

Introduced _____
Public Hearing _____
Council Action _____
Executive Action _____
Effective Date _____

County Council of Howard County, Maryland

2020 Legislative Session

Legislative Day No. 9

Resolution No. 94 -2020

Introduced by: David Yungmann

A RESOLUTION proposing to amend County Charter Section 202 to alter the method for appointing members of a Councilmanic Redistricting Commission; and submitting this amendment to the voters of Howard County for their adoption or rejection in accordance with Article X of the Howard County Charter and Article XI-A of the Maryland Constitution.

Introduced and read first time June 1, 2020. Ordered posted and hearing scheduled.

By order

Diane Schwartz Jones
Diane Schwartz Jones, Administrator

This Resolution was read the ^{second} ~~third~~ time on June 15, 2020 and Passed Passed with amendments ~~Failed~~.

By order

Diane Schwartz Jones
Diane Schwartz Jones, Administrator

This Resolution was read the third time and was Adopted Adopted with amendments ~~Failed~~ ~~Withdrawn~~ by the County Council on July 29, 2020.

By order

Diane Schwartz Jones
Diane Schwartz Jones, Administrator

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law; ~~Strike-out~~ indicates material deleted by amendment; Underlining indicates material added by amendment.

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BE IT RESOLVED by the County Council of Howard County, Maryland, that County Charter Section 202. – The County Council is, upon approval of the voters of Howard County, amended to read as follows:

Article II. - The Legislative Branch
Section 202. - The County Council.

Section 202. - The County Council.

The legislative power of the County is vested in the County Council of Howard County which shall consist of five members who shall be elected from the Councilmanic Districts.

(a) *Mode of election.* Each of the members of the Council shall be nominated and elected by the qualified voters of the Councilmanic District in which he or she resides. Each Councilmanic District shall elect one Council member.

(b) *Qualifications.*

1. In General. Each candidate for the council shall have resided in the County for a period of not less than two years immediately prior to nomination; shall be a registered voter; and shall be a resident of the Council District which the candidate seeks to represent at the time of filing for candidacy and during the full term of office; and shall not be less than twenty-five years of age at the time of election.

2. Other Offices or Employment. No person shall qualify or serve as a member of the council: while holding any other office of profit or trust of or under the State or County government; while employed by the County; or while employed by any agency, board, commission, unit or other entity which receives funds through the County budget. No member of the Council shall, during the whole term for which he or she was elected, be eligible for appointment to any County office or position or be eligible for employment by the County.

3. Forfeiture of Office. If a member of the Council ceases to be a qualified and registered voter of the County, moves his or her residence from the councilmanic district he or she was elected to represent, accepts any other office of profit or trust

1 of or under the state or county government, becomes employed by the County or any
2 other entity which receives funds through the County budget, or is convicted of any
3 crime involving moral turpitude, he or she shall immediately forfeit his or her office.

4 (c) *Term of office.* Members of the Council shall qualify for office on the first Monday
5 in December following their election, or as soon thereafter as practicable and shall
6 enter upon the duties of their office immediately upon their qualification. They shall
7 hold office for a term of four years commencing at the time of their qualification and
8 continuing until their successors shall qualify. A person who has been elected to the
9 County Council three times or who has been elected to the County Council twice and
10 has been appointed to fill a Council vacancy and served two or more years of that term
11 shall be ineligible to be a candidate for the County Council. In determining eligibility
12 of a candidate pursuant to this subsection, no term or part of any term served prior to
13 the election of November 6, 1990, shall be used in calculating the limitation on number
14 of terms a Council member may serve.

15 (d) *Compensation and allowances.* Each member of the Council shall receive as
16 compensation and allowances for the performance of public duties under this Charter
17 the sum of not less than Seventy-eight Hundred Dollars (\$7,800.00) per annum and
18 shall not accrue annual leave or be entitled to any payment in lieu thereof. The
19 compensation and allowances shall be in full compensation for all services required
20 by this Charter to be performed by the members of the Council, but shall not preclude
21 reasonable and necessary expenses as may be provided in the budget. The County
22 Council shall establish a Compensation Review Commission every four years to
23 review the Council's compensation and allowances in accordance with the provisions
24 of Article 25A Subsection 5(AA) of the Annotated Code of Maryland.

