S T A T E O F N E W Y O R K

6776

2009-2010 Regular Sessions

I N A S S E M B L Y

March 12, 2009

Introduced by M. of A. SCHROEDER -- read once and referred to the Committee on Governmental Operations

CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY

proposing amendments to the constitution, in relation to the establishment of state legislative and congressional districts and repealing sections 3, 4, 5 and 5-a of article 3 of the constitution relating thereto

Section 1. Resolved (if the Senate concur), That sections 3, 4, 5 and 5-a of article 3 of the constitution be REPEALED and three new sections 3, 4, 4-a and 5 are added to read as follows:

S 3. A. THERE SHALL BE A DISTRICTING COMMISSION TO DRAW SENATE, ASSEMBLY AND CONGRESSIONAL DISTRICTS, SO THAT ALL THE PEOPLE OF NEW YORK MAY BE FAIRLY REPRESENTED. THE DISTRICTING COMMISSION SHALL CONSIST OF FIVE MEMBERS. EACH MEMBER OF THE DISTRICTING COMMISSION SHALL BE A REGISTERED VOTER IN THE STATE OF NEW YORK, AND, AT THE TIME OF APPOINTMENT, SHALL HAVE BEEN A RESIDENT OF THE STATE OF NEW YORK FOR FIVE YEARS. NO MEMBER OF THE DISTRICTING COMMISSION SHALL BE, OR SHALL HAVE BEEN (1) IN THE TWO YEARS PRIOR TO APPOINTMENT, A MEMBER OR EMPLOYEE OF CONGRESS, THE SENATE OR ASSEMBLY OR A POLITICAL PARTY CHAIR; (2) A HOLDER OF PARTISAN PUBLIC OFFICE OR POLITICAL PUBLIC OFFICE; (3) A RELATIVE OF ANY PERSON SET FORTH IN CLAUSE (1) OR (2) TO THE THIRD DEGREE OF CONSANGUINITY; OR (4) A SPOUSE OF ANY PERSON SET FORTH IN CLAUSE (1), (2) OR (3). NO MEMBER OF THE DISTRICTING COMMISSION SHALL BE A LOBBYIST AT THE TIME OF HIS OR HER MEMBERSHIP. THE TEMPORARY PRESIDENT OF THE SENATE, THE MINORITY LEADER OF THE SENATE, THE SPEAKER OF THE ASSEMBLY, AND THE MINORITY LEADER OF THE ASSEMBLY SHALL EACH APPOINT ONE MEMBER OF THE DISTRICTING COMMISSION AND THE FOUR NEWLY APPOINTED MEMBERS SHALL APPOINT A FIFTH MEMBER TO BE THE CHAIRMAN OF THE COMMISSION, AND MUST HAVE THE USE OF THREE OUT OF FOUR MEMBERS. IF A SEAT ON THE COMMISSION SHALL FALL VACANT, A REPLACEMENT SHALL BE SELECTED IN THE SAME MANNER BY WHICH THE MEMBER WHO PREVIOUSLY FILLED THE SEAT WAS SELECTED. APPOINTING AUTHORITIES SHALL GIVE DUE CONSIDERATION TO REFLECTING THE GEOGRAPH-

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

LBD89074-04-9

IC, ETHNIC, AND RACIAL DIVERSITY OF THE STATE IN APPOINTMENTS TO THE COMMISSION. INITIAL APPOINTMENTS TO THE COMMISSION SHALL BE MADE AS SOON AS PRACTICABLE FOLLOWING THE EFFECTIVE DATE OF THIS SUBDIVISION. EACH MEMBER OF THE COMMISSION SHALL HAVE A TERM OF TEN YEARS EXCEPT THAT THE TERMS OF ALL MEMBERS SHALL TERMINATE ON THE FIRST DAY OF APRIL OF THE YEAR PRECEDING THE YEAR IN WHICH THE FEDERAL DECENNIAL CENSUS IS TAKEN. THE MEMBERS SHALL BE REMOVABLE ONLY FOR CAUSE, INCLUDING CRIMINAL CONVICTION OR SERIOUS MISCONDUCT RELATED TO HIS OR HER OFFICIAL DUTIES, IN AN ACTION BROUGHT BY THE ATTORNEY GENERAL, OVER WHICH THE COURT OF APPEALS SHALL HAVE SOLE AND EXCLUSIVE JURISDICTION.

