

**COUNTY COUNCIL OF CECIL COUNTY, MARYLAND
LEGISLATIVE SESSION DAY 2022-09**

RESOLUTION NO. 29-2022

Title of Resolution: Charter Amendment – Redistricting Commission

Synopsis: A Resolution amending Article 2, County Council, Section 214, Redistricting, of the Cecil County Charter to provide that the deadline for Council to establish Redistricting Commission shall be within thirty days after receipt of census data; and to specify that current local central committee members are ineligible to be members of the Redistricting Commission. To require submission of this amendment to the legally qualified voters of Cecil County for their adoption or rejection in accordance with Section 602 of the Charter of Cecil County

Introduced by: Council President on behalf of the County Council

Introduced and ordered posted on: April 19, 2022

Public hearing scheduled on: May 17, 2022 at 7:00 p.m.

Scheduled for consideration on: June 7, 2022

By: _____
Council Manager

Notice and title of Resolution having been posted on (date) at the County Administration Building, 200 Chesapeake Blvd., Elkton and having been published according to the Charter on (dates), a public hearing was held on (date), and concluded on (date).

By: _____
Council Manager

Explanation: CAPITAL LETTERS INDICATE LANGUAGE ADDED TO EXISTING DOCUMENT
~~Strike through~~ indicates language deleted from existing document
Underlining indicates language added to document by amendment.
~~Double Strike through~~ indicates language stricken from document by amendment

1 **WHEREAS**, pursuant to Article 6, Section 602 of the Cecil County Charter, the Charter
2 may be amended by the procedures provided in Article XI-A of the Maryland Constitution; and

3 **WHEREAS**, pursuant to Article XI-A, §5 of the Maryland Constitution, amendments to
4 any charter adopted by any County of this State under the provisions of this Article may be
5 proposed by a resolution of the Council of the County, or by a petition signed by not less than
6 20% of the registered voters of the City or County, provided, however, that in any case 10,000
7 signatures shall be sufficient to complete a petition; and

8 **WHEREAS**, pursuant to Md. Code Ann., §7-103(a)(iii) and §7-103(c)(3)(i) of the Election
9 Law Article, the Attorney, designated to represent the county legislative body, shall prepare
10 and certify, and submit to the State Board of Election, not later than August 5, 2022, the
11 following information as required under §7-103(b) of the Election Law Article for each question
12 to be voted on in the County: (1) a question number or letter as by the Election Board; (2) a
13 brief designation of the type or source of the question; (3) a brief descriptive title in boldface
14 type; (4) a condensed statement of the purpose of the question; and (5) the voting choices that
15 the voter has; and

16 **WHEREAS**, pursuant to Article 6, Section 602 of the Cecil County Charter and
17 Article XI-A, §5 of the Maryland Constitution, the amendments shall be published by the
18 President of the County Council once a week for five successive weeks prior to the election in at
19 least one newspaper published in said County; and

20 **WHEREAS**, pursuant to Article 6, Section 602 of the Cecil County Charter and
21 Article XI-A, §5 of the Maryland Constitution, an amendment so proposed shall be submitted to
22 the voters of the County at the next general or congressional election occurring after the
23 passage of the resolution; and

24 **WHEREAS**, in accordance with Article 6, Section 602 of the Cecil County Charter and
25 Article XI-A, §5 of the Maryland Constitution, if at the election the majority of the votes cast for
26 the amendment shall be in favor thereof, the amendment shall be adopted and become a part
27 of the charter of the County from and after the thirtieth day after said election; and

28 **WHEREAS**, Article 2, County Council, Section 214, Redistricting, of the Cecil County
29 Charter currently provides that:

30 “ (a) The Council shall appoint by resolution a Redistricting Commission not later than April 1
31 of the year following each decennial census date. The central committee of each political party
32 polling at least twenty-five percent of the total vote cast for the Executive at the last
33 preceding general election shall nominate five persons to serve on the Commission. Each such
34 list shall include one person who resides in each residency district. The Council shall appoint all
35 such nominees as members of the Commission as well as one or two additional members of
36 the Commission, as the case may be, to ensure that its total membership equals an odd
37 number. The Council shall appoint the Chair of the Commission from among the Commission
38 members. No person shall be eligible for appointment to the Commission who holds elective
39 office.

40 (b) By November 15 of the year before the year in which redistricting is to take effect, the
41 Commission shall present to the Council a plan of residency districts, together with a report
42 explaining it. Within thirty days of receiving the plan of the Commission, the Council shall hold
43 a public hearing on the plan. If within ninety days after submission of the plan no other
44 legislation reestablishing the boundaries of the residency districts has been enacted, the plan
45 as submitted shall become law.

46 (c) Any residency district established in accordance with this section shall be compact,
47 contiguous, substantially equal in population, and have common interests as a result of
48 geography, occupation, history, or existing political boundaries.

49 (d) An ordinance establishing residency districts shall be exempt from referendum.”; and

50 **WHEREAS**, in accordance with Article 6, Section 602 of the Cecil County Charter and
51 Article XI-A, §5 of the Maryland Constitution, this Resolution proposes the following
52 amendment to Article 2, County Council, Section 214, Redistricting, of the Cecil County Charter:

53 “(a) The Council shall appoint by resolution a Redistricting Commission not later than **ONE**
54 **MONTH AFTER RECEIVING THE OFFICIAL CENSUS POPULATION DATA FROM THE MARYLAND**
55 **DEPARTMENT OF PLANNING** ~~April 1~~ of the year following each decennial census date. The
56 central committee of each political party polling at least twenty-five percent of the total vote
57 cast for the Executive at the last preceding general election shall nominate five persons to
58 serve on the Commission. Each such list shall include one person who resides in each residency

59 district. The Council shall appoint all such nominees as members of the Commission as well as
60 one or two additional members of the Commission, as the case may be, to ensure that its total
61 membership equals an odd number. The Council shall appoint the Chair of the Commission
62 from among the Commission members. No person, **INCLUDING CURRENT LOCAL CENTRAL**
63 **COMMITTEE MEMBERS**, shall be eligible for appointment to the Commission who holds
64 elective office.

