; AND

4 (II) 1. MAY NOT HAVE BEEN A CANDIDATE FOR ELECTION TO
5 OR SERVED AS GOVERNOR, A MEMBER OF THE GENERAL ASSEMBLY, OR OF THE
6 UNITED STATES CONGRESS FROM THIS STATE DURING THE 5 YEARS IMMEDIATELY
7 PRECEDING THE DATE OF THE INDIVIDUAL'S APPOINTMENT, OR AN IMMEDIATE
8 FAMILY MEMBER ESTABLISHED THROUGH BLOOD OR LEGAL RELATION OF SUCH
9 CANDIDATE OR MEMBER;

10 2. MAY NOT BE A REGULATED LOBBYIST IN THIS STATE;
11 AND

12 3. MAY NOT BE OR HAVE SERVED AS STAFF OR A
13 CONSULTANT TO A PERSON UNDER A CONTRACT WITH, OR ANY PERSON WITH AN
14 IMMEDIATE FAMILY RELATIONSHIP THROUGH BLOOD OR LEGAL RELATION TO, THE
15 GOVERNOR, A MEMBER OF THE GENERAL ASSEMBLY, OR A MEMBER OF CONGRESS
16 FROM THIS STATE.

17 (4) THE TERM OF OFFICE OF EACH MEMBER OF THE COMMISSION
18 EXPIRES ON THE APPOINTMENT OF THE FIRST MEMBER OF THE SUCCEEDING
19 COMMISSION.

20 (5) (I) SEVEN MEMBERS OF THE COMMISSION SHALL CONSTITUTE
21 A QUORUM.

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

26 (6) EACH MEMBER OF THE COMMISSION SHALL:

27 (I) APPLY THE PROVISIONS OF THIS SUBTITLE IN A MANNER
28 THAT IS IMPARTIAL AND THAT REINFORCES PUBLIC CONFIDENCE IN THE INTEGRITY
29 OF THE REDISTRICTING PROCESS; AND

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

32 1. TO HOLD APPOINTIVE FEDERAL, STATE, OR LOCAL
33 PUBLIC OFFICE;

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

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

5 8-7A-05.

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

8 (2) EACH CONGRESSIONAL DISTRICT SHALL:

9 (I) COMPLY WITH THE UNITED STATES CONSTITUTION;

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

11 (III) BE EQUAL IN POPULATION, EXCEPT WHERE DEVIATION IS
12 REQUIRED TO COMPLY WITH THE FEDERAL VOTING RIGHTS ACT (42 U.S.C. SEC.
13 1971 AND FOLLOWING) OR IS ALLOWABLE BY LAW;

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

17 (V) BE GEOGRAPHICALLY CONTIGUOUS; AND

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

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

26 (C) BY SEPTEMBER 15 OF EACH YEAR ENDING IN THE NUMBER ONE, THE
27 COMMISSION SHALL APPROVE A FINAL MAP THAT SEPARATELY SETS FORTH THE
28 DISTRICT BOUNDARY LINES FOR THE MEMBERS OF THE GENERAL ASSEMBLY AND
29 FOR THE MEMBERS OF THE UNITED STATES CONGRESS OF THIS STATE.

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

3 (I) EXPLAINS THE BASIS ON WHICH THE COMMISSION MADE ITS
4 DECISIONS TO ACHIEVE COMPLIANCE WITH THE CRITERIA SPECIFIED UNDER THIS
5 SUBTITLE; AND

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

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

10 8-7A-06.

11 (A) THE COMMISSION:

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

14 (2) SHALL INFORM THE GENERAL ASSEMBLY IF THE COMMISSION
15 DETERMINES THAT FUNDS OR OTHER RESOURCES PROVIDED FOR THE OPERATION
16 OF THE COMMISSION ARE NOT ADEQUATE.

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

19 8-7A-07.

20 (A) THE SECRETARY OF STATE SHALL FORWARD CERTIFIED FINAL MAPS
21 AND PLANS SUBMITTED BY THE COMMISSION TO THE PRESIDING OFFICERS OF THE
22 GENERAL ASSEMBLY FOR THE INTRODUCTION BY THE PRESIDING OFFICERS OF A
23 SEPARATE BILL CONTAINING:

24 (1) THE GENERAL ASSEMBLY LEGISLATIVE DISTRICT PLAN; AND

25 (2) THE CONGRESSIONAL DISTRICT PLAN.