B. SENATE AND ASSEMBLY DISTRICTS SHALL BE ESTABLISHED ON THE BASIS OF POPULATION. SENATE AND ASSEMBLY DISTRICTS, RESPECTIVELY, SHALL EACH HAVE A POPULATION AS NEARLY EQUAL AS PRACTICABLE TO THE IDEAL POPULATION FOR SUCH DISTRICTS, DETERMINED BY DIVIDING THE NUMBER OF DISTRICTS TO BE ESTABLISHED INTO THE POPULATION OF THE STATE REPORTED IN THE FEDERAL DECENNIAL CENSUS. SENATE DISTRICTS AND ASSEMBLY DISTRICTS SHALL NOT VARY IN POPULATION FROM THE RESPECTIVE IDEAL DISTRICT POPULATIONS EXCEPT AS NECESSARY TO COMPLY WITH ONE OF THE OTHER STANDARDS ENUMERATED IN THIS SECTION. IN NO CASE SHALL THE QUOTIENT, OBTAINED BY DIVIDING THE TOTAL OF THE ABSOLUTE VALUES OF THE DEVIATIONS OF ALL DISTRICT POPULATIONS FROM THE APPLICABLE IDEAL DISTRICT POPULATION BY THE NUMBER OF DISTRICTS ESTABLISHED, EXCEED ONE PERCENT OF THE APPLICABLE IDEAL DISTRICT POPULATION. NO SENATE DISTRICT SHALL HAVE A POPULATION WHICH EXCEEDS THAT OF ANY OTHER SENATE DISTRICT BY MORE THAN FIVE PERCENT, AND NO ASSEMBLY DISTRICT SHALL HAVE A POPULATION WHICH EXCEEDS THAT OF ANY OTHER ASSEMBLY DISTRICT BY MORE THAN FIVE PERCENT.

C. TO THE EXTENT CONSISTENT WITH SUBDIVISION B OF THIS SECTION, DISTRICT BOUNDARIES SHALL COINCIDE WITH THE BOUNDARIES OF POLITICAL SUBDIVISIONS OF THE STATE. THE NUMBER OF COUNTIES AND CITIES DIVIDED AMONG MORE THAN ONE DISTRICT SHALL BE AS SMALL AS POSSIBLE. WHEN THERE IS A CHOICE BETWEEN DIVIDING LOCAL POLITICAL SUBDIVISIONS, THE MORE POPULOUS SUBDIVISIONS SHALL BE DIVIDED BEFORE THE LESS POPULOUS, BUT THIS STATEMENT DOES NOT APPLY TO A SENATE OR ASSEMBLY DISTRICT BOUNDARY DRAWN ALONG A COUNTY LINE WHICH PASSES THROUGH A CITY THAT LIES IN MORE THAN ONE COUNTY.

D. DISTRICTS SHALL BE COMPOSED OF CONVENIENT CONTIGUOUS TERRITORY. AREAS WHICH MEET ONLY AT THE POINTS OF ADJOINING CORNERS ARE NOT CONTIGUOUS.

E. DISTRICTS SHALL BE REASONABLY COMPACT IN FORM, TO THE EXTENT CONSISTENT WITH THE STANDARDS ESTABLISHED BY SUBDIVISIONS B, C, AND D OF THIS SECTION. IN GENERAL, REASONABLY COMPACT DISTRICTS ARE THOSE WHICH ARE SQUARE, RECTANGULAR, OR HEXAGONAL IN SHAPE, AND NOT IRREGULARLY SHAPED, TO THE EXTENT PERMITTED BY NATURAL OR POLITICAL BOUNDARIES. IF IT IS NECESSARY TO COMPARE THE RELATIVE COMPACTNESS OF TWO OR MORE DISTRICTS, OR OF TWO OR MORE ALTERNATIVE DISTRICTING PLANS, THE TESTS PRESCRIBED BY THIS SUBDIVISION AND SECTION FIVE OF THIS ARTICLE SHALL BE USED.