25 (e) *Vacancies.* Unless provision for filling a vacancy by special election has been
26 established by ordinance, a vacancy occurring in the office of the Council member
27 prior to the expiration of his or her term shall be filled by the Council within thirty
28 days after the vacancy occurs by the appointment of a person whose name is to be
29 submitted in writing to the Council by the State Central Committee of Howard County
30 representing the political party to which the previous member belonged at the time of

1 the member's most recent election. If a name is not submitted by the appropriate State
2 Central Committee within twenty-five days after the vacancy occurs or if the previous
3 incumbent was not a member of a political party at the time of the member's most
4 recent election, then the vacancy shall be filled by a majority vote of the remaining
5 members of the Council. The member so appointed shall reside in the same
6 Councilmanic District as his or her predecessor and shall possess and maintain the
7 same qualifications as an elected Council member. The member so appointed shall
8 serve the unexpired term of his or her predecessor.

9 (f) *Redistricting.*

10 1. Boundaries.

11 The Council shall appoint, by resolution, not later than April 1 of the year after each
12 decennial census date, a Councilmanic Redistricting Commission CONSISTING OF AT
13 LEAST SEVEN MEMBERS. EACH MEMBER SHALL BE APPOINTED BY SEPARATE RESOLUTION.
14 IF ANY COUNCIL MEMBER VOTES AGAINST A RESOLUTION TO APPOINT A MEMBER, THE
15 RESOLUTION IS DEEMED TO HAVE FAILED. The Central Committee of each political party
16 which polled at least twenty-five per centum of the total vote cast for all the candidates
17 for the Office of County Executive in the last preceding general election shall nominate
18 [[three]] persons to serve on the Commission. [[The Council shall appoint all such
19 nominees as members of the Commission as well as one additional member of the
20 Commission.]] The Council shall appoint the Chairperson of the Commission from
21 among the Commission members. No person shall be eligible for appointment to the
22 Commission who holds elective office.

23 By October 15 of the year in which the Commission is appointed, the Commission
24 shall prepare a plan of Councilmanic Districts and shall present that plan to the Council.
25 Within thirty days after receiving the plan of the Commission, the Council shall hold a
26 public hearing on the plan. If by March 15 of the year following submission of the plan,
27 no ordinance re-establishing the boundaries of the Councilmanic Districts has been
28 enacted, then the plan as submitted by the Commission shall become law. Any
29 Councilmanic District established in accordance with this Article shall be compact,
30 contiguous, substantially equal in population, and have common interest as a result of

1 geography, history, or existing political boundaries. Any ordinance establishing
2 Councilmanic Districts shall be exempt from referendum.

3 The Board of Supervisors of Elections shall take any necessary steps to implement
4 any such revisions of the Councilmanic District Boundaries so adopted.

5 (g) *Planning and zoning.*

6 1. Any amendment, restatement or revision to the Howard County General
7 Plan, the Howard County Zoning Regulations or Howard County Zoning Maps,
8 other than a reclassification map amendment established under the "change and
9 mistake" principle set out by the Maryland Court of Appeals, is declared to be a
10 legislative act and may be passed only by the Howard County Council by original
11 bill in accordance with the legislative procedure set forth in Section 209 of the
12 Howard County Charter. Such an act shall be subject to executive veto and may be
13 petitioned to referendum by the people of the county pursuant to Section 211 of the
14 Charter.

15

16 **AND BE IT FURTHER RESOLVED** by the County Council of Howard County,
17 Maryland, that at the next general election to be held in Maryland, the proposed amendment to
18 the Howard County Charter shall be submitted to the voters of Howard County for their adoption
19 or rejection in accordance with the provisions of the Article X of the Howard County Charter and
20 Article XI-A of the Maryland Constitution, and if adopted by the majority of the voters, shall
21 stand adopted from and after the 30th day following the general election.

22

23 **AND BE IT FURTHER RESOLVED** by the County Council of Howard County,
24 Maryland, that this Resolution, having been approved by two-thirds of the members of the
25 Howard County Council, stands adopted this ___ day of _____, 2020 in accordance
26 with provisions of Article X of the Howard County Charter.

Amendment 1 to Council Resolution No. 94-2020

BY: Deb Jung

Legislative Day No. 10

Date: July 10, 2020

Amendment No. 1

(This Amendment alters the manner of nominating and appointing memes of the Commission.)

1 On page 3:

- 2 • In line 11, after "shall" insert "NOMINATE AND";
- 3 • Strike beginning with "If" in line 14 down through and including "FAILED" in line 15;
- 4 • In line 15, before "The" insert double opening brackets;
- 5 • In line 18, strike all the double brackets, both opening and closing;
- 6 • In line 20, after the double brackets, insert "MEMBERS ON THE COMMISSION SHALL BE
- 7 PROPORTIONAL TO THE PERCENTAGE OF REGISTERED VOTERS' PARTY AFFILIATION, INCLUDING
- 8 UNAFFILIATED VOTERS, ACCORDING TO THE MOST RECENTLY AVAILABLE DATA FOR THE
- 9 COUNTY FROM THE STATE BOARD OF ELECTIONS."; and
- 10 • In line 22, before the period, insert "OR RESIDES IN THE SAME HOUSEHOLD OF THE PERSON".
- 11
- 12

