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2011-2012 Regular Sessions

I N A S S E M B L Y

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Introduced by M. of A. SCHROEDER, FINCH, MOLINARO, BUTLER, CORWIN, LATIMER -- Multi-Sponsored by -- M. of A. BARCLAY, BURLING, CALHOUN, CONTE, CROUCH, DUPREY, GIGLIO, HAYES, KOLB, RAIA, SAYWARD, TEDISCO, THIELE, TOBACCO -- 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

1 Section 1. RESOLVED (if the Senate concur), That sections 3, 4, 5 and
2 5-a of article 3 of the constitution be REPEALED and four new sections
3 3, 4, 4-a and 5 are added to read as follows:
4 S 3. A. THERE SHALL BE A DISTRICTING COMMISSION TO DRAW SENATE, ASSEM-
5 BLY AND CONGRESSIONAL DISTRICTS, SO THAT ALL THE PEOPLE OF NEW YORK MAY
6 BE FAIRLY REPRESENTED. THE DISTRICTING COMMISSION SHALL CONSIST OF FIVE
7 MEMBERS. EACH MEMBER OF THE DISTRICTING COMMISSION SHALL BE A REGISTERED
8 VOTER IN THE STATE OF NEW YORK, AND, AT THE TIME OF APPOINTMENT, SHALL
9 HAVE BEEN A RESIDENT OF THE STATE OF NEW YORK FOR FIVE YEARS. NO MEMBER
10 OF THE DISTRICTING COMMISSION SHALL BE, OR SHALL HAVE BEEN (1) IN THE
11 TWO YEARS PRIOR TO APPOINTMENT, A MEMBER OR EMPLOYEE OF CONGRESS, THE
12 SENATE OR ASSEMBLY OR A POLITICAL PARTY CHAIR; (2) A HOLDER OF PARTISAN
13 PUBLIC OFFICE OR POLITICAL PUBLIC OFFICE; (3) A RELATIVE OF ANY PERSON
14 SET FORTH IN CLAUSE (1) OR (2) TO THE THIRD DEGREE OF CONSANGUINITY; OR
15 (4) A SPOUSE OF ANY PERSON SET FORTH IN CLAUSE (1), (2) OR (3). NO
16 MEMBER OF THE DISTRICTING COMMISSION SHALL BE A LOBBYIST AT THE TIME OF
17 HIS OR HER MEMBERSHIP. THE TEMPORARY PRESIDENT OF THE SENATE, THE
18 MINORITY LEADER OF THE SENATE, THE SPEAKER OF THE ASSEMBLY, AND THE
19 MINORITY LEADER OF THE ASSEMBLY SHALL EACH APPOINT ONE MEMBER OF THE
20 DISTRICTING COMMISSION AND THE FOUR NEWLY APPOINTED MEMBERS SHALL
21 APPOINT A FIFTH MEMBER TO BE THE CHAIRMAN OF THE COMMISSION, AND MUST
22 HAVE THE USE OF THREE OUT OF FOUR MEMBERS. IF A SEAT ON THE COMMISSION

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

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1 SHALL FALL VACANT, A REPLACEMENT SHALL BE SELECTED IN THE SAME MANNER BY
2 WHICH THE MEMBER WHO PREVIOUSLY FILLED THE SEAT WAS SELECTED. APPOINT-
3 ING AUTHORITIES SHALL GIVE DUE CONSIDERATION TO REFLECTING THE GEOGRAPH-
4 IC, ETHNIC, AND RACIAL DIVERSITY OF THE STATE IN APPOINTMENTS TO THE
5 COMMISSION. INITIAL APPOINTMENTS TO THE COMMISSION SHALL BE MADE AS SOON
6 AS PRACTICABLE FOLLOWING THE EFFECTIVE DATE OF THIS SUBDIVISION. EACH
7 MEMBER OF THE COMMISSION SHALL HAVE A TERM OF TEN YEARS EXCEPT THAT THE
8 TERMS OF ALL MEMBERS SHALL TERMINATE ON THE FIRST DAY OF APRIL OF THE
9 YEAR PRECEDING THE YEAR IN WHICH THE FEDERAL DECENNIAL CENSUS IS TAKEN.
10 THE MEMBERS SHALL BE REMOVABLE ONLY FOR CAUSE, INCLUDING CRIMINAL
11 CONVICTION OR SERIOUS MISCONDUCT RELATED TO HIS OR HER OFFICIAL DUTIES,
12 IN AN ACTION BROUGHT BY THE ATTORNEY GENERAL, OVER WHICH THE COURT OF
13 APPEALS SHALL HAVE SOLE AND EXCLUSIVE JURISDICTION.

