

# HOUSE JOINT RESOLUTION 3

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Environmental and Transportation Committee

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# WHAT IS HOUSE JOINT RESOLUTION 3?

HJ 3 is a resolution that acknowledges that the Maryland State Constitution applies certain standards to redistricting that should be followed for not only legislative districts, but for congressional districts, as well

# WHAT ARE THESE STANDARDS?

*"Each legislative district shall consist of adjoining territory, be compact in form, and of substantially equal population. Due regard shall be given to natural boundaries and the boundaries of political subdivisions."*

*- Maryland Constitution Art. III § IV*

# WHY IS THE RESOLUTION IMPORTANT?

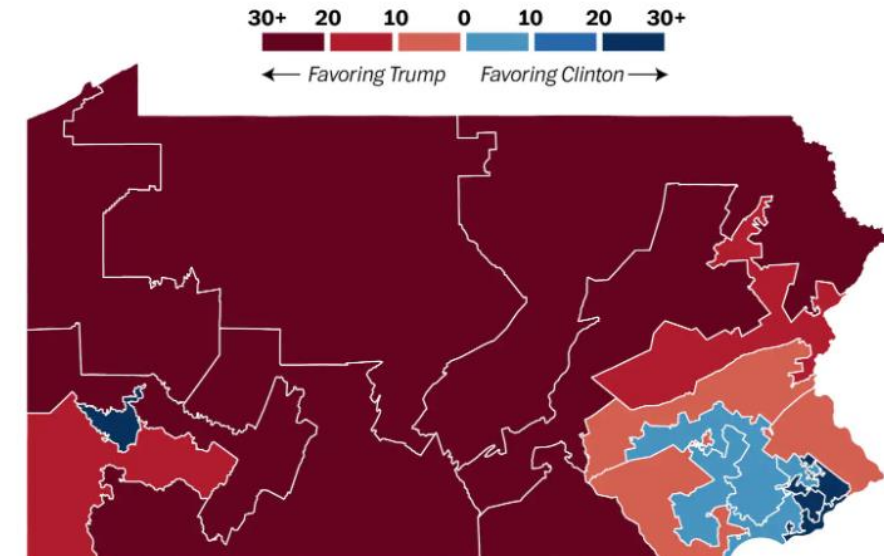
- To prevent blatant gerrymandering in Maryland
- It doesn't matter as much who draws the map if the rules for drawing the map set forth reasonable standards

# PENNSYLVANIA

- Until 2017, Pennsylvania applied the standards in their Constitution only to state legislative maps and not to Congressional seats

## Pennsylvania's old map

Map of Pennsylvania congressional districts created by Pennsylvania Republicans in 2011



**County splits (fewer is better): 28**

**Average compactness (higher is better): .16**

**Clinton districts: 6**

**Trump districts: 12**

Sources: Precinct-level 2016 presidential election returns compiled by Nathaniel Kelso, U.S. Census Bureau, Philadelphia Inquirer

WAPQ.ST/WONKBLOG

# TWO STATE CONSTITUTIONS

## Maryland

- *Each legislative district shall consist of adjoining territory, be compact in form, and of substantially equal population. Due regard shall be given to natural boundaries and the boundaries of political subdivisions.*