ADOPTED _____
FAILED July 29, 2020
SIGNATURE Deborah A. Jones

Amendment No. 2 to Council Resolution No. 94-2020

BY: Liz Walsh

Legislative Day 10

Date: July 6, 2020

Amendment No. 2

ADOPTED _____
FAILED July 29, 2020
SIGNATURE Wanda A. Jones

(This amendment alters the method for appointing members of a Councilmanic Redistricting Commission. The amendment also requires the Commission to consider the Voting Rights Act of 1965 and preserve communities of interest when developing the plan of Councilmanic Districts and to hold at least two public hearings on the plan.)

- 1 On the title page, in the second line of the title, after “Commission;”, insert “requiring the
- 2 Commission to consider a certain federal law and preserve communities of interest when
- 3 developing the plan of Councilmanic Districts and to hold a certain number of public hearing
- 4 during various times of the day on the plan.”.
- 5 On page 3, in line 12, after “a” insert “SEVEN MEMBER”.
- 6 On page 3, strike beginning with “CONSISTING” in line 12 down through the third set of brackets
- 7 in line 18 and substitute a period.
- 8 On page 3, strike beginning with “all” in line 18 down through the first “as” in line 19 and
- 9 substitute “THE”.
- 10 On page 3, strike beginning with the second “as” in line 19 down through the brackets in line 20
- 11 and substitute “FROM THE LIST OF HOWARD COUNTY REGISTERED VOTERS AND WHO REASONABLY
- 12 REFLECT THE GEOGRAPHIC, RACIAL, ETHNIC, GENDER, AND AGE DIVERSITY OF THE COUNTY. THE
- 13 COMPOSITION OF THE COMMISSION SHALL BE PROPORTIONAL TO THE PERCENTAGE OF HOWARD
- 14 COUNTY REGISTERED VOTERS’ PARTY AFFILIATION, INCLUDING UNAFFILIATED VOTERS,
- 15 ACCORDING TO THE MOST RECENT ELECTION RECORDS OF THE STATE BOARD OF ELECTIONS.”.
- 16 On page 3, in line 22, after “WHO”, insert “IS A CANDIDATE FOR ELECTIVE OFFICE OR”. In the
- 17 same line, after “office” insert “OR RESIDES IN THE SAME HOUSEHOLD OF ANY SUCH PERSON, WHO

1 IS A POLITICAL PARTY OFFICER, A REGISTERED LOBBYIST, OR STAFF OF A CURRENT ELECTED
2 OFFICIAL, A CONSULTANT TO A CURRENT ELECTED OFFICIAL, OR WHO IS AN IMMEDIATE FAMILY
3 MEMBER OR HOUSEHOLD MEMBER OF A CURRENT ELECTED OFFICIAL. NO PERSON SHALL BE
4 ELIGIBLE FOR APPOINTMENT TO THE COMMISSION WHO HAS DONATED \$2,500 OR MORE TO A
5 CANDIDATE FOR ELECTIVE OFFICE IN THE PRECEDING FORTY-EIGHT MONTHS.”.

6 On page 3, in line 24, after the period, insert “THE COMMISSION SHALL CONSIDER THE VOTING
7 RIGHTS ACT OF 1965 AND PRESERVE COMMUNITIES OF INTEREST WHEN DEVELOPING THE PLAN OF
8 COUNCILMANIC DISTRICTS.”.

9 On page 3, in line 25, strike “a” and substitute “AT LEAST TWO”.

10 On page 3, in line 26, strike “hearing” and substitute “HEARINGS”. In the same line, after the
11 first “plan”, insert “DURING VARIOUS TIMES OF THE DAY TO ACCOMMODATE THE SCHEDULES OF
12 RESIDENTS”.

Amendment No. 3 to Council Resolution No. 94-2020

BY: Liz Walsh

Legislative Day 10

Date: July 6, 2020

Amendment No. 3

(This amendment alters the method for appointing members of a Councilmanic Redistricting Commission.)

- 1 On page 3, in line 12, after “a” insert “SEVEN MEMBER”.
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- 5 substitute “THE”.
- 6 On page 3, strike beginning with the second “as” in line 19 down through the brackets in line 20
- 7 and substitute “FROM A LIST OF HOWARD COUNTY RESIDENTS. THE COMMISSION SHALL HAVE NO
- 8 MORE THAN THREE MEMBERS FROM THE SAME POLITICAL PARTY.”.
- 9 On page 3, in line 22, after “office” insert “OR RESIDES IN THE SAME HOUSEHOLD OF ANY SUCH
- 10 PERSON”.