1. LENGTH-WIDTH COMPACTNESS. THE COMPACTNESS OF A DISTRICT IS GREATEST WHEN THE LENGTH OF THE DISTRICT AND THE WIDTH OF THE DISTRICT ARE EQUAL. THE MEASURE OF A DISTRICT'S COMPACTNESS IS THE ABSOLUTE VALUE OF THE DIFFERENCE BETWEEN THE LENGTH AND THE WIDTH OF THE DISTRICT. IN GENERAL, THE LENGTH-WIDTH COMPACTNESS OF A DISTRICT IS CALCULATED BY MEASURING THE DISTANCE FROM THE NORTHERNMOST POINT OR PORTION OF THE BOUNDARY OF A DISTRICT TO THE SOUTHERNMOST POINT OR PORTION OF THE BOUNDARY OF THE SAME DISTRICT AND THE DISTANCE FROM THE WESTERNMOST POINT OR PORTION OF THE BOUNDARY OF THE DISTRICT TO THE EASTERNMOST POINT OR PORTION OF THE

BOUNDARY OF THE SAME DISTRICT. THE ABSOLUTE VALUES COMPUTED FOR INDIVIDUAL DISTRICTS UNDER THIS PARAGRAPH MAY BE CUMULATED FOR ALL DISTRICTS IN A PLAN IN ORDER TO COMPARE THE OVERALL COMPACTNESS OF TWO OR MORE ALTERNATIVE DISTRICTING PLANS FOR THE STATE, OR FOR A PORTION OF THE STATE.

2. PERIMETER COMPACTNESS. THE COMPACTNESS OF A DISTRICT IS GREATEST WHEN THE DISTANCE NEEDED TO TRAVERSE THE PERIMETER BOUNDARY OF A DISTRICT IS AS SHORT AS POSSIBLE. THE TOTAL PERIMETER DISTANCE COMPUTED FOR INDIVIDUAL DISTRICTS UNDER THIS PARAGRAPH MAY BE CUMULATED FOR ALL DISTRICTS IN A PLAN IN ORDER TO COMPARE THE OVERALL COMPACTNESS OF TWO OR MORE ALTERNATIVE DISTRICTING PLANS FOR THE STATE, OR FOR A PORTION OF THE STATE.

F. NO DISTRICT SHALL BE DRAWN FOR THE PURPOSE OF FAVORING A POLITICAL PARTY, INCUMBENT LEGISLATOR OR MEMBER OF CONGRESS, OR OTHER PERSON OR GROUP, OR FOR THE PURPOSE OF AUGMENTING OR DILUTING THE VOTING STRENGTH OF A LANGUAGE OR RACIAL MINORITY GROUP. IN ESTABLISHING DISTRICTS, NO USE SHALL BE MADE OF ANY OF THE FOLLOWING DATA:

1. ADDRESSES OF INCUMBENT LEGISLATORS OR MEMBERS OF CONGRESS.

2. POLITICAL AFFILIATIONS OF REGISTERED VOTERS.

3. PREVIOUS ELECTION RESULTS.

4. DEMOGRAPHIC INFORMATION, OTHER THAN POPULATION HEAD COUNTS, EXCEPT AS REQUIRED BY THE CONSTITUTION AND THE LAWS OF THE UNITED STATES.

G. IN ORDER TO MINIMIZE ELECTORAL CONFUSION AND TO FACILITATE COMMUNICATION WITHIN STATE SENATE AND ASSEMBLY DISTRICTS, EACH PLAN DRAWN UNDER THIS SECTION SHALL PROVIDE THAT EACH ASSEMBLY DISTRICT IS WHOLLY INCLUDED WITHIN A SINGLE SENATE DISTRICT AND THAT, SO FAR AS POSSIBLE, EACH ASSEMBLY AND EACH SENATE DISTRICT SHALL BE INCLUDED WITHIN A SINGLE CONGRESSIONAL DISTRICT. HOWEVER, THE STANDARDS ESTABLISHED BY SUBDIVISIONS B THROUGH F OF THIS SECTION SHALL TAKE PRECEDENCE WHERE A CONFLICT ARISES BETWEEN THESE STANDARDS AND THE REQUIREMENT, SO FAR AS POSSIBLE, OF INCLUDING A SENATE OR ASSEMBLY DISTRICT WITHIN A SINGLE CONGRESSIONAL DISTRICT.

H. EACH BILL EMBODYING A PLAN DRAWN UNDER THIS SECTION SHALL PROVIDE THAT ANY VACANCY IN THE SENATE OR ASSEMBLY WHICH TAKES OFFICE IN THE YEAR ENDING IN ONE, OCCURRING AT A TIME WHICH MAKES IT NECESSARY TO FILL THE VACANCY AT A SPECIAL ELECTION, SHALL BE FILLED FROM THE SAME DISTRICT WHICH ELECTED THE SENATOR OR MEMBER OF ASSEMBLY WHOSE SEAT IS VACANT.

