

Open Work Session
Process for Selecting a Redistricting Commission
June 1, 2021

Mr. Hastings said he put this together after they had the conversation a couple of months ago, and he has not really looked at it too much since then, but he said he would come back to Council and model a program after the Governor's process. He explained, the Governor put together a process for three democrats, three republicans, and three unaffiliated or independent, and then multiple other members. He said he put together a draft plan for an independent redistricting commission that could be a nine member commission. He said he tried to think of the best way to choose who could be on it and choose the least extreme voices and to go through a process better than what they did to select the Charter Review Committee. He explained, it would be a rank choice process where they open it up to public applications and then each Councilmember would choose their top three candidates and put them in order, and whoever has the top three scores would be the three for each party affiliation. He said he even put in if there was a tie what would be a way to break that tie in a fair manner.

Mr. Hastings said they need to make sure they have a diverse group of folks, and how the group would select a Chair because most likely the Council would not want to have a hand in that and would be hands-off just like the Charter Review Committee. He said the obvious question would be if this group works with Planning and Zoning to produce one map or three maps because ultimately it has to come back to the Council for approval. He said he thought maybe it would be helpful for a supermajority or, if they have nine members, they would aim to have one map produced with seven members approving it, and if they failed to reach that they would produce three maps that could then come back to Council.

Mr. Hastings explained, this follows the call from Governor Hogan to create independent redistricting committees for the federal government, the State of Maryland, and all of the Counties. He said he would personally love for the Council to really set the tone of having a truly independent commission. He said he tried to write this in a way that it could be the most independent process, and the Governor's process did a pretty good job of that, so that is what it is modeled after.

Mr. Holloway said this will be the third redistricting he is familiar with and he was on the Council for the last one. He then asked what the problem was with doing it the way they did it, to which Mr. Hastings responded, they could do it a number of ways. He explained, each Councilmember could choose a person, but theoretically they are going to have a majority republican, so that is why he figured they would go with three of each party. He said, looking at another statistic, he pulled up the latest on voter registration, and currently there are more registered democrats in Wicomico County than there are republicans, so in the case with a nine member commission it would be four democrats, three republicans and two independents. He clarified, he figured they could just sidestep all of that and just have three of each party and then invite folks who are truly knowledgeable when it comes to understanding data, and those who are involved in the community that could produce a map.

Mr. Dodd said, when he chose his people for the Charter Review Committee, he did not ask them if they were republican or democrat, and to this day he does not know what they are and really does not care.

Mr. Hastings responded, for this process being such an intentionally partisan process, they should start with putting that out there. He said, if someone wants to apply, then they have to go through that process to say what their political affiliation is.

Mr. McCain said Mr. Hastings has obviously put a lot of thought into this, and he has reviewed this and he likes it for several reasons. He explained, after reviewing it and just trying to think of any way to make it better, he cannot come up with a fairer process. He said it is very independent, it is very fair, and at the end of the day he would say they are basically doing the same thing that the Governor is doing in the State of Maryland, just at the County level. He said he thinks, for public purposes, redistricting can be very political, so he thinks they are serving their public well by doing something that is very independent and very fair and they all get a say in it. He said he likes it and would like to see them follow something very close to what has been proposed.

Mr. Holloway said it does not make any difference to him, but what Mr. Hastings is forgetting is that the citizens did elect four republicans and three democrats. He said he has asked a couple of people if they are interested in it, and he thinks one of them is a republican and he thinks the other one is a democrat. He said it just seems to him that there is always somebody trying to fix something that is not broken, and they did really well the last time they selected a redistricting committee. He said there is not much need to argue about it, but they might not even be doing redistricting because the census has not gotten their ducks in a row yet.

Mr. Davis said, during the last redistricting, he was getting ready to run and he is in the Minority District, but the committee decided to come down his street and take him out of District 1 and put him in Mr. Holloway's District. He said that just shows that it needs to be fair, and he thinks that is a good point with three of each party.

Mr. Holloway said it was fair and it worked out because they changed it, to which Mr. Davis responded, not by what was proposed. He clarified, luckily a person who was on the committee saw what they did to get him out of the Minority District so he could not run in the District where he lives.

