



THE LEAGUE OF WOMEN VOTERS OF MARYLAND, INC.

TESTIMONY TO THE HOUSE RULES & EXECUTIVE NOMINATIONS COMMITTEE

HB 458 GENERAL ASSEMBLY AND CONGRESSIONAL LEGISLATIVE REDISTRICTING AND APPORTIONMENT

POSITION: SUPPORT WITH AMMENDMENT

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The League of Women Voters of Maryland supports a state redistricting process and standards that promote fair and effective representation in the state legislature and United States Congress with maximum opportunity for public scrutiny. After study and consensus, our members agreed that an independent commission is the preferred redistricting body, and the membership of the redistricting commission should be multi-partisan, including unaffiliated voters, be geographically representative, and not include any current state elected official. Standards on which the redistricting plan is based should include: substantially equal population, geographic contiguity, and geographic compactness.

We are pleased that the recommendations of the Governor's Redistricting Reform Commission conform to those criteria and enthusiastically support adoption of their proposals. We particularly support these recommendations because of the level of regard the Commission gave to the opinions of the Maryland public, through public hearings and written submission. Further, as was observed during the public workshops, the Commissioners evidently took into account the body of research on the topic of redistricting, and the practices other states have adopted to reform their systems. That transparency of the process gives us confidence that the Commission's recommendations are reflective of the reform Marylanders truly want.

HB 458 has tracked the Commission's recommendations quite closely, calling for a 9-person independent redistricting commission, of balanced majority party, minority party and unaffiliated members. Those excluded from this group are those who may have recently changed party affiliation, worked for or been an elected official, lobbyists, or those who wish to run for office in the 5 years following the redistricting process. HB 458 calls for three commissioner pools to be drawn from the application pool by 3 independent auditors, whose party affiliations are to be reflective of the makeup of the 9-person commission. Commission member selection should be based on the party affiliation mentioned, but also on Maryland residency, relevant skillset, impartiality, diversity, and geography. Finally, the resulting 3-3-3 structure of the commission would be randomly drawn from these pre-screened pools.

Importantly, HB 458 requires the activities of the independent commission to be subject to the rules which govern open meetings and access to public information. There must be 14-days' public notice given prior to each of its meetings, with a 3-day notice exception given during the month of the commission's initial appointment, in September. Public hearings

must be held prior to any map drawing, and any software used must be accessible by the public. Ultimately, any map drawn must be displayed for public comment for at least 14 days.

HB 458 requires specific standards the commission must adhere to in drawing the district maps. They may not draw a map favoring or discriminating against any incumbent, officeholder, candidate, or political party. There may be no more than a 2 percent variance in population between legislative districts, and congressional districts must be as equal as practicable under the aegis of the U.S. Constitution's standards. Specifically, maps must comply with the Voting Rights Act, geographical standards of contiguity and compactness, limiting division of populations, and not favoring the residence of any individual or political party.

When a map is affirmed by the commission with a 6-person vote, the maps are to be submitted to the Secretary of State. This will then be submitted to the leadership of the General Assembly, who will introduce bills for legislative and congressional district plans. The map introduced may not be amended, and no member of the General Assembly may introduce a districting plan that differs from that which was proposed by the Commission. For adoption, HB 458 calls for passage by 3/5ths vote in each house. We would call for amendment of this process to reflect the recommendations of the Governor's Redistricting Reform Commission, which called for rejection authority by a supermajority, but passage by a simple majority in both houses. HB 458 also grants veto power to the Governor, and the usual ability of the General Assembly to override. A rejected map would go back to the independent commission with recommendations, and would be redrawn. If the map once again fails to pass, the Court of Appeals will have the power to establish a new districting plan and map. The Court of Appeals will also hear any challenges to a passed districting map.

We believe that HB 458, inasmuch as it follows the carefully considered recommendations of Governor Hogan's Redistricting Commission, reflects the desires of Maryland citizens for a fair districting process. Politicians should no longer be allowed to choose their electorate, and HB 458 gives the power of fair elections back to the people, where it belongs.