S 4. THE SENATE, ASSEMBLY AND CONGRESSIONAL DISTRICTS SHALL, AT THE SUIT OF ANY CITIZEN, BE SUBJECT TO REVIEW BY THE COURT OF APPEALS, WHICH SHALL HAVE ORIGINAL AND EXCLUSIVE JURISDICTION OVER ANY SUCH SUIT; AND SAID COURT SHALL GIVE PRECEDENCE THERETO OVER ALL OTHER CAUSES AND PROCEEDINGS, AND IF SAID COURT BE NOT IN SESSION IT SHALL CONVENE PROMPTLY FOR THE DISPOSITION OF THE SAME. THE COURT OF APPEALS SHALL HAVE AUTHORITY TO APPOINT REFEREES, TO ENGAGE THE ASSISTANCE OF EXPERTS, AND TO COMPEL THE ASSISTANCE OF THE DISTRICTING COMMISSION AND ITS STAFF, AS IT MAY DEEM NECESSARY TO THE DISPOSITION OF A SUIT BROUGHT UNDER THIS SECTION. IF THE DISTRICTING COMMISSION SHALL FAIL TO ESTABLISH SENATE, ASSEMBLY OR CONGRESSIONAL DISTRICTS BY THE LAST DAY OF JANUARY OF THE SECOND YEAR FOLLOWING THE YEAR IN WHICH THE FEDERAL DECENNIAL CENSUS IS TAKEN, OR IF THE COURT OF APPEALS FINDS THE ESTABLISHMENT OR ALTERATION OF ANY SUCH DISTRICTS TO VIOLATE ANY PROVISION OF THIS ARTICLE, OR OF THE CONSTITUTION AND LAWS OF THE UNITED STATES, THE COURT SHALL ORDER THE COMMISSION TO ESTABLISH SUCH DISTRICTS OR MAKE SUCH ALTERATIONS AS NECESSARY TO PROVIDE A REMEDY, WITHIN SUCH TIME AS THE COURT MAY REQUIRE, OR SHALL ITSELF ESTABLISH SUCH DISTRICTS OR MAKE SUCH ALTERATIONS AS THE COURT DEEMS NECESSARY.

S 4-A. A. (1) NOT LATER THAN APRIL FIRST OF EACH YEAR ENDING IN ONE, THE LEGISLATIVE SERVICES AGENCY SHALL DELIVER TO THE TEMPORARY PRESIDENT OF THE SENATE AND THE SPEAKER OF THE ASSEMBLY IDENTICAL BILLS EMBODYING A PLAN OF SENATE AND ASSEMBLY AND CONGRESSIONAL DISTRICTING PREPARED IN ACCORDANCE WITH SECTION THREE OF THIS ARTICLE. IT IS THE INTENT OF THIS SECTION THAT THE LEGISLATURE SHALL BRING THE BILL TO A VOTE IN EITHER THE SENATE OR THE ASSEMBLY EXPEDITIOUSLY, BUT NOT LESS THAN THREE DAYS AFTER THE REPORT OF THE COMMISSION REQUIRED BY SECTION THREE OF THIS ARTICLE IS RECEIVED AND MADE AVAILABLE TO THE MEMBERS OF THE SENATE AND ASSEMBLY, UNDER A PROCEDURE OR RULE PERMITTING NO AMENDMENTS EXCEPT THOSE OF A PURELY CORRECTIVE NATURE. IT IS FURTHER THE INTENT OF THIS SECTION THAT IF THE BILL IS APPROVED BY THE FIRST HOUSE IN WHICH IT IS CONSIDERED, IT SHALL EXPEDITIOUSLY BE BROUGHT TO A VOTE IN THE SECOND HOUSE UNDER A SIMILAR PROCEDURE OR RULE. IF THE BILL EMBODYING THE PLAN SUBMITTED BY THE NEW YORK STATE LEGISLATIVE TASK FORCE ON DEMOGRAPHIC RESEARCH AND REAPPORTIONMENT UNDER THIS SECTION FAILS TO BE APPROVED BY A CONSTITUTIONAL MAJORITY IN EITHER THE SENATE OR THE ASSEMBLY, THE TEMPORARY PRESIDENT OF THE SENATE OR THE SPEAKER OF THE ASSEMBLY, AS THE CASE MAY BE, SHALL AT ONCE, BUT IN NO EVENT LATER THAN SEVEN DAYS AFTER THE DATE THE BILL FAILED TO BE APPROVED, TRANSMIT TO THE NEW YORK STATE TASK FORCE ON DEMOGRAPHIC RESEARCH AND REAPPORTIONMENT INFORMATION WHICH THE SENATE OR ASSEMBLY MAY DIRECT BY RESOLUTION REGARDING REASONS WHY THE PLAN WAS NOT APPROVED.