14 B. SENATE AND ASSEMBLY DISTRICTS SHALL BE ESTABLISHED ON THE BASIS OF
15 POPULATION. SENATE AND ASSEMBLY DISTRICTS, RESPECTIVELY, SHALL EACH
16 HAVE A POPULATION AS NEARLY EQUAL AS PRACTICABLE TO THE IDEAL POPULATION
17 FOR SUCH DISTRICTS, DETERMINED BY DIVIDING THE NUMBER OF DISTRICTS TO BE
18 ESTABLISHED INTO THE POPULATION OF THE STATE REPORTED IN THE FEDERAL
19 DECENNIAL CENSUS. SENATE DISTRICTS AND ASSEMBLY DISTRICTS SHALL NOT VARY
20 IN POPULATION FROM THE RESPECTIVE IDEAL DISTRICT POPULATIONS EXCEPT AS
21 NECESSARY TO COMPLY WITH ONE OF THE OTHER STANDARDS ENUMERATED IN THIS
22 SECTION. IN NO CASE SHALL THE QUOTIENT, OBTAINED BY DIVIDING THE TOTAL
23 OF THE ABSOLUTE VALUES OF THE DEVIATIONS OF ALL DISTRICT POPULATIONS
24 FROM THE APPLICABLE IDEAL DISTRICT POPULATION BY THE NUMBER OF DISTRICTS
25 ESTABLISHED, EXCEED ONE PERCENT OF THE APPLICABLE IDEAL DISTRICT POPU-
26 LATION. NO SENATE DISTRICT SHALL HAVE A POPULATION WHICH EXCEEDS THAT OF
27 ANY OTHER SENATE DISTRICT BY MORE THAN FIVE PERCENT, AND NO ASSEMBLY
28 DISTRICT SHALL HAVE A POPULATION WHICH EXCEEDS THAT OF ANY OTHER ASSEM-
29 BLY DISTRICT BY MORE THAN FIVE PERCENT.

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

39 D. DISTRICTS SHALL BE COMPOSED OF CONVENIENT CONTIGUOUS TERRITORY.
40 AREAS WHICH MEET ONLY AT THE POINTS OF ADJOINING CORNERS ARE NOT CONTIG-
41 UOUS.

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

51 1. LENGTH-WIDTH COMPACTNESS. THE COMPACTNESS OF A DISTRICT IS GREATEST
52 WHEN THE LENGTH OF THE DISTRICT AND THE WIDTH OF THE DISTRICT ARE EQUAL.
53 THE MEASURE OF A DISTRICT'S COMPACTNESS IS THE ABSOLUTE VALUE OF THE
54 DIFFERENCE BETWEEN THE LENGTH AND THE WIDTH OF THE DISTRICT. IN GENERAL,
55 THE LENGTH-WIDTH COMPACTNESS OF A DISTRICT IS CALCULATED BY MEASURING
56 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

1 SUCH ALTERATIONS AS NECESSARY TO PROVIDE A REMEDY, WITHIN SUCH TIME AS
2 THE COURT MAY REQUIRE, OR SHALL ITSELF ESTABLISH SUCH DISTRICTS OR MAKE
3 SUCH ALTERATIONS AS THE COURT DEEMS NECESSARY.

