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PUBLIC HEARING

before

ASSEMBLY STATE GOVERNMENT COMMITTEE

ASSEMBLY CONCURRENT RESOLUTION NO. 58

(Amends the Constitution creating the
New Jersey Redistricting Commission)

September 22, 1988
Room 368
State House Annex
Trenton, New Jersey

MEMBERS OF COMMITTEE PRESENT:

Assemblyman Robert J. Martin, Chairman
Assemblyman Anthony J. "Skip" Cimino

ALSO PRESENT:

Donald S. Margeson
Office of Legislative Services
Aide, Assembly State Government Committee

* * * * *

New Jersey State Library

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State House Annex
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Trenton, New Jersey 08625

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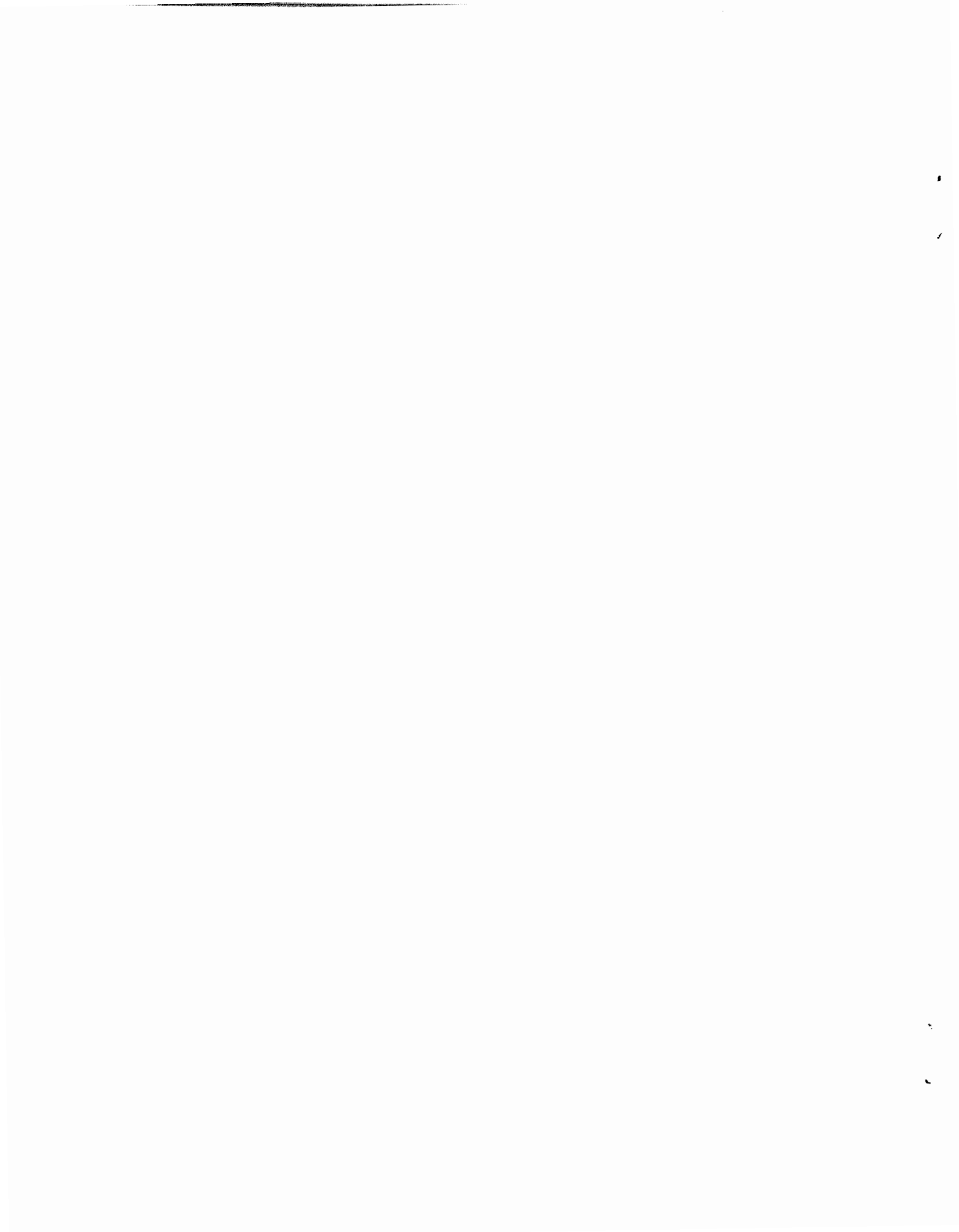
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ROBERT J. MARTIN
CHAIRMAN
MARION CRECCO
VICE-CHAIRMAN
WILLIAM E. SCHLUTER
JOSEPH CHARLES, JR.
ANTHONY J. CIMINO