(2) HOWEVER, IF THE POPULATION DATA FOR LEGISLATIVE DISTRICTING WHICH THE UNITED STATES CENSUS BUREAU IS REQUIRED TO PROVIDE THIS STATE UNDER PUB. L. NO. 94-171 AND, IF USED BY THE NEW YORK STATE LEGISLATIVE TASK FORCE ON DEMOGRAPHIC RESEARCH AND REAPPORTIONMENT, THE CORRESPONDING TOPOLOGICALLY INTEGRATED GEOGRAPHIC ENCODING AND REFERENCING DATA FILE FOR THAT POPULATION DATA ARE NOT AVAILABLE TO THE NEW YORK STATE LEGISLATIVE TASK FORCE ON DEMOGRAPHIC RESEARCH AND REAPPORTIONMENT ON OR BEFORE FEBRUARY FIFTEENTH OF THE YEAR ENDING IN ONE, THE DATES SET FORTH IN THIS SECTION SHALL BE EXTENDED BY A NUMBER OF DAYS EQUAL TO THE NUMBER OF DAYS AFTER FEBRUARY FIFTEENTH OF THE YEAR ENDING IN ONE THAT THE FEDERAL CENSUS POPULATION DATA AND THE TOPOLOGICALLY INTEGRATED GEOGRAPHIC ENCODING AND REFERENCING DATA FILE FOR LEGISLATIVE DISTRICTING BECOME AVAILABLE.

B. IF THE BILL EMBODYING THE PLAN SUBMITTED BY THE NEW YORK STATE LEGISLATIVE TASK FORCE ON DEMOGRAPHIC RESEARCH AND REAPPORTIONMENT UNDER PARAGRAPH ONE OF SUBDIVISION A OF THIS SECTION FAILS TO BE ENACTED, THE NEW YORK STATE LEGISLATIVE TASK FORCE ON DEMOGRAPHIC RESEARCH AND REAPPORTIONMENT SHALL PREPARE A BILL EMBODYING A SECOND PLAN OF SENATE, ASSEMBLY AND CONGRESSIONAL DISTRICTING. THE BILL SHALL BE PREPARED IN ACCORDANCE WITH SECTION THREE OF THIS ARTICLE, AND, INSOFAR AS IT IS POSSIBLE TO DO SO WITHIN THE REQUIREMENTS OF SUCH SECTION THREE, WITH THE REASONS CITED BY THE SENATE OR ASSEMBLY BY RESOLUTION, OR THE GOVERNOR BY VETO MESSAGE, FOR THE FAILURE TO APPROVE THE PLAN. IF A SECOND PLAN IS REQUIRED UNDER THIS SUBDIVISION, THE BILL EMBODYING IT SHALL BE DELIVERED TO THE TEMPORARY PRESIDENT OF THE SENATE AND THE SPEAKER OF THE ASSEMBLY NOT LATER THAN THIRTY-FIVE DAYS AFTER THE DATE OF THE VOTE BY WHICH THE SENATE OR THE ASSEMBLY FAILS TO APPROVE THE BILL SUBMITTED UNDER SUBDIVISION A OF THIS SECTION, OR THE DATE THE GOVERNOR VETOES OR FAILS TO APPROVE THE BILL. IF IT IS NECESSARY TO SUBMIT A BILL UNDER THIS SUBDIVISION, THE BILL SHALL BE BROUGHT TO A VOTE NOT LESS THAN SEVEN DAYS AFTER THE BILL IS SUBMITTED AND MADE AVAILABLE TO THE MEMBERS OF THE SENATE AND ASSEMBLY, UNDER A PROCEDURE OR RULE PERMITTING NO AMENDMENTS EXCEPT THOSE OF A PURELY CORRECTIVE NATURE. IT IS FURTHER THE

