

IN SENATE

Senate introducer's signature

The senators whose names are circled below wish to join me in the sponsorship of this proposal

S. \_\_\_\_\_  
Senate  
\_\_\_\_\_

s20 Adams	s44 Farley	s58 Kennedy	s18 Montgomery	s23 Savino
s15 Addabbo	s02 Flanagan	s34 Klein	s54 Nozzolio	s28 Serrano
s55 Alesi	s08 Fuschillo	s26 Krueger	s53 O'Mara	s51 Seward
s11 Avella	s59 Gallivan	s27 Kruger	s37 Oppenheimer	s09 Skelos
s40 Ball	s12 Gianaris	s24 Lanza	s21 Parker	s14 Smith
s42 Bonacic	s22 Golden	s39 Larkin	s13 Peralta	s25 Squadron
s46 Breslin	s47 Griffo	s01 LaValle	s30 Perkins	s16 Stavisky
s38 Carlucci	s60 Grisanti	s52 Libous	s61 Ranzenhofer	s35 Stewart-
s50 DeFrancisco	s06 Hamon	s45 Little	s48 Ritchie	Cousins
s32 Diaz	s36 Hassell-	s05 Marcellino	s33 Rivera	s49 Valesky
s17 Dilan	Thompson	s07 Martins	s56 Robach	s57 Young
s29 Duane	s10 Huntley	s62 Maziarz	s41 Saland	s03 Zeldin
s31 Espaillat	s04 Johnson	s43 McDonald	s19 Sampson	

IN SENATE--Introduced by Sen

--read twice and ordered printed,  
and when printed to be committed  
to the Committee on

----- A.  
Assembly  
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IN ASSEMBLY

Assembly introducer's signature

The Members of the Assembly whose names are circled below wish to join me in the multi-sponsorship of this proposal:

IN ASSEMBLY--Introduced by M. of A.

a049 Abbate	a107 Crouch	a042 Jacobs	a102 Miller, J.	a067 Rosenthal
a092 Abinanti	a014 Curran	a095 Jaffee	a038 Miller, M.	a118 Russell
a105 Amedore	a063 Cusick	a057 Jeffries	a052 Millman	a012 Saladino
a084 Arroyo	a045 Cymbrowitz	a135 Johns	a103 Molinaro	a113 Sayward
a035 Aubry	a034 DenDekker	a112 Jordan	a015 Montesano	a029 Scarborough
a124 Barclay	a116 Destito	a099 Katz	a132 Morelle	a016 Schimel
a040 Barron	a081 Dinowitz	a074 Kavanagh	a039 Moya	a140 Schimminger
a082 Benedetto	a114 Duprey	a065 Kellner	a003 Murray	a145 Schroeder
a073 Bing	a004 Englebright	a129 Kolb	a037 Nolan	a064 Silver
a122 Blankenbush	a071 Farrell	a025 Lancman	a128 Oaks	a036 Simotas
a055 Boyland	a123 Finch	a091 Latimer	a069 O'Donnell	a146 Smardz
a008 Boyle	a007 Fitzpatrick	a013 Lavine	a051 Ortiz	a093 Spano
a026 Braunstein	a137 Friend	a050 Lentol	a136 Palmesano	a079 Stevenson
a044 Brennan	a143 Gabryszak	a125 Lifton	a088 Paulin	a011 Sweeney
a131 Bronson	a090 Galef	a072 Linares	a141 Peoples-	a110 Tedisco
a046 Brook-Krasny	a133 Gantt	a127 Lopez, P.	Stokes	a115 Tenney
a147 Burling	a077 Gibson	a053 Lopez, V.	a058 Perry	a002 Thiele
a117 Butler	a149 Giglio	a001 Losquadro	a023 Pheffer	a061 Titone
a101 Cahill	a066 Glick	a126 Lupardo	a087 Pretlow	a031 Titus
a096 Calhoun	a150 Goodell	a111 Magee	a021 Ra	a062 Tobacco
a043 Camara	a075 Gottfried	a120 Magnarelli	a097 Rabbitt	a054 Towns
a106 Canestrari	a005 Graf	a059 Maisel	a009 Raia	a041 Weinstein
a089 Castelli	a098 Gunther	a060 Malliotakis	a006 Ramos	a020 Weisenberg
a086 Castro	a130 Hanna	a030 Markey	a134 Reilich	a024 Weprin
a138 Ceretto	a139 Hawley	a027 Mayersohn	a109 Reilly	a070 Wright
a033 Clark	a148 Hayes	a019 McDonough	a078 Rivera, J.	a094 Zebrowski
a047 Colton	a083 Heastie	a104 McEneny	a080 Rivera, N.	a100
a010 Conte	a028 Hevesi	a017 McKevitt	a076 Rivera, P.	
a032 Cook	a048 Hiking	a108 McLaughlin	a119 Roberts	
a142 Corwin	a018 Hooper	a022 Meng	a056 Robinson	
a085 Crespo	a144 Hoyt	a121 Miller, D.	a068 Rodriguez	