ADOPTED _____

FAILED July 29, 2020

SIGNATURE James A. Jones

Amendment 4 to Council Resolution No. 94-2019

BY: Christiana Rigby
and Opel Jones

Legislative Day No. 11

Date: July 29, 2020

Amendment No. 4

(This Amendment changes how members are selected.)

1 On page 3:

- 2 • Strike, beginning with "SEVEN" in line 13 down through and including "FAILED" in line 15 and
3 substitute "EIGHT MEMBERS AND A CHAIRPERSON. [[";
- 4 • In line 18, strike all three sets of the double brackets, both opening and closing;
- 5 • In line 20, after the double brackets, insert: "THE CENTRAL COMMITTEE OF EACH POLITICAL
6 PARTY THAT HAS AT LEAST 20% OF THE REGISTERED VOTERS IN THE COUNTY AT THE TIME OF
7 THE MOST RECENT GENERAL ELECTION SHALL EACH NOMINATE APPOINTEES TO THE COUNTY
8 COUNCIL FOR THE COMMISSION. THE NUMBER OF APPOINTEES SHALL BE THAT SAME
9 PROPORTION OF THE COMMISSION AS THE PERCENTAGE OF REGISTRANTS FOR THAT PARTY. THE
10 COUNTY COUNCIL SHALL APPOINT THE NAMES NOMINATED BY THE CENTRAL COMMITTEES. THE
11 COUNTY COUNCIL SHALL APPOINT NON-AFFILIATED MEMBERS TO THE COMMISSION IN THE SAME
12 PROPORTION AS THE PROPORTION OF NON-AFFILIATED REGISTERED VOTERS IN THE COUNTY.";
- 13 • Also in line 20, place double opening brackets before "from";
- 14 • In line 21, place closing double brackets after "members" and, before the period, insert
15 "WITHOUT REGARD TO PARTY AFFILIATION AND WHO SHALL ONLY VOTE IN THE CASE OF A TIE";
- 16 • In line 21, place opening double brackets before "No" and in line 22, place closing double
17 brackets after "office" and before the period insert: "BY RESOLUTION, THE COUNTY COUNCIL
18 SHALL ADOPT ADDITIONAL CRITERIA FOR APPOINTMENT TO THE COMMISSION AND TO SPECIFY
19 DEADLINES AND ACTIVITIES OF THE COMMISSION".

ADOPTED

July 29, 2020

FAILED

SIGNATURE

Opel Jones

Amendment 1 to Council Resolution No. 94-2020

BY: Deb Jung

Legislative Day No. 10

Date: July 10, 2020

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12

Amendment No. 2 to Council Resolution No. 94-2020

BY: Liz Walsh

Legislative Day 10

Date: July 6, 2020

Amendment No. 2

(This amendment alters the method for appointing members of a Councilmanic Redistricting Commission. The amendment also requires the Commission to consider the Voting Rights Act of 1965 and preserve communities of interest when developing the plan of Councilmanic Districts and to hold at least two public hearings on the plan.)

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Amendment No. 3 to Council Resolution No. 94-2020

BY: Liz Walsh

Legislative Day 10

Date: July 6, 2020

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Amendment 4 to Council Resolution No. 94-2019

BY: Christiana Rigby
and Opel Jones

Legislative Day No. 11

Date: July 29, 2020

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19 DEADLINES AND ACTIVITIES OF THE COMMISSION”.

Revised

**Office of the County Auditor
Auditor's Analysis**

Council Resolution No. 94-2020

Introduced: June 1, 2020

Auditor: Lisa Geerman

Fiscal Impact:

There will be minimal fiscal impact of this legislation.

According to the Baltimore Sun's Ad Options website, the cost¹ to publish the amendment announcement in the Howard County Times will be approximately \$340.

Purpose:

The resolution proposes a change to Section 202 of the County Charter to alter the method for appointing members of a Councilmanic Redistricting Commission.

According to the proposed resolution, the Councilmanic Redistricting Commission shall consist of at least seven members. Each member of the Commission shall be appointed by a separate resolution and by unanimous vote of the Council.

This is a change from the current method of requiring the appointing of Commission members from three nominees from the Central Committee of each political party.

Other Comments:

The Charter Review Commission recommended that the final decision about the seven appointees be made by elected officials. However, the Commission did not recommend that the members be appointed by a unanimous vote of the Council.

According to the Office of Law, a super-majority requirement is valid. However, they could not find Maryland law on whether an unanimity requirement for a legislative vote is valid or not. As with all proposed amendments to the County Charter, this amendment will be submitted to the voters of Howard County for their adoption or rejection at the next general election on November 3, 2020.

