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The Daily Record (Baltimore, MD)

March 18, 2002 Monday

SECTION: NEWS

LENGTH: 705 words

HEADLINE: Suits filed in Md. Court of Appeals to block gov.'s redistricting plan

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BODY:

With today's deadline looming large, voters and politicians in eastern Baltimore County and the Lower Eastern Shore filed lawsuits in the Court of Appeals Friday in efforts to block the governor's redistricting plan.

This brings to at least five the number of suits filed in the state's highest court against the plan put forth by Gov. Parris N. Glendening, and at least one other suit has been filed in U.S. District Court.

Attorney M. Albert Figinski and his firm, Saul Ewing, represent the petitioners in both of the new cases.

Figinski said the underlying problem in both cases is that the plan proposed as a result of the 2000 census destroys coherent legislative areas that historically have had issues in common. The areas affected are Legislative Districts 27 and 38 on the Eastern Shore and District 7 in eastern Baltimore County.

"The basic defect, the most visible defect, is the way they've got [the Eastern Shore District] configured is not compact," Figinski said. "I call them 'ink blots' because I can't even find the shape. If we return to the way they were, you have two rectangular districts that have always been together."

To explain the problem with the Baltimore County district, Figinski pointed to a paragraph in filed in the petition:

"The Governor's Plan dismembers, partitions and annihilates the former Legislative District 7 in utter derogation of the Maryland constitutional strictures of contiguity, compactness, due regard for natural boundaries and due regard for political subdivision lines; indeed, the brazen partition of the former Legislative District 7 gave no regard for those constitutional commands."

District 7 Democrats Sen. Norman R. Stone Jr., Del. John S. Arnick and Del. Joseph J. "Sonny" Minnick Jr., along with private citizens J. Ronald and Connie G. DeJulius and John A. Olszewski, filed the Baltimore County case.

Stone said the basic problem lies with Baltimore County being fragmented so that Baltimore City would have more representation. To achieve this, city districts make five "intrusions" into the county even though the county grew and the city lost population since the last census.

"This configuration shows the balkanization of Baltimore County," according to pleadings filed in the case.

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Sen. J. Lowell Stoltzfus, R-Lower Eastern Shore, and private citizens Lewis R. Riley and John W. Tawes filed the other case. Stoltzfus said the proposed reconfiguration of District 38 would require him to drive as much as three hours to see his constituents.

The plan, he said, groups together voters who lack a common political heritage. Also, the adjoining 37th District would be reconfigured to include parts of five counties.

"No legislative jurisdiction in the state has ever contained five counties," Stoltzfus said in an interview.

Ramifications

There are political ramifications under the new boundaries.

On the Eastern Shore, Stoltzfus would find himself running against incumbent Middle Shore Republican Sen. Richard F. Colburn, who represents Caroline, Dorchester, Talbot and Wicomico counties. Stoltzfus came to the Senate in 1992 and Colburn, in 1995.

Stoltzfus said he might resolve this dilemma by moving across the line to his old district.

In Baltimore County, Stone would be pitted against fellow incumbent Democrat Sen. Philip C. Jimeno of Anne Arundel County.

Jimeno came to the Senate in 1985, while Stone came to the House of Delegates in 1963 and advanced to the Senate in 1967.

Stone said his district is being dismantled, and only 8 percent of the new district's voters would be from his old district.

"I would not run in that [new] district," Stone said.

Glendening communications director Mike Morrill defended the new map as complying with "constitutional imperatives." A redistricting committee proposed the plan, Morrill said, and Glendening made only select changes.

Stone, according to Morrill, actually suggested some of the boundaries that he is now disputing,

"This is not about a personal district," Morrill said. "You can't base it on who lives where. They can move across the lines."

The deadline for filing challenges in the Court of Appeals is 4:30 p.m. today. Hearings are scheduled for April 11.

LOAD-DATE: July 26, 2004