with M. of A. as co-sponsors

--read once and referred to the  
Committee on

\*LEGILA\*  
(Enacts the Redistricting Reform Act  
of 2011; repealer)

Leg. independent redistrict comm

AN ACT

to amend the legislative law, in  
relation to redistricting of  
congressional, senate and assembly  
districts; and to repeal section  
83-m of such law relating to the  
legislative task force on demograph-  
ic research and reapportionment

The People of the State of New  
York, represented in Senate and  
Assembly, do enact as follows:

1) Single House Bill (introduced and printed separately in either or both  
houses). Uni-Bill (introduced simultaneously in both houses and printed as one  
bill. Senate and Assembly introducer sign the same copy of the bill).

2) Circle names of co-sponsors and return to introduction clerk with 2 signed  
copies of bill and 4 copies of memorandum in support (single house); or 4 signed  
copies of bill and 8 copies of memorandum in support (uni-bill).

1 Section 1. This act shall be known and may be cited as the "Redis-  
2 tracting Reform Act of 2011."

3 § 2. Subdivision 3 of section 5-a of the legislative law, as added by  
4 chapter 630 of the laws of 1998, the opening paragraph as amended by  
5 section 1 of part QQ of chapter 56 of the laws of 2010, is amended to  
6 read as follows:

7 3. Any member of the assembly serving in a special capacity in a posi-  
8 tion set forth in the following schedule shall be paid the allowance set  
9 forth in such schedule only for the legislative term commencing January  
10 first, two thousand eleven and terminating December thirty-first, two  
11 thousand twelve:

12 ASSEMBLYMEN SERVING IN SPECIAL CAPACITY

13	Chairman of legislative commission on public management	
14	systems .....	12,500
15	Chairman of legislative commission on science and	
16	technology .....	12,500
17	Co-chairman of the legislative commission on water	
18	resource needs of New York state and Long Island .....	no allowance
19	[Co-chairman of the legislative task force on	
20	demographic research and reapportionment .....	15,000]
21	Chairman of the assembly task force on farm,	
22	food and nutrition .....	12,500
23	Ranking minority member of the assembly task force	
24	on farm, food and nutrition .....	9,000
25	Chairman of the legislative commission on skills	

1 development and career education ..... 12,500

2 Vice-Chairman of the legislative commission on the

3 development of rural resources ..... 12,500

4 § 3. Subdivision 5 of section 12 of the legislative law, as added by  
5 chapter 141 of the laws of 1994, is amended to read as follows:

6 5. Notwithstanding any provision of law to the contrary, services and  
7 expenses of the legislative health service, legislative library, legis-  
8 lative messenger service, legislative ethics committee, [joint oper-  
9 ations of the legislative task force on demographic research and reap-  
10 portionment] independent redistricting commission, and contributions to  
11 the national conference of state legislatures shall be payable after  
12 audit by and on the warrant of the comptroller upon vouchers certified  
13 by the temporary president of the senate or his or her designee and the  
14 speaker of the assembly or his or her designee.

15 § 4. Section 83-m of the legislative law is REPEALED.