¹ Source: <https://placeanad.baltimoresun.com/ad-options/?pub=howard-county-times&type=productpublication>
\$68 per publication x 5 weeks = \$340

Office of the County Auditor
Auditor's Analysis

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According to the proposed resolution, the Councilmanic Redistricting Commission shall consist of at least seven members. Each member of the Commission shall be appointed by a separate resolution and by unanimous vote of the Council.

This is a change from the current method of requiring the appointing of Commission members from three nominees from the Central Committee of each political party.

Other Comments:

The Charter Review Commission recommended this Charter amendment to ensure that the final decision about the seven appointees would be made by elected officials.

According to the Office of Law, a super-majority requirement is valid. However, they could not find Maryland law on whether an unanimity requirement for a legislative vote is valid or not.

As with all proposed amendments to the County Charter, this amendment (if passed by Council) will be submitted to the voters of Howard County for their adoption or rejection at the next general election on November 3, 2020.

¹ Source: <https://placeanad.baltimoresun.com/ad-options/?pub=howard-county-times&type=productpublication>
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**Office of the County Auditor
Auditor's Analysis**

**Amendment 1
Council Resolution No. 94-2020**

Amendment Proposed by: Deb Jung

Introduced: June 1, 2020

Auditor: Lisa Geerman

Fiscal Impact:

There will be no fiscal impact as a result of this amendment.

Purpose:

This amendment adds that the Council shall nominate, in addition to appoint, members of a Councilmanic Redistricting Commission.

This amendment strikes the proposed change in the resolution that would require that if any council member votes against a resolution to appoint a member, the resolution is deemed to have failed.

This amendment eliminates the requirement that the Central Committee nominate three persons to serve on the Commission and appoint all such nominees as well as one additional member of the Commission.

This amendment adds a new method of determining representatives on the Commission, specifying that members on the Commission shall be proportional to the percentage of registered voters' party affiliation, including unaffiliated voters, according to the most recently available data for the County from the State Board of Elections.

This amendment adds an additional requirement for appointment to the Commission that no person shall be eligible for appointment to the Commission who holds elective office or resides in the same household of the person.

Other Comments:

None.

**Office of the County Auditor
Auditor's Analysis**

**Amendment 2
Council Resolution No. 94-2020**

Amendment Proposed by: Liz Walsh

Introduced: June 1, 2020

Auditor: Lisa Geerman

Fiscal Impact:

There will be no fiscal impact as a result of this amendment.

Purpose:

This amendment clarifies that the Councilmanic Redistricting Commission consist of seven members and removes the requirement that they be appointed by separate resolution and that if any Council Member votes against the resolution it is deemed to have failed. It also removes the requirements regarding the role of the Central Committee.

This amendment adds that the Council shall appoint all members of the Commission from a list of Howard County registered voters who reasonably reflect the geographic, racial, ethnic, gender, and age diversity of the County. It requires that the composition of the Commission be proportional to the percentage of Howard County registered voters' party affiliation, including unaffiliated voters, according to the most recent election records of the State Board of Elections.

This amendment adds an additional requirement for appointment to the Commission by requiring that no person shall be eligible for appointment to the Commission who is a candidate for elective office or resides in the same household of any such person, who is a political party officer, a registered lobbyist, or staff of a current elected official, a consultant to a current elected official, or who is an immediate family member or household member of a current elected official. It also requires that no person shall be eligible for appointment to the Commission who has donated \$2,500 or more to a candidate for elective office in the preceding forty-eight months.

This amendment adds an additional requirement regarding the Commission by requiring that the Commission consider the Voting Rights Act of 1965 and preserve communities of interest when developing the plan of Councilmanic districts.

This amendment requires that there be at least two public hearings on the plan during various times of the day to accommodate the schedules of residents.

Other Comments:

None.

**Office of the County Auditor
Auditor's Analysis**

Amendment 3
Council Resolution No. 94-2020
Amendment Proposed by: Liz Walsh
Introduced: June 1, 2020
Auditor: Lisa Geerman

Fiscal Impact:

There will be no fiscal impact as a result of this amendment.

Purpose:

This amendment clarifies that the Councilmanic Redistricting Commission consist of seven members and removes the requirement that they be appointed by separate resolution and that if any Council Member votes against the resolution it is deemed to have failed. It also removes the requirements regarding the role of the Central Committee.

This amendment adds that the Council shall appoint all members of the Commission from a list of Howard County residents, and that the Commission shall have no more than three members from the same political party.

This amendment adds an additional requirement for appointment to the Commission that no person shall be eligible for appointment to the Commission who holds elective office or resides in the same household of any such person.

