

EXHIBIT B

McKinney's Consolidated Laws of New York Annotated
Legislative Law (Refs & Annos)
Chapter 32. Of the Consolidated Laws
Article 5-A. Legislative Commissions (Refs & Annos)

McKinney's Legislative Law § 83-m

§ 83-m. Legislative task force on demographic research and reapportionment

Effective: March 31, 2011

[Currentness](#)

<[Expires and deemed repealed June 30, 2012, pursuant to [L.1994, c. 141, § 13](#)]>

1. The legislature hereby finds and declares that: (a) there is a need for intensive and thorough legislative study, research and inquiry into the techniques and methodology to be used by the bureau of the census of the United States commerce department in carrying out the decennial federal census; (b) a technical plan will be needed to meet the requirements of a legislative timetable for a reapportionment of the senate and assembly districts and the congressional districts of the state based on such census; and (c) the task force herein continued is necessary to assist the legislature in the performance of its responsibilities and in the conduct of legislative research projects relating thereto.
2. The legislative task force on demographic research and reapportionment is hereby continued, consisting of six members of whom two shall be appointed by the temporary president of the senate, two by the speaker of the assembly and one each by the minority leader of the senate and the minority leader of the assembly. The appointments shall be of members of the respective houses of the legislature, except that one member appointed by the temporary president of the senate and one member appointed by the speaker of the assembly shall not be members of the legislature. A member of the senate appointed to the task force by the temporary president of the senate and a member of the assembly appointed to the task force by the speaker of the assembly shall be designated by each to serve as the co-chairmen of the task force. Each member of the task force who is not a member of the legislature shall be entitled to receive actual and necessary expenses incurred in the discharge of his duties and shall be entitled to compensation as determined by the co-chairmen within the appropriations available therefor, except that such member, who is serving in such capacity in a transient, occasional and incidental manner, shall not be entitled to receive more than the actual and necessary expenses incurred in the discharge of his duties.
3. The task force shall engage in such research studies and other activities as its co-chairmen may deem necessary or appropriate in the preparation and formulation of a reapportionment plan for the next ensuing reapportionment of senate and assembly districts and congressional districts of the state and in the utilization of census and other demographic and statistical data for policy analysis, program development and program evaluation purposes for the legislature.
4. The co-chairmen of the task force may employ such personnel, experts and consultants as may be necessary for the performance of its work and shall fix their compensation within the amounts appropriated therefor.
5. The primary function of the task force shall be to compile and analyze data, conduct research for and make reports and recommendations to the legislature, legislative commissions and other legislative task forces.
6. The task force, with the approval of its co-chairmen and subject to guidelines submitted by the co-chairmen and approved by the temporary president of the senate and speaker of the assembly, may sell surveys, data, copies of tabulations and other special statistical compilations and materials to departments, agencies and other entities of federal, state or local government, of foreign countries, and to public benefit corporations, or other public, not-for-profit and private persons and agencies, upon payment of fees at least sufficient to pay the actual or estimated cost of such projects. In furtherance of such sale, the task force, with the approval of its co-chairmen, may execute contracts for such purpose. Any contract executed heretofore by the task

force or the advisory task force on reapportionment, without express statutory authorization, of a nature similar in import as the contract for sale herein authorized is hereby validated, ratified and confirmed as an exercise of the inherent power of such task force or such advisory task force to execute such contract. The co-chairmen shall take such action as shall be necessary to assure that any survey, data, tabulation, special statistical compilation or material made available for sale shall not identify the name of any corporation, company, association, firm, partnership, proprietorship, society, joint stock company, individual, or other organization or entity.

7. Moneys heretofore or hereafter received by or on behalf of the legislative task force on demographic research and reapportionment from the sale of surveys, data, copies of tabulations and other special statistical compilations and materials available to such task force shall be deposited to the credit of the legislative computer services fund established by [section ninety-seven-uu of the state finance law](#). The moneys hereby credited to such fund may be made available for the legislative task force on demographic research and reapportionment and shall, when made available, be payable out of the state treasury on the audit and warrant of the comptroller in the manner provided by [section ninety-seven-uu of the state finance law](#).

8. The co-chairmen of the task force are hereby authorized and empowered to make and sign any agreements in the name and on behalf of the task force and to do and perform any acts that may be necessary, desirable or proper to carry out the powers, purposes and objectives of the task force and the provisions thereof.

9. The task force, with the approval of its co-chairmen, may complete any contract executed and conduct any business undertaken or commenced by the legislature or the advisory task force on reapportionment pertaining to or connected with the reapportionment and readjustment or alteration of senate and assembly and congressional districts prior to the enactment of these provisions into law, and the same shall be completed and conducted in the same manner and under the same terms and conditions and with the same effect as if completed and conducted by the legislature or such advisory task force.

10. The task force may hold public and private hearings and otherwise have all of the powers of a legislative committee under this chapter.

11. The co-chairmen of the task force may request and receive from any court, department, division, board, bureau, commission or agency of the state or any political subdivision thereof such assistance and data as will enable the task force to properly carry out its powers and duties hereunder.

12. Employees of the task force shall be considered to be employees of the legislature for all purposes.

13. (a) The task force shall specify the form in which the department of corrections and community supervision shall provide such information required to be reported to the task force pursuant to [subdivision eight of section seventy-one of the correction law](#).

(b) Upon receipt of such information for each incarcerated person subject to the jurisdiction of the department of corrections and community supervision, the task force shall determine the census block corresponding to the street address of each such person's residential address prior to incarceration (if any), and the census block corresponding to the street address of the correctional facility in which such person was held subject to the jurisdiction of such department. Until such time as the United States bureau of the census shall implement a policy of reporting each such incarcerated person at such person's residential address prior to incarceration, the task force shall use such data to develop a database in which all incarcerated persons shall be, where possible, allocated for redistricting purposes, such that each geographic unit reflects incarcerated populations at their respective residential addresses prior to incarceration rather than at the addresses of such correctional facilities. For all incarcerated persons whose residential address prior to incarceration was outside of the state, or for whom the task force cannot identify their prior residential address, and for all persons confined in a federal correctional facility on census day, the task force shall consider those persons to have been counted at an address unknown and persons at such unknown address shall not be included in such data set created pursuant to this paragraph. The task force shall develop and maintain such amended population data set and shall make such amended data set available to local governments, as defined in [subdivision eight of section two of the municipal](#)

[home rule law](#), and for the drawing of assembly and senate districts. The assembly and senate districts shall be drawn using such amended population data set.

(c) Notwithstanding any other provision of law, the information required to be provided pursuant to [subdivision eight of section seventy-one of the correction law](#) shall be treated as confidential and shall not be disclosed by the task force except as aggregated by census block for purpose specified in this subdivision.

Credits

(Added [L.1994, c. 141, § 8](#). Amended [L.2010, c. 57, pt. XX, § 2, eff. Aug. 11, 2010](#); [L.2011, c. 62, pt. C, subpt. B, § 118, eff. March 31, 2011](#).)

<[Expires and deemed repealed June 30, 2012, pursuant to [L.1994, c. 141, § 13](#)]>

Current through L.2012, chapters 1 to 14, 16 to 24.

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