16 § 5. The legislative law is amended by adding a new article 6-A to  
17 read as follows:

18 ARTICLE 6-A

19 REDISTRICTING OF CONGRESSIONAL

20 AND STATE LEGISLATIVE DISTRICTS

21 Section 93. Legislative findings and intent.

22 94. Independent redistricting nominations committee.

23 95. Powers and duties of committee.

24 96. Independent redistricting commission.

25 97. Powers and duties of commission.

26 98. Redistricting.

27 99. Application of article.

1 § 93. Legislative findings and intent. The legislature hereby finds  
2 and declares that:

3 1. there is a need for intensive and thorough study, research and  
4 inquiry into the techniques and methodology to be used by the bureau of  
5 the census of the United States commerce department in carrying out the  
6 decennial federal census;

7 2. a technical plan will be needed to meet the requirements of a  
8 legislative timetable for a redistricting of the senate and assembly  
9 districts and the congressional districts of the state based on such  
10 census;

11 3. an independent redistricting commission is necessary to assist the  
12 legislature in the performance of its responsibilities and in the  
13 conduct of legislative research projects relating thereto; and

14 4. such a commission is necessary to protect the public's interest in  
15 fair and proper elections, including but not limited to the opportu-  
16 nities for minority voters to participate in the political process and  
17 to elect representatives of their choice.

18 § 94. Independent redistricting nominations committee. 1. On or before  
19 the first of December of each year ending with a nine, except that for  
20 the development of the redistricting plan effective for two thousand  
21 twelve, this date shall be no more than thirty days after the effective  
22 date of this article, there shall be established an independent redis-  
23 tricting nominations committee to select those persons who shall be  
24 eligible to be appointed as members of the independent redistricting  
25 commission created in section ninety-six of this article. Each such  
26 committee shall remain in existence until its duties pursuant to section  
27 ninety-five of this article have been completed.

1 2. The independent redistricting nominations committee shall be  
2 composed of eight members, appointed as follows:

3 (a) one member shall be appointed by the temporary president of the  
4 senate;

5 (b) one member shall be appointed by the speaker of the assembly;

6 (c) one member shall be appointed by the minority leader of the  
7 senate;

8 (d) one member shall be appointed by the minority leader of the assem-  
9 bly; and

10 (e) four members shall be appointed by the governor, two of whom shall  
11 be registered members of the political party with the largest number of  
12 enrolled voters in New York State and two of whom shall be registered  
13 members of the political party with the second largest number of  
14 enrolled voters in New York State.

15 3. The independent redistricting nominations committee shall designate  
16 two co-chairs from among its members by a simple majority vote of all  
17 members.

18 4. The members of the independent redistricting nominations committee  
19 shall be registered voters in this state. No member of such committee  
20 shall:

21 (a) have been within the previous four years a member of the legisla-  
22 ture or the United States Congress;

23 (b) hold or have held within the previous four years any political  
24 party position;

25 (c) be employed or have been employed within the previous four years  
26 in any other position by the United States Congress, the state legisla-  
27 ture, or the executive chamber;

1 (d) be or have been within the previous four years a registered lobby-  
2 ist in this state pursuant to article one-A of this chapter;

3 (e) be the spouse of any member of the United States Congress, the  
4 state legislature, or the executive chamber;

5 (f) be related within the third degree of consanguinity to any member  
6 of the United States Congress, the state legislature, or the executive  
7 chamber.

8 5. The members of the independent redistricting nominations committee  
9 shall receive no compensation for their services, but shall be allowed  
10 their actual and necessary expenses incurred in the performance of their  
11 duties.

12 6. The members of the independent redistricting nominations committee  
13 shall be appointed and serve for the duration of such committee. All  
14 vacancies in the membership of such committee shall be filled in the  
15 manner provided for original appointments.