Other Comments:

None.

**Office of the County Auditor
Auditor's Analysis**

**Amendment 4
Council Resolution No. 94-2020**

Amendment Proposed by: Christiana Rigby and Opel Jones

Introduced: June 1, 2020

Auditor: Lisa Geerman

Fiscal Impact:

There will be no fiscal impact as a result of this amendment.

Purpose:

This amendment proposes the following changes:

- Increases the number of members of a Councilmanic Redistricting Commission from seven members to eight members and a chairperson;
- Removes the requirement of unanimous vote for appointment;
- Eliminates the requirement that the Central Committee nominate three persons to serve on the Commission and appoint all such nominees as well as one additional member of the Commission;
- Adds a new method of determining representatives on the Commission, specifying:
 - Nominees from the Central Committee shall consist of members from each political party with at least 20 percent of the registered voters at the time of the most recent general election;
 - The number of names shall be that same portion of the Commission as the percentage of registrants for that party;
 - The County Council shall appoint the names nominated by the Central Committees; and
 - Non-affiliated members to the Commission shall be in the same proportion as the proportion of non-affiliated registered voters in the County.
- Adds that the County Council shall appoint the Chairperson of the Commission without regard to party affiliation and that the Chairperson shall only vote in the case of a tie; and
- Includes a provision whereby the County Council shall adopt additional criteria for appointment to the Commission and specify deadlines and activities of the Commission.

Other Comments:

None.

Sayers, Margery

From: Jung, Deb
Sent: Tuesday, July 21, 2020 1:39 PM
To: Sayers, Margery
Subject: FW: Please support CR94-2020

Deb Jung
Council Chair, District 4
3430 Court House Drive
Ellicott City, MD 21043
410-313-2001

Sign up for my newsletter [here](#).



From: Jeffrey Schneider <info@email.actionnetwork.org>
Sent: Tuesday, July 21, 2020 1:30 PM
To: Jung, Deb <djung@howardcountymd.gov>
Subject: Please support CR94-2020

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Deb Jung,

I am reaching out to you because I support fair maps in Howard County. On July 29th, the Howard County Council should vote to pass CR94-2020 and Amendments 2 & 3.

Creating an independent county redistricting commission is the reform Howard County needs. Redistricting in Howard County should be fair, transparent, and community driven.

I urge you to vote in favor of CR94-2020.

Jeffrey Schneider
roadrunner75.jeff@gmail.com
7925 Anfred Dr
Laurel, Maryland 20723

Sayers, Margery

From: Tierra Bradford <TBradford@commoncause.org>
Sent: Sunday, July 5, 2020 4:49 PM
To: CouncilMail
Subject: Common Cause Maryland Testimony Submission
Attachments: Testimony on CR 94.pdf

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Hello,

I am submitting written testimony on behalf of Common Cause Maryland for tomorrows legislative session. We are in support of legislation CR-94.

Thank you very much,

Tierra D. Bradford (She/Her/Hers)
Common Cause Maryland Policy Manager
121 Cathedral Street, Ste. 3-4
Annapolis, MD 21401
Office #: 443.906.0442 Mobile#: 412.801.3254

July 6, 2020**Testimony on CR94
Independent Redistricting Commission
Howard County Council****Position: Favorable w/ Amendment**

Common Cause Maryland supports CR 94, a bill that would amend the county charter to allow for the creation of an independent county redistricting commission. This legislation would reform the current process by taking redistricting out of the hands of political parties.

Maryland draws new districts every ten years to update the maps for population changes. The next set of district lines will be redrawn in 2021. The district maps that are created are supposed to reflect the ideal of "one person, one vote."

Common Cause Maryland strongly believes that the redistricting commission should be structured to maintain a balance of political interests. This will minimize the risk of conflict of interests among the members and preserve the "one person, one vote" ideal.

Redistricting is more than just a partisan concern. When county districts cut through our neighborhoods, and communities for partisan gain, the voice of those communities are fractured. The accountability between elected officials and their constituents is equally fragmented. Redistricting should be done in a way that best reflects and protects the interests of the voters, not the interests of outside forces who benefit from the lines being drawn a certain way.

Additionally, Common Cause Maryland is in support of the following amendments to CR 94:

- The commission should hold at least two public hearings on their redistricting plan, during various times of the day
- The commission shall consider the Voting Rights Act of 1965 and protect communities of interest when developing the plan of Councilmanic Districts
- Members of the commission should reasonably reflect the geographic, racial, ethnic, gender, and age diversity of the County
- No commission member can be a candidate for elective office or holds elective office or resides in the same household of any such person, who is a political party officer, a registered lobbyist, or staff of a current elected official, a consultant to a current elected official, or who is an immediate family member or household member of a current elected official.

