

This submission is offered by those organizations signing below. It supplements testimony and submissions that were made during the first round of hearings as well as the recent Capital District hearing on November 1.

We again want to emphasize two issues that we have previously raised. First, if the process is to work as anticipated, the commission needs to submit one set of maps to the legislature. The reasons were spelled out in our testimony of November 1.

Second, the congressional district maps should not divide the Capital Region. In our testimony and submission at the first round of hearings, we laid out the common interests of the three major cities within this region – Albany, Troy and Schenectady – as well the similar interests of the region’s suburban towns and rural areas. We will not repeat these, but again note that if the maps are to represent communities of interest, the Capital Region, including Saratoga County, must not be divided.

One additional issue has arisen since we presented our testimony at the November 1 hearing. Ballot proposal 1 was defeated by the voters, thereby raising the potential for a serious timing issue that could undercut the entire process. The commission can avoid this if it voluntarily acts as if the timing requirements contained in the defeated constitutional amendment were in place.

When the constitutional amendment creating the commission was enacted in 2014, the state’s primary elections were held in September of each year. The timing requirements, mandating the commission’s first set of maps by January 15 and its second set, if needed, by February 28, were based on this election schedule. However, the primary elections have since been moved to June, and this timetable simply does not work.

Proposal 1 would have changed the mandated schedule for 2022. The commission’s first set of maps would have been due by January 1, with its second set, if needed, by January 15. This would have made it likely that the new maps, whether those submitted by the commission or those revised by the legislature, would have been completed in January. With a June primary, the first day to circulate petitions would be in early March. For example, in this year’s election the date was March 2.

Using the timetable currently set forth in the constitution, it is likely that the maps will have been completed only days before the first day to circulate petitions or, possibly, even after this date. This cannot work. Those interested in seeking office need time to understand the districts in order to choose whether to run and, if they do, where to run. Clearly, petitions cannot be circulated without knowing the districts. And then there is the potential for litigation. It is hard to see how this process can work.

However, there is a solution. The commission can commit to voluntarily act as if the timing set forth in ballot proposal 1 were mandated; that is, it could agree to comply with the deadlines set forth in that proposal even though they are not legally binding. This would allow for a reasonable timetable and for the 2022 elections to proceed without the inevitable chaos if the deadlines now contained in the constitution were followed.

We note, by the way, that the 2022 deadlines set forth in proposal 1 were only for next year, with the deadlines in future years being even earlier. Thus, the drafters would have preferred even more time between the date the maps were completed and the beginning of the election process. However, given that we are already into the 2022 process, the deadlines for next year were moved up as far as possible. Even these deadlines will be tight. However, they are far better than those that are currently mandated.

In short, the commission must voluntarily meet the deadlines that would have been required by ballot proposal 1 if there is any hope of avoiding the type of chaos that the courts would need to resolve without any guidance from the law. Fundamentally, the entire redistricting process depends upon the commission's willingness to do this.

### **One Person, One Vote Coalition**

*Albany Latinfest Association*

*Anthony LaFleche, Clifton Park, NY*

*Capital Area Council of Churches*

*Capital Area Urban League*

*Capital District Chapter of the Coalition of Black Trade Unionist*

*Capital Region Fellowship Coalition*

*Lars Dahl, Niskayuna, NY*

*League of Women Voters Albany County*

*League of Women Voters Saratoga County*

*League of Women Voters Rensselaer County*

*NAACP Albany Branch #2127B*

*NAACP Troy Branch #2182*

*One Hundred Black Men - NY Capital Region*