

## County Council Redistricting Commission

### **SECTION 104. Redistricting Procedure**

The boundaries of Council districts shall be reviewed in 1972 and every tenth year thereafter. Whenever district boundaries are to be reviewed, the Council shall appoint, not later than February 1 of the year before the year in which redistricting is to take effect, a commission on redistricting. The Commission shall be composed of four members from each political party chosen from a list of eight individuals submitted by the central committee of each political party which polled at least fifteen percent of the total vote cast for all candidates for the Council in the last preceding regular election. Each list shall include at least one individual who resides in each Council district. The Council shall appoint one additional member of the Commission. The Commission shall include at least one member who resides in each Council district, and the number of members of the Commission who reside in the same Council district shall not exceed the number of political parties which submitted a list to the Council. The Commission shall, at its first meeting, select one of its members to serve as its chair. No person who holds any elected office<sup>1</sup> shall be eligible for appointment to the Commission.

By November 15 of the year before the year in which redistricting is to take effect, the Commission shall present a plan of Council districts, together with a report explaining it, to the Council. Within thirty days after receiving the plan of the Commission, the Council shall hold a public hearing on the plan. If within ninety days after presentation of the Commission's plan no other law reestablishing the boundaries of the Council districts has been enacted, then the plan, as submitted, shall become law.

Montgomery County Charter, § 104,  
as amended November 2, 1982, and November 3, 1998

### **Procedures for Selecting the Central Committee's Nominees to the County Council Redistricting Commission:**

[1] The candidates will be invited alphabetically to address the Central Committee for up to one minute each. A representative may speak for any candidate who is not present.

[2] Once all the candidates have had an opportunity to speak, the members of the Central Committee may question the candidates in open session.

[3] After the questioning (if any) is completed, a motion may be made to go into executive session to discuss the selection as a personnel matter.

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<sup>1</sup> The November 14, 2000, minutes of the Montgomery County Democratic Central Committee state that "Mark Friedman asked what constitutes an 'elected office,' since § 104 of the County Charter prohibits any 'person who holds any elected office' from serving on the Commission. The Secretary responded that the office of the President of the County Council had been contacted on that question and that the office's position was that the voting members of the Central Committee were holders of 'elected office', but that the non-voting members of the Central Committee do not hold 'elected office'. The Charter does not make a distinction between elected public office holders and elected party office holders."

[4] If no motion to go into executive session is made or adopted (or, alternatively, after the completion of the executive session), the Central Committee will elect its nominees by secret ballot.

[5] For balloting, the candidates will be divided into Council Districts, and one person will be elected as the Central Committee's nominee from each Council District. Each member of the Central Committee may cast up to one vote for each Council District.

[6] To be elected as the Central Committee's nominee, a candidate must receive at least an absolute majority of the votes cast. In the event that no candidate from a particular District receives an absolute majority of the ballots cast, then any candidates who received no votes and the candidate in that District who received the least number of votes over zero, will be dropped from the ballot and a new ballot will be held. This will continue until one person is elected as the Central Committee's nominee from each Council District.

[7] After the balloting for the five Council District positions has been completed, all of the candidates who were not successful will be considered for three at large seats. Balloting for the at large seats will begin immediately after the completion of the selection of the five Council District nominees. Each member of the Central Committee may cast up to as many votes as there are positions remaining to be filled.

[8] To be elected as the Central Committee's nominee, a candidate must receive at least an absolute majority of the ballots cast. In the event that fewer candidates receive an absolute majority of the ballots cast, then there are positions remaining,

- any candidate who did receive an absolute majority of the ballots cast will be declared one of the Central Committee's nominees, and
- any candidates who received no votes and the candidate who received the least number of votes over zero, will be dropped from the ballot and a new ballot will be held.

This will continue until one person has been elected as the Central Committee's nominee for each position.

[9] The Assistant Secretary will collect all ballots and the Secretary and Assistant Secretary will tally the ballots. Each candidate may designate one observer to watch the tallying of the ballots. Proxies must be presented to the Secretary before any ballots are put into the ballot box.

Procedures for Selecting the Central Committee's Nominees to the  
County Council Redistricting Commission,  
adopted by the Montgomery County Democratic Central Committee, November 14, 2000