16 § 95. Powers and duties of committee. 1. The independent redistricting  
17 nominations committee shall have the power and duty to, on or before the  
18 first of March in each year ending with a zero except that for the  
19 development of the redistricting plan effective for two thousand twelve,  
20 this date shall be no more that sixty days after the effective date of  
21 this article, establish a list of forty persons who shall be eligible to  
22 be appointed as members of the independent redistricting commission.  
23 Such list shall hereinafter be referred to in this article as the "nomi-  
24 nations pool".

25 2. The members of the independent redistricting nominations committee  
26 shall by majority vote select each person to be included in the nomi-  
27 nations pool. Upon completion of such pool, such committee shall submit  
28 a copy of the nominations pool to the temporary president of the senate,

1 the speaker of the assembly, the minority leader of the senate and the  
2 minority leader of the assembly.

3 3. The nominations pool shall include:

4 (a) fifteen persons who are enrolled as Democrats;

5 (b) fifteen persons who are enrolled as Republicans; and

6 (c) ten persons who are not enrolled as either Democrats or Republi-  
7 cans.

8 4. Persons selected to the nominations pool shall be registered voters  
9 in this state. No such person shall:

10 (a) have been within the previous four years a member of the legisla-  
11 ture;

12 (b) hold or have held within the previous four years any political  
13 party position;

14 (c) be a member of the independent redistricting nominations committee  
15 created in section ninety-four of this article;

16 (d) be employed or have been employed within the previous four years  
17 in any other position by the United States Congress, the state legisla-  
18 ture, or the executive chamber;

19 (e) be or have been within the previous four years a registered lobby-  
20 ist in this state pursuant to article one-A of this chapter;

21 (f) be the spouse of any member of the United States Congress, the  
22 state legislature, or the executive chamber; or

23 (g) be related within the third degree of consanguinity to any member  
24 of the United States Congress, the state legislature, or the executive  
25 chamber.

26 5. (a) The nominations pool shall include at least three persons from  
27 each of the following regions of the state, with the remainder to be

1 nominated from such regions in proportion to the distribution of the  
2 state's population in each region:

3 (i) Long Island;

4 (ii) New York city;

5 (iii) Hudson Valley;

6 (iv) Northern;

7 (v) Central;

8 (vi) Southern tier; and

9 (vii) Western.

10 (b) For the purposes of this subdivision, the following regions shall  
11 be composed of the following counties:

12 (i) Long Island: the counties of Nassau and Suffolk;

13 (ii) New York city: the counties of Bronx, Kings, New York, Queens and  
14 Richmond;

15 (iii) Hudson Valley: the counties of Westchester, Rockland, Putnam,  
16 Orange, Dutchess, Ulster, Columbia, Greene, Rensselaer, Albany and Sche-  
17 nectady;

18 (iv) Northern: the counties of Saratoga, Washington, Warren, Essex,  
19 Clinton, Franklin, St. Lawrence, Hamilton, Fulton, Herkimer, Lewis and  
20 Jefferson;

21 (v) Central: the counties of Schoharie, Montgomery, Otsego, Chenango,  
22 Madison, Oneida, Oswego, Cortland, Onondaga and Cayuga;

23 (vi) Southern tier: the counties of Sullivan, Delaware, Broome, Tioga,  
24 Tompkins, Schuyler, Steuben, Allegany, Cattaraugus and Chautauqua; and

25 (vii) Western: the counties of Seneca, Yates, Ontario, Wayne, Monroe,  
26 Livingston, Wyoming, Genesee, Orleans, Niagara and Erie.

27 6. To the extent practicable, the independent redistricting nomi-  
28 nations committee shall ensure that the nominations pool reflects the

1 diversity of the residents of the state with regard to race, ethnicity  
2 and gender and shall consult with organizations devoted to protecting  
3 the voting rights of minority and other voters concerning potential  
4 members of the nominations pool.

5 § 96. Independent redistricting commission. 1. There shall be created  
6 an independent redistricting commission to assist the legislature in the  
7 redistricting of congressional, senate and assembly districts based on  
8 the ensuing federal census, pursuant to section two of article one of  
9 the United States Constitution and sections four and five of article  
10 three of the state constitution.