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

28 (2) A MEMBER OF THE GENERAL ASSEMBLY MAY NOT INTRODUCE A
29 BILL CONTAINING A GENERAL ASSEMBLY LEGISLATIVE DISTRICT OR

1 CONGRESSIONAL DISTRICT PLAN THAT IS DIFFERENT THAN THE CERTIFIED FINAL
2 MAP AND PLANS PROPOSED BY THE COMMISSION AND INTRODUCED BY THE
3 PRESIDING OFFICERS.

4 (c) (1) THE GENERAL ASSEMBLY MAY APPROVE OR REJECT A BILL FOR
5 A GENERAL ASSEMBLY LEGISLATIVE DISTRICT OR CONGRESSIONAL DISTRICT MAP
6 AND PLAN AS PROVIDED IN THIS SUBSECTION.

7 (2) (i) 1. TO ADOPT A MAP AND PLAN, EACH HOUSE OF THE
8 GENERAL ASSEMBLY SHALL PASS THE BILL BY A VOTE OF THREE-FIFTHS OF THE
9 MEMBERS OF THAT HOUSE.

10 2. ON PASSAGE BY THE GENERAL ASSEMBLY, THE BILL
11 SHALL BE PRESENTED TO THE GOVERNOR FOR SIGNATURE OR VETO.

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

15 2. IF THE GOVERNOR VETOES THE BILL AND THE
16 GENERAL ASSEMBLY FAILS TO OVERRIDE THE VETO, IN ACCORDANCE WITH
17 ARTICLE II, § 17 OF THE MARYLAND CONSTITUTION, THE PRESIDING OFFICERS OF
18 THE GENERAL ASSEMBLY SHALL RETURN THE BILL TOGETHER WITH
19 RECOMMENDATIONS, IF ANY, TO THE COMMISSION AND REQUEST THAT THE
20 COMMISSION PROPOSE AN ALTERNATIVE MAP AND PLAN.

21 (3) (i) IF THE GENERAL ASSEMBLY FAILS TO PASS THE BILL FOR A
22 MAP AND PLAN ON THE VOTE OF THREE-FIFTHS OF THE MEMBERS OF EITHER OR
23 BOTH HOUSES OF THE GENERAL ASSEMBLY, THE PRESIDING OFFICERS OF THE
24 GENERAL ASSEMBLY SHALL RETURN THE BILL TOGETHER WITH THE
25 RECOMMENDATIONS OF THE GENERAL ASSEMBLY, IF ANY, TO THE COMMISSION
26 AND REQUEST THAT THE COMMISSION PROPOSE AN ALTERNATIVE MAP AND PLAN.

27 (ii) IF THE GENERAL ASSEMBLY FAILS TO PASS BY A
28 THREE-FIFTHS VOTE OF EACH HOUSE THE BILL FOR AN ALTERNATIVE MAP AND
29 PLAN SUBMITTED BY THE COMMISSION, OR IF THE BILL IS VETOED BY THE
30 GOVERNOR AND NOT OVERRIDDEN BY THE GENERAL ASSEMBLY, THE COURT OF
31 APPEALS SHALL ESTABLISH THE MAP AND PLAN FOR THE GENERAL ASSEMBLY
32 LEGISLATIVE DISTRICTS OR CONGRESSIONAL DISTRICTS IN ACCORDANCE WITH §
33 8-7A-08 OF THIS SUBTITLE.

34 8-7A-08.