- No commission member is eligible who has donated \$2,500 or more to a candidate for elective office in the preceding forty-eight months

Voting Rights Act & Protecting Communities of Interest

The VRA was initially passed to overcome legal barriers at the state and local levels that prevented Black people from exercising their right to vote under the Fifteenth Amendment of the Constitution. Since then, this Civil Rights Legislation is used as a protection against discriminatory voting and elections policies that impact racial and language minorities. If this Amendment is included and a proposed redistricting map violates the VRA, the lines must be redrawn regardless of whether they are compact or contiguous. Although all redistricting maps must comply with the VRA, adding this language to the state constitution would ensure Maryland is continuing to protect vulnerable communities.

Conclusion

It is critical that election districts conform to standards that are both politically neutral and respectful of communities of voters. Howard County is considered a leader on democracy reforms and should continue to lead by taking a meaningful step toward fixing the current redistricting process. Passage of CR94 would demonstrate to all Howard County residents that their representatives respect their right to have an equal voice in our democratic process, and that they are proactive about protecting that right.

We urge a favorable report.



Sayers, Margery

From: LINDA Wengel <lwengel@msn.com>
Sent: Wednesday, June 24, 2020 9:57 PM
To: CouncilMail
Subject: Fwd: LWVHC TESTIMONY ON CR 94-2020

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

A reminder of the League's testimony largely in support of the Charter Review Commission's recommendation.

The League of Women Voters of Howard County is pleased to offer its criteria for fair councilmanic redistricting based on the position of the League of Women Voters of the United States, which is applicable to all levels of government. Fair redistricting is a high priority for the League.

The LWVHC is supportive of the Charter Review Commission's recommendations to remove political influence in the process by eliminating the Central Committee's role. Below are our recommendations for accomplishing that goal.

Responsibility for redistricting should be invested in an independent special commission, with membership that reflects the diversity of the County, including citizens at large, representatives of public interest groups, and members of minority groups, chosen by the County Council from a list of qualified volunteers.

The standards on which a redistricting plan is based must require substantially equal population, geographic contiguity, and effective representation of racial minorities. A plan should provide for promotion of partisan fairness, preservation of "communities of interest".

A plan must explicitly reject protection of incumbents or protection and preferential treatment for a political party through such devices as considering party affiliation, voting history and candidate residence.

Thank you for your consideration of this bold plan.

Linda Wengel
Action Chair
League of Women Voters of Howard County

Sayers, Margery

From: Angie Boyter <angie.boyter@gmail.com>
Sent: Thursday, June 18, 2020 2:11 PM
To: CouncilMail
Subject: CR94-2020 Testimony Redistricting
Attachments: CR94-2020 Testimony Redistricting.docx

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Dear Councilmembers,

I regret that I had not realized that this bill had been introduced and has already been heard in time to give formal testimony, but I consider it very important and wanted to write to express my support of it with some amendments. The details are attached.

Angie Boyter

Testimony on CR94-2020

Redistricting

I consider this resolution to be perhaps the most significant recommendation for charter revision that is before you, and I support it with the addition of two important amendments.

I need not repeat the concerns about gerrymandering at all levels of redistricting, and I believe we need to do everything we can to assure that the primary objective of districts in our local elections is to represent geographic and demographic elements of the population, not to maximize the strength of a particular political party. To show the need for this, I would just like to recount a conversation I had with a Redistricting Commission member during the last redistricting. I had some ideas I wanted to share on ways to achieve the objectives of a good district. That member replied that he had only one objective, and that was to elect members of his party. I hope you will agree that this should not be the objective of a redistricting commission member, but it is what you are likely to get under the current system. Currently all but one of the redistricting commission members are nominated by the central committee of parties getting at least 25% of the vote for county executive in the last election. The council then (without a chance to reject any nominee) confirms those nominees and adds one more member. First of all, if we had a landslide election one year, there would only be one party eligible to nominate members, and the commission would only have four members. More likely, there would be nominees from the two major central committees. I have great respect for a number of central committee members, but their job, legitimately, is to elect members of their own party. They should not be the ones selecting the people who draw district lines, because they would naturally favor highly partisan members.

The council, while elected in a partisan election, owe allegiance to all the voters and to broader issues and would be more likely to name active, interested but ideally less partisan citizens. I support the concept that the council would solicit the public to apply and would nominate and vote on applicants. It is inappropriate, I believe, to specify in the Charter that the central committees must submit nominees, especially since it is not clear in CR 94 whether the council can consider additional nominees or is bound by the party nominations.