11 2. The independent redistricting commission shall be composed of elev-  
12 en members, appointed from the nominations pool no later than fourteen  
13 calendar days after the nomination pool has been selected, as follows:

14 (a) two members shall be appointed by the temporary president of the  
15 senate;

16 (b) two members shall be appointed by the speaker of the assembly;

17 (c) two members shall be appointed by the minority leader of the  
18 senate;

19 (d) two members shall be appointed by the minority leader of the  
20 assembly; and

21 (e) three members shall be appointed within thirty days of the  
22 appointment of the last of the eight legislative appointees, and shall  
23 be appointed by the eight members appointed pursuant to paragraphs (a)  
24 through (d) of this subdivision by a vote of not less than six members  
25 in favor of each such appointment. Each vacancy in any position filled  
26 pursuant to this paragraph shall be deemed to create vacancies in all  
27 three positions held by the members so appointed; provided that any such  
28 member may be reappointed pursuant to this paragraph. In the event that

1 three members are not appointed on or before the thirtieth day after a  
2 vacancy in any such position occurs, the following selection process  
3 shall govern the filling of those vacancies:

4 (i) if two persons are appointed with the required six votes and no  
5 other person receives six votes, the third such member shall be  
6 appointed by the chief judge of the court of appeals within thirty days  
7 thereafter;

8 (ii) if one person is appointed with the required six votes and no two  
9 other persons receive six votes, the two persons receiving the most  
10 votes shall be appointed as members; and

11 (iii) if no three persons receive six votes, the two persons receiving  
12 the most votes shall be appointed as members and the third member shall  
13 be appointed by the chief judge of the court of appeals.

14 (f) The chair shall be designated, from among the three members  
15 appointed pursuant to paragraph (e) of this subdivision, by a simple  
16 majority vote of all members of the commission; provided that if the  
17 commission fails to designate a chair, the chair shall be designated by  
18 the chief judge of the court of appeals.

19 3. (a) No more than four members of the eight members appointed pursu-  
20 ant to paragraphs (a) through (d) of subdivision two of this section  
21 shall be enrolled in the same political party.

22 (b) To the extent practicable, the members of the independent redis-  
23 tricting commission shall reflect the diversity of the residents of this  
24 state with regard to race, ethnicity, gender and geographic residence  
25 and the appointing authorities shall consult with organizations devoted  
26 to protecting the voting rights of minority and other voters concerning  
27 potential appointees to the commission.

1 4. The terms of the members of the independent redistricting commis-  
2 sion shall expire upon the filing of all redistricting plans, pursuant  
3 to subdivision four, five and/or six of section ninety-eight of this  
4 article, the exhaustion of any judicial review of a redistricting plan  
5 and apportionment statute, and the implementation of a redistricting  
6 statute. Vacancies in the membership of the commission shall be filled  
7 within thirty days in the manner provided for original appointments.

8 5. The employees of the former legislative task force on demographic  
9 research and reapportionment established pursuant to section eighty-  
10 three-m of the legislative law shall be transferred to the independent  
11 redistricting commission as employees of the state of New York, subject  
12 to the approval of the director of the budget. Such transfer shall not  
13 in any way affect the civil service or professional status, continuity  
14 of service, retirement plan status, collective negotiating represen-  
15 tation, right to compensation, grade or compensation or other rights and  
16 privileges of any employee so transferred. For purposes of sections  
17 seventy-three, seventy-three-a and seventy-four of the public officers  
18 law and section ninety-four of the executive law, the independent redis-  
19 tricting commission is a state agency, its member and employees of which  
20 are subject to the provisions thereof.

21 6. The members of the independent redistricting commission shall  
22 receive no compensation for their services, but shall be allowed their  
23 actual and necessary expenses incurred in the performance of their  
24 duties pursuant to this article.

25 7. A minimum of eight members of the independent redistricting commis-  
26 sion shall constitute a quorum for the transaction of any business or  
27 the exercise of any power of such commission, provided that no exercise

1 of any power of the independent redistricting commission shall occur  
2 without the affirmative vote of seven members thereof.