New Jersey State Legislature
ASSEMBLY STATE GOVERNMENT COMMITTEE
STATE HOUSE ANNEX, CN-068
TRENTON, NEW JERSEY 08625
(609) 292-9106

September 15, 1988

TO: MEMBERS OF THE COMMITTEE
FROM: ASSEMBLYMAN ROBERT J. MARTIN, CHAIRMAN
SUBJECT: PUBLIC HEARING AND COMMITTEE MEETING -
September 22, 1988

(Address comments and questions to
Donald S. Margeson, Committee Aide (609) 292-9106)

I. PUBLIC HEARING

The Assembly State Government Committee will hold a public hearing on Thursday, September 22, 1988 at 10:00 A.M. in Room 368 of the State House Annex in Trenton, concerning the following legislation:

ACR-58 Amends the Constitution creating the New Jersey Redistricting Commission.

This public hearing has been ordered by the General Assembly under Rule 143 of the Rules of the General Assembly and in compliance with the requirements of Article IX, paragraph 1 of the State Constitution, concerning proposed constitutional amendments.

II. COMMITTEE MEETING

Immediately following the conclusion of the public hearing announced above, the Committee will hold a meeting to consider the following bills:

A-42 Permits county election commissioners to reduce or eliminate evening registration hours.
Albohn

A-281 Increases retirement benefits under the "special retirement" provisions of PFRS by eliminating certain caps.
Palaia, Villane

A-377 Provides that the time period for commissions established by joint resolution start to run when a quorum of the members is appointed.
Kalik

A-2538 Singer	Appropriates \$75,000 in FY 1988 for grant for Strand Theatre in Lakewood for operating expenses.
A-2561 Kamin, Schluter	Permits certain employees of the Delaware River Joint Toll Bridge Commission to continue membership in PERS.
A-2647 Zangari	Allows TPAF, PERS and PFRS members to purchase service credit for civilian employment or military service with the United State Government.
A-2809 Martin	Provides the same major medical benefits limit for re-tired employees in State Health Benefits Program as for active employees.
A-3293 Martin, Cimino	Allows TPAF, PERS and PFRS members to purchase service credit for civilian employment or military service with the United States Government.
ACR-88 Franks, Shinn	Adopts a permanent Legislative Code of Ethics for 1988 and 1989 and amends the temporarily adopted Code to conform to statutory and recommended changes.
AJR-30 Watson	Designates the fourth Friday in September "American Indian Day."
AJR-91 Cooper	Designates the night of November 10, 1988 as Kristallnacht Memorial Night in New Jersey.
S-773 (1R) McManimon	Allows TPAF, PERS and PFRS members to purchase service credit for civilian employment or military service with the United States Government.
S-1044 Lipmann	Provides the same major medical benefits limit for re-tired employees in SHBP as for active employees.
S-2178 (1R) DiFrancesco	Creates the Real Property Recording Study Commission.
SCR-103 Contillo	Adopts a permanent Legislative Code of Ethics for 1988 and 1989 and amends the temporarily adopted Code to conform to statutory and recommended changes.

Time permitting, the Committee will also review the following bills (discussion only):

A-2529 Schluter	Restricts contributions that individuals, political committees and PACs make.
A-2581 Martin	Places limitations on contributions political committees and individuals may make.

ASSEMBLY CONCURRENT RESOLUTION No. 58

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1988 SESSION

By Assemblymen FRANKS and PELLY

1 A *CONCURRENT RESOLUTION* proposing to amend Article II
and Article IV, Section II of the Constitution of the State of
3 New Jersey, and providing a schedule therefor.