1 **(A) THE COURT OF APPEALS HAS ORIGINAL AND EXCLUSIVE JURISDICTION**
2 **IN ALL PROCEEDINGS IN WHICH A CERTIFIED FINAL MAP AND PLAN IS CHALLENGED.**

3 **(B) (1) ON THE ENACTMENT OF A BILL ESTABLISHING GENERAL**
4 **ASSEMBLY LEGISLATIVE DISTRICTS OR CONGRESSIONAL DISTRICTS IN**
5 **ACCORDANCE WITH § 8-7A-07 OF THIS SUBTITLE, ANY REGISTERED VOTER IN THE**
6 **STATE MAY FILE A PETITION FOR A WRIT OF MANDAMUS OR A WRIT OF PROHIBITION**
7 **WITH THE COURT OF APPEALS TO BAR THE MAP AND PLAN FROM TAKING EFFECT**
8 **ON THE GROUNDS THAT THE MAP AND PLAN VIOLATES THE MARYLAND**
9 **CONSTITUTION, THE UNITED STATES CONSTITUTION, OR A FEDERAL OR STATE**
10 **STATUTE.**

11 **(2) IF THE COURT OF APPEALS DETERMINES THAT A FINAL MAP AND**
12 **PLAN IN A BILL ESTABLISHING GENERAL ASSEMBLY LEGISLATIVE DISTRICTS OR**
13 **CONGRESSIONAL DISTRICTS VIOLATES THE MARYLAND CONSTITUTION, THE**
14 **UNITED STATES CONSTITUTION, OR A FEDERAL OR STATE STATUTE, THE COURT OF**
15 **APPEALS SHALL ISSUE THE RELIEF THAT IT DEEMS APPROPRIATE.**

16 **(C) (1) IF THE GENERAL ASSEMBLY FAILS TO PASS BY A THREE-FIFTHS**
17 **VOTE OF EACH HOUSE THE BILL FOR AN ALTERNATIVE MAP AND PLAN SUBMITTED**
18 **BY THE COMMISSION TO ESTABLISH GENERAL ASSEMBLY LEGISLATIVE DISTRICTS**
19 **OR CONGRESSIONAL DISTRICTS, OR IF THE BILL IS VETOED BY THE GOVERNOR AND**
20 **NOT OVERRIDDEN BY THE GENERAL ASSEMBLY, THE COMMISSION SHALL FILE A**
21 **PETITION WITH THE COURT OF APPEALS TO REVIEW THE MAP AND PLAN AND**
22 **ESTABLISH THE DISTRICTS.**

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

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

27 **8-7A-09.**

28 **TO AMEND THIS SUBTITLE, THE GENERAL ASSEMBLY SHALL ENSURE THAT**
29 **ALL OF THE FOLLOWING CRITERIA ARE MET:**

30 **(1) BY THE SAME VOTE REQUIRED FOR THE ADOPTION OF THE FINAL**
31 **SET OF MAPS AND PLANS PROPOSED BY THE COMMISSION UNDER § 8-7A-04(B)(5)**
32 **OF THIS SUBTITLE, THE COMMISSION RECOMMENDS AMENDMENTS TO THIS**
33 **SUBTITLE TO CARRY OUT THE PURPOSE AND INTENT OF THE COMMISSION;**

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

4 **(3) THE BILL CONTAINING ANY AMENDMENTS PROPOSED BY THE**
5 **COMMISSION IS IN PRINT FOR AT LEAST 10 DAYS BEFORE FINAL PASSAGE BY THE**
6 **GENERAL ASSEMBLY;**

7 **(4) THE AMENDMENT FURTHERS THE PURPOSES OF THIS SUBTITLE;**
8 **AND**

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

11 **8-7A-10.**

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

16 **(2) THE LEGISLATIVE AUDITOR SHALL REMOVE FROM THE**
17 **APPLICANT POOL INDIVIDUALS WITH CONFLICTS OF INTEREST, INCLUDING, WITHIN**
18 **THE 5 YEARS IMMEDIATELY PRECEDING THE DATE OF APPLICATION, AN APPLICANT,**
19 **OR A MEMBER OF THE APPLICANT'S IMMEDIATE FAMILY, WHO HAS DONE ANY OF THE**
20 **FOLLOWING:**

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

23 **(II) SERVED AS AN OFFICER, AN EMPLOYEE, OR A PAID**
24 **CONSULTANT OF A POLITICAL PARTY OR OF THE POLITICAL COMMITTEE OF A**
25 **CANDIDATE FOR ELECTIVE FEDERAL OR STATE OFFICE;**