3 § 97. Powers and duties of commission. The independent redistricting  
4 commission shall have the power and duty to:

5 1. Employ and at pleasure remove such personnel as it may deem neces-  
6 sary for the performance of its functions and fix their compensation  
7 within the amounts made available therefor;

8 2. Meet within the state, hold public hearings and have all the powers  
9 of a legislative committee pursuant to this chapter;

10 3. Request, receive and utilize such facilities, resources and data  
11 (including, but not limited to, historical voting information and  
12 patterns) of any department, division, board, bureau, commission or  
13 agency of the state or any political subdivision thereof as it may  
14 reasonably request to properly carry out its powers and duties pursuant  
15 to this article;

16 4. Acquire and utilize all materials and equipment necessary to estab-  
17 lish redistricting plans pursuant to section ninety-eight of this arti-  
18 cle;

19 5. Prepare the necessary descriptions for the geographic units of the  
20 state for use by the federal Census Bureau in reporting decennial feder-  
21 al census data;

22 6. Engage in such research studies and other activities as necessary  
23 or appropriate in the preparation and formulation of a redistricting  
24 plan for the next ensuing redistricting of senate and assembly districts  
25 and congressional districts of the state and in the utilization of  
26 census and other demographic and statistical data for policy analysis,  
27 program development and program evaluation purposes for the legislature;

1 7. Sell surveys, data, copies of tabulations and other special statis-  
2 tical compilations and materials to departments, agencies and other  
3 entities of federal, state or local government, of foreign countries,  
4 and to public benefit corporations, or other public, not-for-profit and  
5 private persons and agencies, upon payment of fees at least sufficient  
6 to pay the actual or estimated cost of such projects. In furtherance of  
7 such sale, the independent redistricting commission may execute  
8 contracts for such purpose;

9 8. Prepare maps of cities, towns and counties of the state for  
10 describing congressional, senate and assembly districts, and prepare  
11 redistricting plans and legislation; and

12 9. Make available to the public in print form and in electronic form  
13 on the internet, using the best available technology, all redistricting  
14 plans, relevant data and mapmaking software used to prepare such plans,  
15 information on the members of the independent redistricting commission  
16 and all other relevant information derived from the operation of this  
17 article.

18 § 98. Redistricting. 1. The independent redistricting commission,  
19 shall upon receipt of the federal decennial census for the state, begin  
20 to establish a plan for the redistricting of congressional, senate and  
21 assembly districts in the state.

22 2. Subject to the requirements of state and federal law, the following  
23 requirements and principles shall be applied in establishing a plan for  
24 such districts:

25 (a) all congressional districts shall be as nearly equal in population  
26 as is practicable.

27 (b) each district shall consist of contiguous territory; no district  
28 shall consist of parts entirely separated by the territory of another

1 district of the same body, whether such territory be land or water,  
2 populated or unpopulated. A populated census block shall not be divided  
3 by a district boundary, unless it can be determined that the populated  
4 part of such block is within a single district.

5 (c) senate, assembly, or congressional districts shall not be estab-  
6 lished that are intended to or result in a denial or abridgement of  
7 minority voting rights including the opportunity of minority voters to  
8 participate in the political process, and to elect the candidates of  
9 their choice, including but not limited to minority populations with the  
10 opportunity to elect the candidates of their choice without comprising a  
11 majority of the district.

12 (d) senate, assembly, or congressional districts shall not be drawn  
13 with an intent to favor or oppose any political party, any incumbent  
14 federal or state legislator, or any previous or presumed candidate for  
15 office in the redistricting plan developed by the commission.

16 (e) subject to the requirements of paragraphs (a), (b), (c) and (d) of  
17 this subdivision and the requirements of state and federal law, the  
18 following principles shall be followed in the creation of senate, assem-  
19 bly, and congressional districts. A principle with a lower number shall  
20 have precedence over a principle with a higher number.

21 (i) To the extent practicable, the most and least populous senate  
22 districts shall not exceed or be lower than the mean population of all  
23 senate districts by more than one percent, and the most and least popu-  
24 lous assembly districts shall not exceed or be lower than the mean popu-  
25 lation of all assembly districts by more than one percent. In no event  
26 shall the commission advantage any region of the state over any other by  
27 creating multiple districts therein exceeding, or lower than, the mean

1 population by more than one percent except as may be mandated by the New  
2 York constitution or federal law.