5 BE IT RESOLVED *by the General Assembly of the State of*
New Jersey (the Senate concurring):

7 1. The following proposed amendment to the Constitution of
the State of New Jersey is hereby agreed to:

9

PROPOSED AMENDMENT

11

a. Amend Article II to read as follows:

13

Article II

15

ELECTIONS AND SUFFRAGE

SECTION I

17

1. General elections shall be held annually on the first
19 Tuesday after the first Monday in November; but the time of
holding such elections may be altered by law. The Governor and
21 members of the Legislature shall be chosen at general
elections. Local elective officers shall be chosen at general
23 elections or at such other times as shall be provided by law.

2. All questions submitted to the people of the entire State
25 shall be voted upon at general elections.

3. (a) Every citizen of the United States, of the age of 18
27 years, who shall have been a resident of this State and of the
county in which he claims his vote 30 days, next before the
29 election, shall be entitled to vote for all officers that now are or
hereafter may be elective by the people, and upon all questions
31 which may be submitted to a vote of the people; and

(b) (Deleted by amendment, effective December 5, 1974.)

EXPLANATION--Matter enclosed in bold-faced brackets [thus] in the
above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 (c) Any person registered as a voter in any election district of
2 this State who has removed or shall remove to another state or
3 to another county within this State and is not able there to
4 qualify to vote by reason of an insufficient period of residence
5 in such state or county, shall, as a citizen of the United States,
6 have the right to vote for electors for President and Vice
7 President of the United States, only, by Presidential Elector
8 Absentee Ballot, in the county from which he has removed, in
9 such manner as the Legislature shall provide.

10 4. In time of war no elector in the military service of the
11 State or in the armed forces of the United States shall be
12 deprived of his vote by reason of absence from his election
13 district. The Legislature may provide for absentee voting by
14 members of the armed forces of the United States in time of
15 peace. The Legislature may provide the manner in which and
16 the time and place at which such absent electors may vote, and
17 for the return and canvass of their votes in the election district
18 in which they respectively reside.

19 5. No person in the military, naval or marine service of the
20 United States shall be considered a resident of this State by
21 being stationed in any garrison, barrack, or military or naval
22 place or station within this State.

23 6. No idiot or insane person shall enjoy the right of suffrage.

24 7. The Legislature may pass laws to deprive persons of the
25 right of suffrage who shall be convicted of such crimes as it may
26 designate. Any person so deprived, when pardoned or otherwise
27 restored by law to the right of suffrage, shall again enjoy that
28 right.

29

30 SECTION II

31

32 1. After each federal census taken in a year ending in zero,
33 the Congressional districts shall be established by the New
34 Jersey Redistricting Commission.

35 The commission shall consist of 11 members. The members of
36 the commission shall be appointed with due consideration to
37 geographic, ethnic and racial diversity and in the manner
38 provided herein.

39 (a) There shall first be appointed 10 members as follows:

1 (1) one member to be appointed by the President of the
2 Senate;

3 (2) one member to be appointed by the Speaker of the
4 General Assembly;

5 (3) one member to be appointed by the minority leader of the
6 Senate;

7 (4) one member to be appointed by the minority leader of the
8 General Assembly; and

9 (5) six members, three to be appointed by the chairman of the
10 State committee of each of the two political parties whose
11 candidates for Governor received the largest numbers of votes
12 at the most recent gubernatorial election, who shall serve in
13 rotation as chairman of the commission from meeting to
14 meeting.

15 Appointments to the commission under this subparagraph shall
16 be made on or before November 15 of each year ending in zero
17 and shall be certified by the appointing official or officials to
18 the Secretary of State on or before December 1 of that year.

19 (b) There shall then be appointed one member, to serve as an
20 independent member, who shall have been for the preceding five
21 years a resident of this State, but who shall not during that
22 period have registered in or declared officially his affiliation
23 with a political party or voted in the primary election of a
24 political party, and who shall never have held appointed or
25 elected public or party office in this State. The independent
26 member shall be appointed by the previously appointed members
27 of the commission as follows: the members appointed by the
28 appointing authorities of the political party whose candidate for
29 Governor received the largest number of votes at the preceding
30 gubernatorial election shall as a group select three nominees
31 meeting the foregoing qualifications, and the members
32 appointed by the appointing authorities of the political party
33 whose candidate for Governor received the next largest number
34 of votes at that election shall do the same. If one person is
35 nominated by both groups, then that person shall be the
36 independent member, and if more than one person is nominated
37 by both groups, the previous appointees shall by lot choose one
38 of them to be the independent member. If no person is
39 nominated by both groups, the members shall elect the

1 independent member by ballot upon the vote of six of the
2 previously appointed members.

