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**CITIZENS UNION AND LEAGUE of WOMEN VOTERS NEW YORK STATE
SUPPORT JUST RELEASED CONSTITUTIONAL AMENDMENT TO
PERMANENTLY REFORM REDISTRICTING PROCESS**

**Proposal Creates Independent Commission to Draw State Legislative and
Congressional District Lines**

**Creates a More Inclusive and Independent Commission While Discouraging
Gerrymandering in Future Map Drawing**

Brings to an End the Decennial Circus Masquerading as Redistricting

Decision to Support Contingent On Accompanying Statute

Citizens Union and the League of Women Voters of New York State announced their support for the constitutional amendment released by the legislature late last night that will finally put an end to New York's partisan redistricting process and create permanent structural reform for decades to come. It is contingent however upon the release of the accompanying statute that would become law if second passage does not occur and, irrespective of second passage, put in place constraints on the legislature's ability to amend the proposed plan.

For decades, the issue of redistricting reform has been little more than a hope, an idea, a series of bills that never received a vote on the floor of either house, and unfulfilled promises of reform – essentially much partisan posturing and little action. Today, that changes with the introduction of a constitutional amendment that if passed will forever remove the pen from the direct hands of lawmakers who, have too often wielded it for their own partisan purposes, and provide it to an independent commission.

What is significant about this historic opportunity is that this approach has the support of both major political parties, making it even more acceptable and appealing. It is

telling that when good government advocates pressed the previous legislature and governor – all Democrats – to enact redistricting reform in 2009 and 2009 – it did not happen. For if it had, New Yorkers would not again be witnessing this embarrassing decennial circus brought to us by the legislature.

We believe that this opportunity to achieve meaningful redistricting reform must not be wasted simply because others want a perfect solution that our own state's history tells us is not just possible.

For the first time ever, the redistricting commission has a membership that is equally balanced between the majority and minority parties in the legislature while including unaffiliated or third-party members. This new equal representation arrangement will foster the need for collaboration and cooperation, unlike the current Legislative Task Force for Demographic Research and Reapportionment (LATFOR) process.

The independent commission will draw lines according to recognized principles of redistricting which includes for the first time ever in the New York State constitution, consideration of communities of interest and an express prohibition on gerrymandering by insisting that lines be drawn that don't discourage competition or favor or disfavor incumbents, political parties, or candidates. Line-drawers will also have to provide a public rationale when districts are not as nearly as may be equal in size providing a disincentive to manipulate the size of legislative districts, a frequently used gerrymandering tool. The constitutional amendment will also enshrine in the state constitution important provisions of the federal Voting Rights Act whose future remains uncertain due to challenges it is presently facing both in the courts and the U.S. Congress.

The commission must obtain a super majority vote - seven of ten commission members - to approve a redistricting plan ensuring a more deliberative and inclusive approach.

This stands in sharp contrast to earlier legislative proposals in which only a simple majority was required and (LATFOR) in which the majority parties can completely ignore the opinions of the minority parties. Additional voting requirements to approve the plan depend on which parties control each house of the legislature. A legislature split between the Democratic and Republican parties requires the assent of at least one appointee from the majority parties to approve the redistricting plan (along with the selection of co-executive directors), while a legislature controlled entirely by one party requires appointees from each legislative leader to approve the recommended redistricting plan as well as the selection of co-executive directors.

Following the nationally-recognized Iowa model of redistricting, the legislature votes on the commission's plan and the legislature in considering the first two times can only vote it "up or down" without amendments. The threshold for approval varies from a

simple majority to a two-thirds majority depending on which parties control each house of the legislature. A higher threshold is required when the legislature is controlled by one-party to protect the minority party from being marginalized through redistricting. The legislature can only make amendments to the commission's plan after voting twice on two separately submitted commission plans. All amendments made by the legislature must adhere to the criteria in the constitutional amendment and a separately proposed statute will further reign in the legislature by preventing changes that impact the population of any district by more than two percent.

The proposed amendment also includes historic provisions that open up the redistricting process by requiring twelve hearings across the state and provides access to redistricting data and software that allows the public to create and submit their own maps for consideration by the commission.

Together these landmark improvements to the redistricting process will finally bring to an end the outrage and frustration that occurs every ten years when the majority parties in each chamber use the power of the pen to maximize their power and ensure the reelection of incumbents in the redistricting process. Coupled with improved maps for 2012 and an expected accompanying statute to provide insurance against backsliding on the constitutional amendment, New York State will have accomplished reform unparalleled by a state that does not benefit from a voter-initiated referendum process.

While we are disappointed that the 184 legislators who pledged to enact structural redistricting reform for the 2012 election cycle and beyond only are willing to do so beginning in 2022, we must seize this opportunity to reform the redistricting process regardless. They must be held accountable this legislative session for their promises and commitments and not let off the hook. While others have called for a veto, this only represents a temporary reprieve from partisan redistricting. The unfortunate reality is that even with the Governor's veto, the flawed process resulting in partisan-drawn lines will resume unabated in 2022. Only then there will likely be no gubernatorial veto threat, nor legislators' pledges obtained by a former mayor with a big bullhorn. Even if the courts produce better state legislative lines in 2012 as they appear to have done for the congressional lines, it will be a mere blip in the long history of partisan redistricting history.

As good government advocates seeking to change an ineffective and unfair redistricting process that has existed for the past four decades, we urge the Governor and the State Legislature to continue to find common ground as they resolve this week this important issue. For if resolution results in better drawn maps for 2012, the passage of this constitutional amendment and a yet unseen statute, it will enjoy the support of our two organizations.

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