3 (ii) To the extent possible, a senate, assembly, or congressional  
4 district shall unite communities defined by actual shared interests,  
5 taking account of geographic, social, economic, and other factors that  
6 indicate commonality of interest, and districts shall be formed so as to  
7 promote the orderly and efficient administration of elections.

8 (iii) To the extent practicable, counties shall not be divided in the  
9 formation of districts, except to create districts wholly within a coun-  
10 ty. To the extent practicable, if any assembly district or any senate  
11 district includes the territory of two counties, then no other assembly  
12 district or senate district shall include territory of both of the same  
13 two counties.

14 (iv) To the extent practicable, county subdivisions shall not be  
15 divided in the formation of districts, except to create districts wholly  
16 within a county subdivision. For the purposes of this article, a county  
17 subdivision shall be a city, except the city of New York, a town, or an  
18 Indian reservation whose territory is exclusive of the territory of any  
19 city or town. County subdivisions with larger populations shall be  
20 divided in preference to the division of those with smaller populations.

21 (v) To the extent practicable, incorporated villages shall not be  
22 divided in the formation of districts.

23 3. (a) During the preparation of the redistricting plan, the independ-  
24 ent redistricting commission shall conduct not less than one public  
25 hearing on proposals for the redistricting of congressional and state  
26 legislative districts in each of the following (i) cities: Albany,  
27 Buffalo, Syracuse, Rochester, and White Plains; and (ii) counties:  
28 Bronx, Kings, New York, Queens and Richmond. Public notice of all such

1 hearings shall be widely published in available media including the  
2 internet by the independent redistricting commission in advance in any  
3 event, no less than thirty days before every hearing through all avail-  
4 able means. To the extent practicable, all such hearings and the  
5 proceedings of the independent redistricting commission shall be tele-  
6 vised or webcast. The independent redistricting commission shall report  
7 the findings of all such hearings to the legislature upon submission of  
8 the redistricting plan pursuant to paragraph (a) of subdivision four of  
9 this section.

10 (b) At least thirty days prior to the first public hearing and in any  
11 event no later than March fifteenth of the year ending with a one,  
12 except that for the development of the redistricting plans effective for  
13 two thousand twelve this date shall be no later than September  
14 fifteenth, two thousand eleven, the independent redistricting commission  
15 shall post on its website (i) its draft redistricting plans; (ii) all  
16 data and other information in such form as to allow and facilitate the  
17 use of such data and information by the public to review, analyze, and  
18 comment upon such plans, and to develop alternative redistricting plans  
19 or specific changes to the commission's plans for presentation to the  
20 commission at the public hearing; and (iii) a standardized scorecard  
21 indicating compliance with each of the requirements, and setting forth  
22 each redistricting plan's score on each of the principles, set forth in  
23 subdivision two of this section, including the plan's protection of  
24 minority voters' rights to participate in the political process and to  
25 elect candidates of their choice and any further discussion necessary to  
26 explain the plan's features and compliance with these requirements and  
27 principles.

1 4. (a) On or before the fifteenth of May in each year ending with a  
2 one or within sixty days of receiving the federal decennial census for  
3 the state, whichever is later, the independent redistricting commission  
4 shall submit to the legislature and disseminate to the public a redis-  
5 tricting plan for all congressional and state legislative districts,  
6 along with the legislation necessary to implement such plan except that  
7 for the redistricting plans effective for two thousand twelve such plan  
8 shall be submitted and disseminated no later than October fifteenth, two  
9 thousand eleven. Upon receipt of such plan, the implementing legislation  
10 therefor shall be introduced in both houses of the legislature without  
11 any amendments within five days.

12 (b) The legislation introduced pursuant to paragraph (a) of this  
13 subdivision shall be voted upon, without amendment, by both such houses  
14 of the legislature within seven days after the independent redistricting  
15 commission reports the findings of its public hearing to the legisla-  
16 ture. If approved, the legislature shall forward such legislation to the  
17 governor within five days.