INTENT OF THIS SECTION THAT IF THE BILL IS APPROVED BY THE FIRST HOUSE IN WHICH IT IS CONSIDERED, IT SHALL EXPEDITIOUSLY BE BROUGHT TO A VOTE IN THE SECOND HOUSE UNDER A SIMILAR PROCEDURE OR RULE. IF THE BILL EMBODYING THE PLAN SUBMITTED BY THE NEW YORK STATE LEGISLATIVE TASK FORCE ON DEMOGRAPHIC RESEARCH AND REAPPORTIONMENT UNDER THIS SUBDIVISION FAILS TO BE APPROVED BY A CONSTITUTIONAL MAJORITY IN EITHER THE SENATE OR THE ASSEMBLY, THE TEMPORARY PRESIDENT OF THE SENATE OR SPEAKER OF THE ASSEMBLY, AS THE CASE MAY BE, SHALL TRANSMIT TO THE NEW YORK STATE LEGISLATIVE TASK FORCE ON DEMOGRAPHIC RESEARCH AND REAPPORTIONMENT INFORMATION WHICH THE SENATE OR ASSEMBLY MAY DIRECT BY RESOLUTION REGARDING REASONS WHY THE PLAN WAS NOT APPROVED IN THE SAME MANNER AS DESCRIBED IN SUBDIVISION A OF THIS SECTION.

C. IF THE BILL EMBODYING THE PLAN SUBMITTED BY THE NEW YORK STATE LEGISLATIVE TASK FORCE ON DEMOGRAPHIC RESEARCH AND REAPPORTIONMENT UNDER SUBDIVISION B OF THIS SECTION FAILS TO BE ENACTED, THE SAME PROCEDURE AS PRESCRIBED BY SUBDIVISION B OF THIS SECTION SHALL BE FOLLOWED. IF A THIRD PLAN IS REQUIRED UNDER THIS SUBDIVISION, THE BILL EMBODYING IT SHALL BE DELIVERED TO THE TEMPORARY PRESIDENT OF THE SENATE AND THE SPEAKER OF THE ASSEMBLY NOT LATER THAN THIRTY-FIVE DAYS AFTER THE DATE OF THE VOTE BY WHICH THE SENATE OR ASSEMBLY FAILS TO APPROVE THE BILL SUBMITTED UNDER SUBDIVISION B OF THIS SECTION, OR THE DATE THE GOVERNOR VETOES OR FAILS TO APPROVE THE BILL. THE NEW YORK STATE LEGISLATIVE TASK FORCE ON DEMOGRAPHIC RESEARCH AND REAPPORTIONMENT SHALL SUBMIT A BILL UNDER THIS SUBDIVISION SUFFICIENTLY IN ADVANCE OF SEPTEMBER FIRST OF THE YEAR ENDING IN ONE TO PERMIT THE SENATE AND ASSEMBLY TO CONSIDER THE PLAN PRIOR TO THAT DATE. IF IT IS NECESSARY TO SUBMIT A BILL UNDER THIS SUBDIVISION, THE BILL SHALL BE BROUGHT TO A VOTE WITHIN THE SAME TIME PERIOD AFTER ITS DELIVERY TO THE TEMPORARY PRESIDENT OF THE SENATE AND THE SPEAKER OF THE ASSEMBLY AS IS PRESCRIBED FOR THE BILL SUBMITTED UNDER SUBDIVISION B OF THIS SECTION BUT SHALL BE SUBJECT TO AMENDMENT IN THE SAME MANNER AS OTHER BILLS.

S 5. CONGRESSIONAL DISTRICTS SHALL BE ESTABLISHED ON THE BASIS OF POPULATION. A. ALL CONGRESSIONAL DISTRICTS SHALL BE AS NEARLY EQUAL IN POPULATION AS IS PRACTICABLE TO THE IDEAL DISTRICT POPULATION, DERIVED IN SUBDIVISION B OF SECTION THREE OF THIS ARTICLE.

B. NO CONGRESSIONAL DISTRICT SHALL HAVE A POPULATION WHICH VARIES BY MORE THAN ONE PERCENT FROM THE APPLICABLE IDEAL DISTRICT POPULATION.

S 2. Resolved (if the Senate concur), That the foregoing amendments be referred to the first regular legislative session convening after the next succeeding general election of members of the assembly, and, in conformity with section 1 of article 19 of the constitution, be published for 3 months previous to the time of such election.