3 Appointment to the commission of the independent member
4 under this subparagraph shall be made on or before January 15
5 of each year ending in one and shall be certified by the other
6 members of the commission to the Secretary of State on or
7 before January 31 of that year. If the other members are unable
8 to appoint or to certify an independent member within the time
9 allowed therefor, there shall be no independent member of the
10 commission.

11 The commission shall meet to organize as soon as may be
12 practical after certification of the appointment of the
13 independent member or, if the commission is unable to agree
14 upon that appointment, after the last day allowed for making
15 that appointment, but in no case later than February 15 of each
16 year ending in one. At the organizational meeting the members
17 of the commission shall determine the order of rotation of the
18 chairmanship thereof among the eligible members and such
19 other organizational matters as they deem appropriate.
20 Thereafter, a meeting of the commission may be called by the
21 member designated under the order of rotation to serve as the
22 chairman of that meeting or upon the request of six members,
23 and six members of the commission shall constitute a quorum at
24 any meeting thereof for the purpose of taking any action.

25 Vacancies in the membership of the commission occurring
26 prior to the certification by the commission of Congressional
27 districts or during any period in which the districts established
28 by the commission may be or are under challenge in the courts
29 of this State or the courts of the United States shall be filled
30 within five days of their occurrence in the same manner as the
31 original appointments were made.

32 On or before August 1 of each year ending in one, or within
33 three months after receipt by the Governor of the official
34 figures for the federal decennial census taken in the preceding
35 year, whichever is later, the commission shall certify the
36 establishment of the Congressional districts to the Secretary of
37 State. The commission shall certify the establishment of
38 districts pursuant to a majority vote of its members. Any vote
39 by the commission upon a proposal to certify the establishment

1 of a Congressional district plan shall be taken by roll call and
2 shall be recorded, and the vote of any member in favor of any
3 Congressional district plan shall nullify any vote which he shall
4 previously have cast during the life of the commission in favor
5 of a different Congressional district plan. If the commission is
6 unable to certify the establishment of districts by the time
7 required due to the inability of a plan to achieve six votes, the
8 two district plans receiving the greatest number of votes, but
9 not fewer than four votes, shall be submitted to the Supreme
10 Court, which shall select and certify whichever of the two plans
11 so submitted conforms most closely to the standards established
12 in subparagraphs (a), (b), (c), (d) and (e) of paragraph 2 of this
13 section.

14 2. The plan certified by the New Jersey Redistricting
15 Commission for the establishment of Congressional districts
16 shall provide for equality of population among districts; for the
17 preservation of minority voting status within each district; for
18 the geographical coherence of individual districts; for the
19 protection of the interest which fellow citizens of the counties
20 and municipalities share in having common representation, so
21 that district boundaries follow county and municipal boundaries
22 to the greatest extent possible; and for reasonable protection
23 for districts from decade to decade against disruptive alteration
24 due to redistricting.

25 (a) (1) In the plan, the population of each Congressional
26 district shall be as nearly equal as possible, and the difference in
27 population between the most populous and least populous
28 districts as small as possible, as required by the Constitution of
29 the United States.

30 (2) No Congressional district shall be established which
31 fragments an ethnic or racial minority community which, if left
32 intact, would constitute a majority or significant plurality of
33 voters or potential voters within a single district. For the
34 purposes of this subsubparagraph, a minority community means
35 any group enjoying special protection under the civil rights
36 provisions of the Constitution of the United States.

37 (b) A plan which first meets the standards provided for in
38 subparagraph (a) of this paragraph shall next include
39 Congressional districts which are contiguous and compact.

1 (c) A plan which first meets the standards provided for in
2 subparagraph (a) of this paragraph and then meets the standards
3 provided for in subparagraph (b) of this paragraph shall next
4 include Congressional districts in which the number of county
5 fragments shall be no more than 20% greater than the lowest
6 possible number of county fragments. The number of county
7 fragments is obtained by determining the number of whole
8 counties and parts of counties contained in each district and
9 then totalling these fragments for all the districts.

10 (d) A plan which first meets the standards provided for in
11 subparagraph (a) of this paragraph and then meets the standards
12 provided for in subparagraphs (b) and (c) of this paragraph shall
13 next include Congressional districts in which no district
14 boundary divides a municipality unless the population of the
15 municipality, as determined by the most recent federal
16 decennial census, exceeds the number obtained by dividing the
17 population of the State by the total number of Congressional
18 districts.