18 5. If (a) either house shall fail to approve the legislation submitted  
19 pursuant to subdivision four of this section within twenty-one days of  
20 its submission, or (b) the governor shall veto such legislation and the  
21 legislature shall fail to override such veto within fifteen days of such  
22 veto, the independent redistricting commission shall hold an open hear-  
23 ing within fifteen days of said failure to pass the legislation as in  
24 paragraph (a) of this subdivision or failure to override the governor's  
25 veto as in paragraph (b) of this subdivision at which the speaker and  
26 minority leader of the assembly and the temporary president and minority  
27 leader of the senate, or each of their designees shall testify as to the  
28 reasons that the legislation did not become law and any objections such

1 legislative leaders may have to such legislation, and members of the  
2 public will also be invited to testify. Within fifteen days of such  
3 hearing, the independent redistricting commission shall establish and  
4 submit to the legislature a second redistricting plan and the necessary  
5 implementing legislation for such plan. Upon receipt of such second  
6 plan, the implementing legislation therefor shall be introduced in both  
7 houses of the legislature without any amendments within five days. Such  
8 legislation shall be voted upon, without amendment, by both such houses  
9 within twenty-one days, but not sooner than seven days, after its intro-  
10 duction. If approved, the legislature shall forward such legislation to  
11 the governor within five days.

12 6. If (a) either house shall fail to approve the legislation submitted  
13 pursuant to subdivision five of this section within twenty-one days of  
14 its submission, or (b) the governor shall veto such legislation and the  
15 legislature fails to override such veto the independent redistricting  
16 commission shall hold an open hearing within fifteen days of said fail-  
17 ure to pass the legislation as in paragraph (a) of this subdivision or  
18 failure to override the governor's veto as in paragraph (b) of this  
19 subdivision at which the speaker and minority leader of the assembly and  
20 the temporary president and minority leader of the senate, or each of  
21 their designees shall testify as to the reasons that the legislation did  
22 not become law any objections such legislative leaders may have to such  
23 legislation, and members of the public will also be invited to testify.  
24 Within fifteen days of such hearing, the independent redistricting  
25 commission shall establish and submit to the legislature a third redis-  
26 tricting plan and the necessary implementing legislation for such plan.  
27 Upon receipt of such third plan, the implementing legislation with any  
28 amendments the legislature shall deem necessary shall be introduced in

1 both houses of the legislature within five days. All such amendments  
2 shall comply with the provisions of subdivision two of this section and  
3 shall not affect more than two percent of the population of any  
4 district. Such legislation shall be voted upon by both such houses  
5 within twenty-one days, but not sooner than seven days, after its intro-  
6 duction. If approved, the legislature shall forward such legislation to  
7 the governor within five days.

8 § 99. Application of article. 1. The process for redistricting of  
9 congressional and state legislative districts established by this arti-  
10 cle shall be the exclusive means by which such redistricting shall be  
11 completed in this state except to the extent that a court is required to  
12 order the adoption of, or changes to, a redistricting plan as a remedy  
13 for a violation of law. Every redistricting of congressional or state  
14 legislative districts performed in violation of the provisions of this  
15 article shall be void. In any proceeding relating to redistricting of  
16 congressional or state legislative districts, the court shall implement  
17 the plan that most faithfully serves the requirements of subdivision two  
18 of section ninety-eight of this article.

19 2. A redistricting statute shall remain in full force and effect until  
20 a subsequent redistricting statute, based upon the succeeding decennial  
21 federal census, takes effect, unless modified pursuant to court order.

22 § 6. Terms occurring in laws, contracts and other documents. Except as  
23 otherwise provided in this act, whenever the legislative task force on  
24 demographic research and reapportionment is referred to or designated in  
25 any law, contract, or other document, such reference or designation  
26 shall be deemed to refer to the independent redistricting commission  
27 created by this act.

28 § 7. This act shall take effect immediately.