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

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

30 **(V) SERVED AS PAID GUBERNATORIAL, CONGRESSIONAL, OR**
31 **GENERAL ASSEMBLY STAFF; OR**

(VI) CONTRIBUTED \$2,000 OR MORE TO ANY CANDIDATE FOR ELECTION TO A CONGRESSIONAL, STATE, OR LOCAL PUBLIC OFFICE 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) (1) THE LEGISLATIVE AUDITOR SHALL:

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

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

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

1. ONE WHO IS REGISTERED WITH THE POLITICAL PARTY THAT HAS THE HIGHEST NUMBER OF REGISTERED VOTERS IN THE STATE;

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

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

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

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

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

1 **(3) NO LATER THAN AUGUST 1 IN EACH YEAR ENDING IN THE**
2 **NUMBER ZERO AND AFTER REMOVING INDIVIDUALS WITH CONFLICTS OF INTEREST**
3 **FROM THE APPLICANT POOL, THE LEGISLATIVE AUDITOR SHALL:**

4 **(I) PUBLICIZE THE NAMES OF THE INDIVIDUALS IN THE**
5 **APPLICANT POOL FOR MEMBERSHIP ON THE COMMISSION; AND**

6 **(II) PROVIDE COPIES OF THE APPLICATIONS OF THE NAMES IN**
7 **THE APPLICANT POOL TO THE PANEL.**

8 **(4) (I) FROM THE APPLICANT POOL, THE PANEL SHALL SELECT 30**
9 **OF THE MOST QUALIFIED APPLICANTS, INCLUDING:**

10 **1. 10 WHO ARE REGISTERED WITH THE POLITICAL**
11 **PARTY THAT HAS THE HIGHEST NUMBER OF REGISTERED VOTERS IN THE STATE;**

12 **2. 10 WHO ARE REGISTERED WITH THE POLITICAL**
13 **PARTY THAT HAS THE SECOND-HIGHEST NUMBER OF REGISTERED VOTERS IN THE**
14 **STATE; AND**

15 **3. 10 WHO ARE NOT REGISTERED WITH EITHER OF THE**
16 **TWO POLITICAL PARTIES THAT HAVE THE HIGHEST OR SECOND-HIGHEST NUMBER**
17 **OF REGISTERED VOTERS IN THE STATE.**

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

21 **(III) THE MEMBERS OF THE PANEL MAY NOT COMMUNICATE**
22 **WITH ANY MEMBER OF THE GENERAL ASSEMBLY OR CONGRESS OR THEIR**
23 **REPRESENTATIVES ABOUT ANY MATTER RELATED TO THE NOMINATION PROCESS OR**
24 **APPLICANTS BEFORE THE PRESENTATION BY THE PANEL OF THE POOL OF**
25 **RECOMMENDED APPLICANTS TO THE SECRETARY OF THE SENATE AND THE CHIEF**
26 **CLERK OF THE HOUSE.**

27 **(C) (1) NO LATER THAN NOVEMBER 20 IN EACH YEAR ENDING IN THE**
28 **NUMBER ZERO, THE LEGISLATIVE AUDITOR SHALL RANDOMLY DRAW NINE NAMES**
29 **FROM THE REMAINING NAMES IN THE APPLICANT POOL AS FOLLOWS:**

30 **(I) THREE FROM THE REMAINING SUBPOOL OF APPLICANTS**
31 **REGISTERED WITH THE POLITICAL PARTY THAT HAS THE HIGHEST NUMBER OF**
32 **REGISTERED VOTERS IN THE STATE;**

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

(III) THREE FROM THE REMAINING SUBPOOL OF APPLICANTS WHO ARE NOT REGISTERED WITH EITHER OF THE TWO POLITICAL PARTIES THAT HAVE THE HIGHEST OR SECOND-HIGHEST NUMBER OF REGISTERED VOTERS IN THE STATE.

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

8-7A-11.

(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 TWO-THIRDS OF THE MEMBERS OF THE SENATE AFTER HAVING BEEN SERVED WRITTEN NOTICE AND PROVIDED WITH AN OPPORTUNITY FOR A RESPONSE.

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

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

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

8-7A-12.

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

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

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

8 (2) COMMUNICATION BETWEEN COMMISSION MEMBERS, STAFF,
9 LEGAL COUNSEL, AND CONSULTANTS RETAINED BY THE COMMISSION IS ALLOWED.