19 (e) To the fullest extent reasonable and when not in conflict
20 with the foregoing standards, Congressional districts shall be
21 drawn to preserve geographic continuity.

22 3. Meetings of the New Jersey Redistricting Commission
23 shall be held at convenient times and locations and shall be open
24 to members of the general public.

25 4. The New Jersey Redistricting Commission shall hold at
26 least three public hearings in different parts of the State. The
27 commission shall, subject to the constraints of time and
28 convenience, review written plans for the establishment of
29 Congressional districts submitted by members of the general
30 public.

31 5. The Legislature shall appropriate the funds necessary for
32 the efficient operation of the New Jersey Redistricting
33 Commission.

34 6. The establishment of Congressional districts shall be used
35 thereafter for the election of members of the House of
36 Representatives and, except during any period in which the
37 districts so established shall be under challenge in the courts of
38 this State or of the United States, shall remain unaltered,
39 through the next year ending in zero in which a federal census
40 for New Jersey is taken.

1 7. Notwithstanding any provision to the contrary of the
2 Constitution of this State and except as otherwise required by
3 the Constitution of the United States or by any federal law, no
4 court of this State shall have jurisdiction over any judicial
5 proceeding challenging the actions of the New Jersey
6 Redistricting Commission, including its establishment of
7 Congressional districts under this section, except that the
8 Supreme Court of this State shall have original and exclusive
9 jurisdiction to consider any cause brought upon the petition of a
10 legally qualified voter of the State concerning the qualifications
11 of members of the commission under paragraph 1 of this section
12 or concerning the compliance of the commission or any of its
13 members with the applicable procedural requirements of
14 paragraphs 1, 3 and 4 of this section, and to grant relief
15 appropriate to the cause, including the issuance of an order to
16 the commission to establish new districts. The Court shall give
17 any petition filed as provided herein precedence over all other
18 matters. It shall render judgment within 30 days of the date on
19 which the petition is filed.

20 b. Amend Article IV, Section II to read as follows:

21 [1. The Senate shall be composed of 40 senators apportioned
22 among Senate districts as nearly as may be according to the
23 number of their inhabitants as reported in the last preceding
24 decennial census of the United States and according to the
25 method of equal proportions. Each Senate district shall be
26 composed, wherever practicable, of one single county, and if not
27 so practicable, of two or more contiguous whole counties.

28 2. Each senator shall be elected by the legally qualified
29 voters of the Senate district, except that if the Senate district
30 is composed of two or more counties and two senators are
31 apportioned to the district, one senator shall be elected by the
32 legally qualified voters of each Assembly district. Each senator
33 shall be elected for a term beginning at noon of the second
34 Tuesday in January next following his election and ending at
35 noon of the second Tuesday in January four years thereafter,
36 except that each senator, to be elected for a term beginning in
37 January of the second year following the year in which a
38 decennial census of the United States is taken, shall be elected
39 for a term of two years.

1 3. The General Assembly shall be composed of 80 members.
Each Senate district to which only one senator is apportioned
3 shall constitute an Assembly district. Each of the remaining
Senate districts shall be divided into Assembly districts equal in
5 number to the number of senators apportioned to the Senate
district. The Assembly districts shall be composed of contiguous
7 territory, as nearly compact and equal in the number of their
inhabitants as possible, and in no event shall each such district
9 contain less than 80% nor more than 120% of one-fortieth of the
total number of inhabitants of the State as reported in the last
11 preceding decennial census of the United States. Unless
necessary to meet the foregoing requirements, no county or
13 municipality shall be divided among Assembly districts unless it
shall contain more than one-fortieth of the total number of
15 inhabitants of the State, and no county or municipality shall be
divided among a number of Assembly districts larger than one
17 plus the whole number obtained by dividing the number of
inhabitants in the county or municipality by one-fortieth of the
19 total number of inhabitants of the State.

4. Two members of the General Assembly shall be elected by
21 the legally qualified voters of each Assembly district for terms
beginning at noon of the second Tuesday in January next
23 following their election and ending at noon of the second
Tuesday in January 2 years thereafter.]