Mr. Holloway asked if that was done intentionally or if it just happened, to which Mr. Davis responded, they came down one end of West Road and Adkins and put it in District 5. Mr. Holloway said they have to come down some road, and he is just asking, to which Mr. Davis responded, they just took West Road and they had all the other streets that they did not touch.

Mr. Dodd said, but they did not know that Mr. Davis was running, to which Mr. Davis responded, yes, they did, and it was only between Adkins Road and Log Cabin. He clarified, this was the first time he ran, not now. Mr. Dodd said he did not know Mr. Davis ran the first time, to which Mr. Davis responded, then how did he get elected? Mr. Dodd said he does not pay attention to everybody running.

Mrs. Acle said Mr. Hastings put a lot of effort into this and she really appreciates him doing this. She said she just wants to share that at the Charter Review Committee meeting a former Councilmember said that if they had to appoint someone of the opposite party they would appoint the worst person. She clarified, she is not saying that they are doing that here, but she thinks with three republicans, three democrats and three independents, that party needs to select them.

Mr. Hastings said he is going to be very clear. He clarified, he knows a lot of nutty democrats who live in Wicomico County, but he also knows plenty of folks on the other partisan divide who are not so well connected. He said what the Council did with the Charter Review Committee situation was kind of a sloppy rank choice of voting, so this would be a situation where they all come in and at one time say who they are thinking of. He explained, the reason why they would do that is it would then eliminate the

hyper-partisans on each side and they would just get people who want to be there and who want to have an independent process. He said they can all think of somebody who could be hyper-partisan, and he does not think they as a Body or the public as a whole want those folks to be able to get in the way. He said they need less partisanship, not more, so this process is intentionally written for three of each party, and that allows anybody who might be on one particular viewpoint to then nix a person who could be hyper-partisan.

Mr. Dodd asked where they want to go from here, to which Mr. Holloway responded, wait and see what the census comes up with because they might not even have to go through this.

Mr. Hastings clarified, they do have to go through the process. He said the census folks announced they are now expecting to have the data in hand by August, so they will have to have folks put together at least a month before to know how the process should go and to think things through before they get data in hand.

Mr. Dodd said Mr. Hastings is saying they need to have this ready by July. He then asked what Council wants to do about making a notice for applicants, to which Mrs. Acle responded, they could put a notice out there to get applicants and see how many they get. She then asked if this is going to be a pretty condensed and intense committee, to which Mr. Dodd responded, he thinks it will be. Mrs. Acle asked Mr. Wilber if this is a pretty time consuming committee, to which Mr. Wilber responded, yes, and they need to have their map in December.

Mr. Dodd said they need to have it in December, but Mr. Hastings said July, to which Mr. Hastings responded, they need to have a map in hand by December.


Mr. Dodd asked what Council wants the application ad to say, to which Mrs. Acle responded, the description of the hours and the meeting. Mrs. Hurley clarified, she thinks that is to be determined, as they do not know yet what the availability of the members would be.

Mrs. Hurley said she is looking for guidance just to make sure that Council wants to publicly advertise that they are seeking nominees to serve on the committee, to which Mr. Dodd responded, he would like to at least get that out there to have an expression of interest. Mrs. Hurley said she could add a sentence asking for their party affiliation, to which Mr. Dodd responded, if they can do that. He then asked Mr. Wilber if they can do that, to which Mr. Wilber responded, yes. Mrs. Hurley said that will at least get them started. Mr. Dodd asked if they need a copy of their voter registration card, to which Mrs. Hurley responded, she verified them the last time through Mr. Gutierrez. Mr. Dodd then instructed Mrs. Hurley to draft an ad.

There was no further discussion.

Signatures on next page

Open Work Session
Process for Selecting a Redistricting Commission
June 1, 2021




Larry W. Dodd, President, District 3



Joe Holloway, Vice President, District 5



John T. Cannon, At-Large



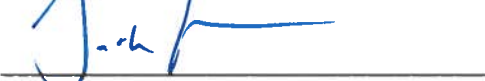
William R. McCain, At-Large



Ernest F. Davis, District 1



Nicole Acle, District 2



Josh Hastings, District 4



Laura Hurley, Council Administrator