10 (C) (1) THE COMMISSION SHALL SELECT ONE OF THE MEMBERS OF THE
11 COMMISSION TO SERVE AS CHAIR.

12 (2) THE CHAIR SHALL BE ONE OF THE MEMBERS NOT AFFILIATED
13 WITH EITHER OF THE TWO POLITICAL PARTIES THAT HAVE THE HIGHEST AND
14 SECOND-HIGHEST NUMBER OF REGISTERED VOTERS IN THE STATE.

15 (D) (1) THE COMMISSION MAY HIRE STAFF, LEGAL COUNSEL, AND
16 CONSULTANTS AS NEEDED.

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

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

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

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

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

(I) SUBJECT TO PUBLIC NOTICE; AND

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

(2) (I) 1. THE HEARING PROCESS SHALL INCLUDE HEARINGS TO RECEIVE PUBLIC INPUT BEFORE THE COMMISSION DRAWS ANY MAPS AND HEARINGS 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) 1. THE COMMISSION SHALL DISPLAY THE MAPS FOR PUBLIC COMMENT IN A MANNER DESIGNED TO ACHIEVE THE WIDEST PUBLIC ACCESS REASONABLY POSSIBLE.

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

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

8-7A-13.

A MEMBER OF THE COMMISSION:

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

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

8-7A-14.

(A) IN EACH YEAR ENDING IN THE NUMBER NINE, THE GOVERNOR SHALL INCLUDE IN THE STATE BUDGET SUBMITTED TO THE GENERAL ASSEMBLY FUNDING IN A MINIMUM AMOUNT OF \$3,000,000 FOR:

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

2 **(2) THE COMMISSION;**

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

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

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

7 **(C) (1) THE GENERAL ASSEMBLY SHALL MAKE THE NECESSARY**
8 **APPROPRIATION IN THE STATE BUDGET, AND THE APPROPRIATION SHALL BE**
9 **AVAILABLE DURING THE ENTIRE 3-YEAR PERIOD.**

10 **(2) THE APPROPRIATION SHALL BE EQUAL TO THE GREATER OF**
11 **\$3,000,000 OR THE AMOUNT EXPENDED UNDER THIS SUBTITLE IN THE**
12 **IMMEDIATELY PRECEDING REDISTRICTING PROCESS, AS EACH AMOUNT IS**
13 **ADJUSTED BY THE CUMULATIVE CHANGE IN THE MARYLAND CONSUMER PRICE**
14 **INDEX OR ITS SUCCESSOR SINCE THE DATE OF THE IMMEDIATELY PRECEDING**
15 **APPROPRIATION.**

16 **(D) THE COMMISSION, WITH FISCAL OVERSIGHT FROM THE DEPARTMENT**
17 **OF BUDGET AND MANAGEMENT, SHALL HAVE PROCUREMENT AND CONTRACTING**
18 **AUTHORITY AND MAY HIRE STAFF AND CONSULTANTS, INCLUDING LEGAL**
19 **REPRESENTATION.**

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

24 SECTION 4. AND BE IT FURTHER ENACTED, That the amendment to the
25 Maryland Constitution proposed by Section 1 of this Act shall be submitted to the qualified
26 voters of the State at the next general election to be held in November 2018 for their
27 adoption or rejection pursuant to Article XIV of the Maryland Constitution. At that general
28 election, the vote on this proposed amendment to the Constitution shall be by ballot, and
29 upon each ballot there shall be printed the words "For the Constitutional Amendment" and
30 "Against the Constitutional Amendment," as now provided by law. Immediately after the
31 election, all returns shall be made to the Governor of the vote for and against the proposed
32 amendment, as directed by Article XIV of the Maryland Constitution, and further
33 proceedings had in accordance with Article XIV.

34 SECTION 5. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take
35 effect on the taking effect of Section 1 of this Act. If Section 1 of this Act does not take effect,

1 Section 2 of this Act shall be abrogated and of no further force and effect.

2 SECTION 6. AND BE IT FURTHER ENACTED, That, except as provided in
3 Sections 4 and 5 of this Act, this Act shall take effect June 1, 2017.