25 1. The Senate shall be composed of 40 senators. One senator
shall be elected by the legally qualified voters of each
27 legislative district for a term beginning at noon of the second
Tuesday in January next following his election and ending at
29 noon of the second Tuesday in January four years thereafter,
except that each senator to be elected for a term beginning in
31 January of the second year following a year ending in zero in
which a federal census is taken, shall be elected for a term of
33 two years.

2. The General Assembly shall be composed of 80 members.
35 Two members of the General Assembly shall be elected by the
legally qualified voters of each legislative district for a term
37 beginning at noon of the second Tuesday in January next
following their election and ending at noon of the second
39 Tuesday in January two years thereafter.

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SCHEDULE

This Constitutional amendment shall, if approved, be applicable to any establishment of Congressional districts for use subsequent to the official federal census in 1990.

2. When this proposed amendment to the Constitution is finally agreed to, pursuant to Article IX, paragraph 1 of the Constitution, it shall be submitted to the people at the next general election occurring more than three months after the final agreement and shall be published at least once in at least one newspaper of each county designated by the President of the Senate and the Speaker of the General Assembly and the Secretary of State, not less than three months prior to the general election.

3. This proposed amendment to the Constitution shall be submitted to the people at the election in the following manner and form:

There shall be printed on each official ballot to be used at the general election, the following:

a. In every municipality in which voting machines are not used, a legend which shall immediately precede the question as follows:

If you favor the proposition printed below make a cross (x), plus (+) or check (✓) in the square opposite the word "Yes." If you are opposed thereto make a cross (x), plus (+) or check (✓) in the square opposite the word "No."

b. In every municipality, the following question:

<p>YES.</p>	<p style="text-align: center;">CREATES THE NEW JERSEY REDISTRICTING COMMISSION</p> <p>Shall the amendment of Article II and Article IV, Section II of the Constitution, agreed to by the Legislature, providing for the creation of the New Jersey Redistricting Commission, be adopted?</p>
<p>NO.</p>	<p style="text-align: center;">INTERPRETIVE STATEMENT</p> <p>Adoption of this amendment would create a bipartisan New Jersey Redistricting Commission that would redraw Congressional districts at the beginning of each decade. Currently, Congressional districts are created by vote of the Legislature.</p>

1

STATE GOVERNMENT

Elections

3

Proposes an amendment to the Constitution creating the New
Jersey Redistricting Commission.

5

ASSEMBLY STATE GOVERNMENT COMMITTEE
STATEMENT TO
ASSEMBLY CONCURRENT RESOLUTION No. 58
STATE OF NEW JERSEY

DATED: JULY 14, 1988

The Assembly State Government Committee reports favorably Assembly Concurrent Resolution No. 58.

This concurrent resolution proposes an amendment to the State Constitution providing for the creation of a New Jersey Redistricting Commission. This commission is to assume responsibility, now lodged with the Legislature, for establishing Congressional districts in each decade pursuant to the federal census taken at the commencement of that decade.

The Redistricting Commission is to consist of 10 or 11 members, appointed with due consideration to geographic, ethnic and racial diversity. The presiding officers and minority leaders of the two houses of the Legislature are each to appoint one member, for a total of four members; the respective State chairmen of the two principal political parties in the State are each to appoint three more members, for a grand total of 10. These 10 members are to select an 11th person to serve as an independent member of the commission. The independent member must have been a State resident for the preceding five years, but shall not during that period have registered in or declared an affiliation with a political party, nor held public or party office in the State. The selection is to be made by majority vote of the 10 previously appointed members. If no independent member has been appointed or certified within the time provided under the proposed amendment, there is to be no independent member of the commission.

The proposed amendment establishes five standards to guide the commission in preparing a Congressional district plan. These standards are listed in a ranked order of descending importance in such a manner that each can be considered only when any standard which precedes it on the list has been met. The standards are:

- a. Equality of population among the districts and preservation of the voting power of ethnic and racial minority communities entitled to special protection under the civil rights provisions of the United States Constitution;
- b. Contiguity and compactness of districts;

c. Restriction of the violation of county lines by Congressional district boundaries, so that the number of county fragments in the plan does not exceed by more than 20% the minimum possible number of such fragments;

d. Preservation of municipal boundaries; and

e. Preservation, from one district plan to the next, of geographic continuity among the respective districts.