The method of nominating and selecting commission members is the most important issue, but I am concerned also that the proposed charter amendment does not specify the size of the commission. Seven members sounds like a good number, NOT the unlimited size the bill currently provides, and there should be requirements that no more than 3 members be of the same party.

Angie Boyter

angie@boyter.net

3914 MacAlpine Road

Ellicott City MD 21042

6/15/2020

Testimony on CR-94

Good evening, Councilmembers. I'm Carolan Stansky, a 30+ year resident of Ellicott City.

I was a member of the Charter Review Commission (CRC), but these comments are my own.

Before being appointed to the CRC, I had never read the Howard County Charter during my many years working on neighborhood and countywide issues. I assume most citizens, including our HS graduates, have not read those 41 dense pages of our Charter. I was most surprised by Section [202(f)] about Council Redistricting following each decennial US census. The HoCo Charter essentially gives almost complete control over new district lines to appointees of the Central Committee of each major party. Wow. This must change. Howard is an outlier; I didn't find such a gift of political power in the Charters of our neighboring Maryland counties with the Charter form of government.

I am a life-long independent voter, technically unaffiliated (UNA). Now, I might be able to compete for one seat on the Redistricting Committee, but I believe CR-94 would shut out voters like me entirely. That's wrong. I acknowledge that both the current charter and CR-94 leave the final decision of district lines to the Council—but that might be quite a "hot potato" at times and it might seem "better" for the Council to "just accept" a citizens' committee recommendation. But was that committee unbiased? Are their decisions transparent and fair? Was the goal equitable division of residents or were lines drawn to maintain or increase political influence?

One task given to the CRC was to ensure that the Charter language is appropriate for "contemporary government." [202(f)] is far from the anti-gerrymandering "contemporary" sentiment which favors independent redistricting panels. Last summer, the Supreme Court majority ruled that the issue of gerrymandered congressional districts was "not justiciable" and proclaimed that issues must be resolved by the individual states. The issue is real. You can—and should—be part of the solution. Please read that SCOTUS decision about the infamous MD and NC congressional district lines; nowhere do the Justices say "gerrymandering is OK" as has been stated by some.

CR-94 suggests a change, but not the right one. I do not support it. Instead, I urge the Council to amend this bill and use the language in the CRC report dated April 30, 2020 to modify the Councilmanic Redistricting Commission to reduce partisan influence:

- **the Council will appoint seven members** [now it could be 4 to 13 members; CR-94 states "at least" seven but does not set a limit; how large is too large and unmanageable?]

-**from a list of applicants** [redistricting members should NOT be central committee controlled or influenced; I would have little chance as UNA under current language and no chance with the proposed language of CR94; Please let fair-minded Howard County citizens apply!]

- **no more than three members may be from the same political party** [now, if only 4 members, one party would control; there are no restrictions in CR94 nor any real chance for UNAs—yikes!]

6/15/2020

-no person shall be eligible for appointment to the Commission who holds elective office, or any office with a political party or resides in the same household of any such person [now there is only a restriction on elected office which CR94 retains; sadly, other Maryland counties are far ahead of Howard in removing this real possibility of partisan conflict!]

As of May 31, 2020 Howard voter registration was 224,619 voters: 51.8%DEM, 23.9%REP, and 24.3%UNA+other). Past Supreme Court decisions specifically state proportionality is not required in districting. However, fairness is required; unfairness must be eliminated from the process. Frankly, let the computer do it! The redistricting committee, and then the Council, should review multiple map runs for potential bias that could/should be removed from districts. Let's start the 2021 process with the 1860 Martenet Howard County map—it shows 5 reasonable geographic districts.

Inaction by the Maryland legislature on Governor Hogan's proposal for independent redistricting commissions in the pandemic-shortened 2020 Session should not provide "cover" for any delay in addressing this issue in Howard County. Let's lead in this area as we seek to do in many others!

Sayers, Margery

From: Cynthia Williams <cawilliams66@hotmail.com>
Sent: Monday, June 8, 2020 5:59 PM
To: CouncilMail
Subject: CR94-2020

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

The League of Women Voters of Howard County is pleased to offer its criteria for fair councilmanic redistricting based on the position of the League of Women Voters of the United States, which is applicable to all levels of government. Fair redistricting is a high priority for the League (CR94-2020).

The LWVHC is supportive of the Charter Review Commission's recommendations to remove political influence in the process by eliminating the Central Committee's role. Below are our recommendations for accomplishing that goal.

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A plan must explicitly reject protection of incumbents or protection and preferential treatment for a political party through such devices as considering party affiliation, voting history and candidate residence.

Thank you for your consideration of this bold plan.

Cynthia Williams
President
League of Women Voters of Howard County