- Maryland Constitution Art. III § IV

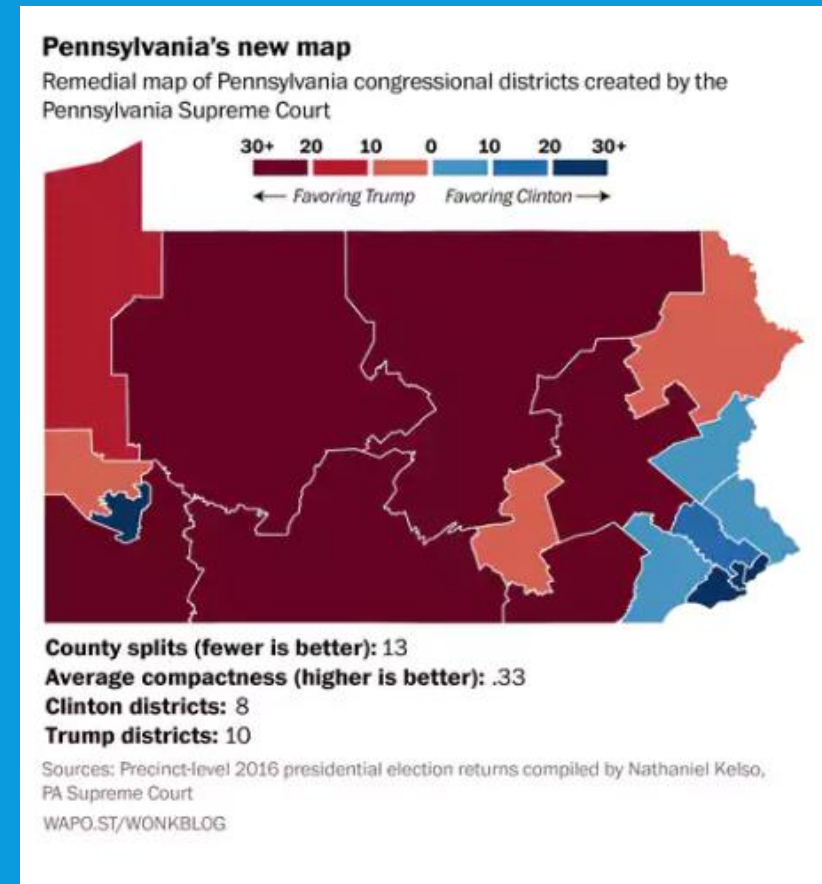
## Pennsylvania

- *The Commonwealth shall be divided into 50 senatorial and 203 representative districts, which shall be composed of compact and contiguous territory as nearly equal in population as practicable*

- Pennsylvania Constitution Art. II § 16

# THE PENNSYLVANIA LAWSUIT

- In 2017, the Pennsylvania Supreme Court held that their state's Congressional Districts had been unconstitutionally gerrymandered in *The League of Women Voters of Pennsylvania. v. The Commonwealth of Pennsylvania*
- The Court stated that the "Republican-drawn districts 'clearly plainly, and palpably violated the state's constitution.'" <sup>1</sup>



<sup>1</sup>[https://www.washingtonpost.com/news/wonk/wp/2018/02/19/pennsylvania-supreme-court-draws-a-much-more-competitive-district-map-to-overturn-republican-gerrymander/?noredirect=on&utm\\_term=.66b4boa20556](https://www.washingtonpost.com/news/wonk/wp/2018/02/19/pennsylvania-supreme-court-draws-a-much-more-competitive-district-map-to-overturn-republican-gerrymander/?noredirect=on&utm_term=.66b4boa20556)

# PENNSYLVANIA'S COURT RULING

Although Pennsylvania's Constitution only discussed legislative districts, the Court held that the criteria should be applied to Congressional districts as well.





# THE U.S. SUPREME COURT

- *The League of Women Voters of Pennsylvania. v. The Commonwealth of Pennsylvania* was appealed to the United States Supreme Court.
- On February 5, 2018 the U.S. Supreme Court denied certiorari, affirming with the Pennsylvania Supreme Court .<sup>1</sup>

<sup>1</sup> <https://www.rollcall.com/news/politics/supreme-court-pennsylvania-congressional-districts>

# THIS APPLIES TO MARYLAND

- The Maryland and Pennsylvania's Constitutional language are virtually identical.
- The Pennsylvania Supreme Court stated that the same standards should apply to Congressional and Legislative districts.
- The United States Supreme Court did not disagree.
- Based on these facts, we should apply the same standards to when drawing Maryland's Congressional map as our Legislative map.

# CREATES CLEAR GUIDELINES FOR THE FUTURE

- This Resolution acknowledges court precedent and common-sense.
- It will provide clear guidance when Governor Hogan draws the next Congressional Map.

PLEASE VOTE FAVORABLY ON HJ 3

Questions?