The commission is to certify a Congressional district plan only upon a majority vote of its members. The vote of any member in favor of any plan will nullify any vote which he shall previously have cast during the life of the commission in favor of a different plan. Certification must occur by August 31 of each year ending in one or within three months of receipt by the Governor of the official decennial census figures for the preceding year, whichever is later. If no plan achieves six votes within the time allowed for certification, the two district plans receiving the greatest number of votes, but no fewer than four votes, are to be submitted to the Supreme Court, which shall certify whichever of them conforms most closely to the aforementioned standards.

The proposed amendment precludes the courts of New Jersey from having jurisdiction over any judicial proceeding challenging the actions of the New Jersey Redistricting Commission, except that the Supreme Court is given original and exclusive jurisdiction to consider any cause brought by a qualified petitioner concerning the qualification of commission members or compliance by the commission with various procedural requirements which the amendment would place on its deliberations.

The amendment also replaces outmoded provisions of the Constitution concerning the apportionment of the membership of the Legislature among legislative districts with language which more accurately reflects the actual legislative apportionment system now in effect.

ASSEMBLYMAN ROBERT J. MARTIN (Chairman): May I have your attention? Prior to the regular meeting, we are compelled to have a public hearing on a proposed constitutional amendment to the New Jersey State Constitution. This is on ACR-58, which is sponsored by Assemblyman Franks and Assemblyman Pelly.

Let me just ask at this time, is there anyone who would like to testify at this public hearing? (no response) Seeing none, just let me make a couple of comments.

My name is Bob Martin. I am Chairman of the Assembly State Government Committee. A public hearing does not require a quorum. We do expect the other members of our Committee to be here for the regular bill list, and after the public hearing, we will get into the business of the regular Committee session.

With respect to this legislation, the proposed constitutional amendment ACR-58, let me must point out that this is a matter which has been discussed both during this session and the previous session. There is a feeling, I know, that was voiced by both Assemblymen Pelly and Franks who, I think it is fair to point out, are members -- one is a member of the Republican party and one is a member of the Democrat party -- that we have to change the system by which we draw up congressional districts, in order to make it fair and prevent gerrymandering. It is also important to try to do this prior to 1991, when the next redistricting will occur in the State of New Jersey.

It is a good time now, we feel, because we are not sure what the political makeup of the State will be as far as the State Legislature is concerned. Therefore, no one, at this point, necessarily has an advantage to anticipate that they would be in command to be able to gerrymander, if it could be done in their favor.

So, this bill that was proposed would create an 11-member commission, which would be charged with drawing up

congressional districts. It is somewhat similar to the procedure in which we now draw up State legislative districts. With the commission, there would be particular standards which they would be empowered to have to follow. There are several, and I will just briefly describe them. One is population, of course. Under U.S. Supreme Court decisions, all districts have to be virtually equal in population.

The second requirement is, there would have to be sensitivity to try to preserve various ethnic communities, particularly minority groups, to see that they were not arbitrarily divided into districts so as to draw down their voting strength, which is also something the Supreme Court has placed emphasis on in some recent decisions.

Third, we would look to contiguity and compactness to try to make sure that the districts were not irregular in shape and would have some -- I guess you could say-- Continuity is really what it boils down to.

Fourth, we would try to prevent fragmenting of municipalities or counties in trying to arrive at the various congressional districts.

And finally, we would try to strive for geographical continuity, which would mean that the districts would try not to have irregular shapes, as they have in the past.

Those would be the goals of the commission. If the commission, in trying to decide between different plans, had several different plans that were put forward before them, they would have to select the one that most nearly comports to those ideals.

Then the bill goes on to devise a way that if there was still division between the members of the commission, that ultimately there would be a selection based upon those standards. That is what the bill is about. We would hope that after it receives this public hearing and is voted on by the Assembly, that it would receive attention in the State Senate.

We recognize it is probably too late -- in fact, it is too late to appear on the ballot for 1988, but those of us who are hopeful of change are optimistic that it could still be acted on, so that in 1989 it would have another opportunity to go before the voters.

With that, I will ask once again if anyone who has arrived since we opened the public hearing wishes to testify on ACR-58? (no response) Skip, do you want to say anything on this?

ASSEMBLYMAN CIMINO: No comment.

ASSEMBLYMAN MARTIN: I just make note for the record that Assemblyman Cimino has arrived. Hearing and seeing that no one wishes to speak, we will close the public hearing. In a few minutes, we will begin with the regular Committee meeting.

Thank you very much.

(HEARING CONCLUDED)