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

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

40 B. IF THE BILL EMBODYING THE PLAN SUBMITTED BY THE NEW YORK STATE
41 LEGISLATIVE TASK FORCE ON DEMOGRAPHIC RESEARCH AND REAPPORTIONMENT UNDER
42 PARAGRAPH ONE OF SUBDIVISION A OF THIS SECTION FAILS TO BE ENACTED, THE
43 NEW YORK STATE LEGISLATIVE TASK FORCE ON DEMOGRAPHIC RESEARCH AND REAP-
44 PORTIONMENT SHALL PREPARE A BILL EMBODYING A SECOND PLAN OF SENATE,
45 ASSEMBLY AND CONGRESSIONAL DISTRICTING. THE BILL SHALL BE PREPARED IN
46 ACCORDANCE WITH SECTION THREE OF THIS ARTICLE, AND, INsofar AS IT IS
47 POSSIBLE TO DO SO WITHIN THE REQUIREMENTS OF SUCH SECTION THREE, WITH
48 THE REASONS CITED BY THE SENATE OR ASSEMBLY BY RESOLUTION, OR THE GOVER-
49 NOR BY VETO MESSAGE, FOR THE FAILURE TO APPROVE THE PLAN. IF A SECOND
50 PLAN IS REQUIRED UNDER THIS SUBDIVISION, THE BILL EMBODYING IT SHALL BE
51 DELIVERED TO THE TEMPORARY PRESIDENT OF THE SENATE AND THE SPEAKER OF
52 THE ASSEMBLY NOT LATER THAN THIRTY-FIVE DAYS AFTER THE DATE OF THE VOTE
53 BY WHICH THE SENATE OR THE ASSEMBLY FAILS TO APPROVE THE BILL SUBMITTED
54 UNDER SUBDIVISION A OF THIS SECTION, OR THE DATE THE GOVERNOR VETOES OR
55 FAILS TO APPROVE THE BILL. IF IT IS NECESSARY TO SUBMIT A BILL UNDER
56 THIS SUBDIVISION, THE BILL SHALL BE BROUGHT TO A VOTE NOT LESS THAN

1 SEVEN DAYS AFTER THE BILL IS SUBMITTED AND MADE AVAILABLE TO THE MEMBERS
2 OF THE SENATE AND ASSEMBLY, UNDER A PROCEDURE OR RULE PERMITTING NO
3 AMENDMENTS EXCEPT THOSE OF A PURELY CORRECTIVE NATURE. IT IS FURTHER THE
4 INTENT OF THIS SECTION THAT IF THE BILL IS APPROVED BY THE FIRST HOUSE
5 IN WHICH IT IS CONSIDERED, IT SHALL EXPEDITIOUSLY BE BROUGHT TO A VOTE
6 IN THE SECOND HOUSE UNDER A SIMILAR PROCEDURE OR RULE. IF THE BILL
7 EMBODYING THE PLAN SUBMITTED BY THE NEW YORK STATE LEGISLATIVE TASK
8 FORCE ON DEMOGRAPHIC RESEARCH AND REAPPORTIONMENT UNDER THIS SUBDIVISION
9 FAILS TO BE APPROVED BY A CONSTITUTIONAL MAJORITY IN EITHER THE SENATE
10 OR THE ASSEMBLY, THE TEMPORARY PRESIDENT OF THE SENATE OR SPEAKER OF THE
11 ASSEMBLY, AS THE CASE MAY BE, SHALL TRANSMIT TO THE NEW YORK STATE
12 LEGISLATIVE TASK FORCE ON DEMOGRAPHIC RESEARCH AND REAPPORTIONMENT
13 INFORMATION WHICH THE SENATE OR ASSEMBLY MAY DIRECT BY RESOLUTION
14 REGARDING REASONS WHY THE PLAN WAS NOT APPROVED IN THE SAME MANNER AS
15 DESCRIBED IN SUBDIVISION A OF THIS SECTION.

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

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

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

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