65 (b) By November 15 of the year before the year in which redistricting is to take effect, the
66 Commission shall present to the Council a plan of residency districts, together with a report
67 explaining it. Within thirty days of receiving the plan of the Commission, the Council shall hold
68 a public hearing on the plan. If within ninety days after submission of the plan no other
69 legislation reestablishing the boundaries of the residency districts has been enacted, the plan
70 as submitted shall become law.

71 (c) Any residency district established in accordance with this section shall be compact,
72 contiguous, substantially equal in population, and have common interests as a result of
73 geography, occupation, history, or existing political boundaries.

74 (d) An ordinance establishing residency districts shall be exempt from referendum.”; and

75 **NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE COUNTY COUNCIL OF CECIL**
76 **COUNTY, MARYLAND**, that the following amendment to Article 2, County Council, Section 214,
77 Redistricting, of the Cecil County Charter, shall be submitted to the voters of the County at the
78 next general or congressional election in accordance with Article 6, Section 602 of the Cecil
79 County Charter and Article XI-A, §5 of the Maryland Constitution:

80 “(a) The Council shall appoint by resolution a Redistricting Commission not later than **ONE**
81 **MONTH AFTER RECEIVING THE OFFICIAL CENSUS POPULATION DATA FROM THE MARYLAND**
82 **DEPARTMENT OF PLANNING** ~~April 1~~ of the year following each decennial census date. The
83 central committee of each political party polling at least twenty-five percent of the total vote
84 cast for the Executive at the last preceding general election shall nominate five persons to
85 serve on the Commission. Each such list shall include one person who resides in each residency
86 district. The Council shall appoint all such nominees as members of the Commission as well as
87 one or two additional members of the Commission, as the case may be, to ensure that its total

88 membership equals an odd number. The Council shall appoint the Chair of the Commission
89 from among the Commission members. No person, **INCLUDING CURRENT LOCAL CENTRAL**
90 **COMMITTEE MEMBERS**, shall be eligible for appointment to the Commission who holds
91 elective office.

92 (b) By November 15 of the year before the year in which redistricting is to take effect, the
93 Commission shall present to the Council a plan of residency districts, together with a report
94 explaining it. Within thirty days of receiving the plan of the Commission, the Council shall hold
95 a public hearing on the plan. If within ninety days after submission of the plan no other
96 legislation reestablishing the boundaries of the residency districts has been enacted, the plan
97 as submitted shall become law.

98 (c) Any residency district established in accordance with this section shall be compact,
99 contiguous, substantially equal in population, and have common interests as a result of
100 geography, occupation, history, or existing political boundaries.

101 (d) An ordinance establishing residency districts shall be exempt from referendum.”; and

102 **AND BE IT HEREBY FURTHER RESOLVED BY THE COUNTY COUNCIL OF CECIL COUNTY,**
103 **MARYLAND**, that, pursuant to Md. Code Ann., §7-103(a)(iii) and §7-103(c)(3)(i) of the Election
104 Law Article, the Attorney, designated to represent the county legislative body, shall prepare,
105 certify, and submit to the State Board of Election, not later than August 5, 2022, the following
106 information as required under §7-103(b) of the Election Law Article: (1) a question number or
107 letter as by the Election Board; (2) a brief designation of the type or source of the question; (3)
108 a brief descriptive title in boldface type; (4) a condensed statement of the purpose of the
109 question; and (5) the voting choices that the voter has.

110 **AND BE IT HEREBY FURTHER RESOLVED BY THE COUNTY COUNCIL OF CECIL COUNTY,**
111 **MARYLAND**, that pursuant to Article 6, Section 602 of the Cecil County Charter and Article XI-A,
112 §5 of the Maryland Constitution, the amendments shall be published by the President of the
113 County Council once a week for five successive weeks prior to the election in at least one
114 newspaper published in said County.

115 **AND BE IT HEREBY FURTHER RESOLVED BY THE COUNTY COUNCIL OF CECIL COUNTY,**
116 **MARYLAND**, that pursuant to Article 6, Section 602 of the Cecil County Charter and Article XI-A,

117 §5 of the Maryland Constitution, the aforementioned proposed amendment shall be submitted
118 to the voters of the County at the next general or congressional election occurring after the
119 passage of this Resolution.

120 **AND BE IT HEREBY FURTHER RESOLVED BY THE COUNTY COUNCIL OF CECIL COUNTY,**
121 **MARYLAND,** that in accordance with Article 6, Section 602 of the Cecil County Charter and
122 Article XI-A, §5 of the Maryland Constitution, if at the election the majority of the votes cast for
123 the aforementioned proposed amendment shall be in favor thereof, then the proposed
124 amendment shall be adopted and become a part of the Charter of Cecil County from and after
125 the thirtieth day after said election.

INTRODUCED: **April 19, 2022**

ADOPTED: _____

President of the Council

ATTEST:

Council Manager