

NEW YORK STATE ASSEMBLY
STATE OF NEW YORK LEGISLATIVE TASK FORCE ON
DEMOGRAPHIC RESEARCH AND REAPPORTIONMENT

PUBLIC MEETING

LATFOR DATA RELEASE

Hamilton Hearing Room B
Legislative Office Building, 2nd Floor
Albany, New York

Thursday, August 4, 2011

3:22 p.m. to 3:32 p.m.

NYS LEGISLATIVE TASK FORCE, 8-4-2011

TASK FORCE MEMBERS:

ASSEMBLY MEMBER JOHN J. McENENY, CO-CHAIR

SENATOR MICHAEL F. NOZZOLIO, CO-CHAIR

SENATOR MARTIN M. DILAN

MR. ROMAN HEDGES

MS. DEBRA LEVINE

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2 (The public hearing commenced at 3:22
3 p.m.)

4 ASSEMBLY MEMBER JOHN J. MCENENY, CO-
5 CHAIR: Note that all members are present, and
6 this is our regular meeting of the group to
7 discuss where progress has been, and to handle a
8 number of items that need clarification. This is
9 separate and distinct from the public hearing
10 that we just held, and will be holding next week
11 and later on.

12 SENATOR MARTIN M. DILAN: I would like a
13 point of order please.

14 MR. MCENENY: Certainly. Senator Dilan.

15 MR. DILAN: First of all, with respect
16 to this meeting, we were told that--first of all,
17 let me start from the very beginning. I never
18 received any notification that there was going to
19 be a meeting after. The only reason my office
20 found out about the meeting was by going to the
21 Latfor website. A staff member from my staff
22 spoke to the executive director on our side. We
23 were told that was not her responsibility. So I
24 would like clarity as to who is responsible for

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2 notifying all the members as to regular meetings.

3 MR. MCENENY: Well you're right in that
4 it was on the website.

5 MR. DILAN: But I'm a member of this
6 task force. How do we notify the members?

7 MR. MCENENY: And I know I--

8 MR. DILAN: [interposing] Secondly, I
9 would also like to know as point of order is,
10 what is the agenda for this meeting, and why the
11 agenda is not available to the public and myself?

12 MR. MCENENY: What do we got on the--

13 FV: Sir, you may have my copy if you'd
14 like.

15 MR. DILAN: No I want it in advance and
16 I want it to be shared with the public also.

17 MR. ROMAN HEDGES: I agree, I think that
18 that should be something that we do, and if it
19 didn't happen we should make sure--

20 MR. DILAN: [interposing] It did not
21 happen at our first meeting, and it did not
22 happen here today, and I still need clarity as to
23 who notifies the members. I want to know who's
24 responsibility it is.

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2 MR. HEDGES: I would urge that the
3 chairs be responsible to do that, and that we be
4 better behaved as a group going forward, because
5 all of the members should be informed, and the
6 public should be informed.

7 SENATOR MICHAEL F. NOZZOLIO, CO-CHAIR:
8 In that point of order it's my understanding that
9 there was a committee notice presented. Could
10 some member of the staff or the task force
11 indicate whether that committee notice was in
12 fact presented?

13 MS. DEBRA LEVINE, CO-EXECUTIVE DIRECTOR:
14 I honestly didn't know about this meeting until
15 the last minute myself. I didn't see anything.

16 MR. DILAN: I rest my case. The
17 executive director on our side admits that she
18 did not know about this meeting.

19 MS. LEVINE: It would be my pleasure to
20 make sure that doesn't happen again.

21 MR. MCENENY: We apologize. Senator
22 Dilan, I know I had spoken to Bob Oaks and to
23 Roman Hedges about it, but we'll make sure that
24 in the future there'll be no misunderstanding.

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2 You'll be properly notified in writing. I
3 thought we had it included in the minutes of our
4 last meeting. And as far as the exact time and
5 place, obviously there was a slip up and we
6 apologize, and you are justified in your
7 complaint and your observations.

8 MR. DILAN: And I'd also like to note
9 for the record that the majority of the members
10 on this panel do have a copy of the agenda. I do
11 not and the public does not.

12 MR. MCENENY: So noted, and we will make
13 sure that does not happen again. I think we have
14 a number of administrative items that we have to
15 discuss today. I would also point out as Senator
16 Dilan mentioned that we once again reconfirm, all
17 members here, that we will follow the law,
18 particularly in that matter of how prisoners are
19 counted. The law of the land at the present time
20 is that they will be counted back home and not in
21 the prison community, and I think that came out
22 several times today at the public hearing.

23 MR. NOZZOLIO: Mr. Chairman, in light of
24 Senator Dilan's point, I think it imperative that

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2 this entire agenda be tabled until such time as
3 we can have this agenda pro-offered to the
4 public, and that Senator Dilan made an excellent
5 point, that I certainly regret this
6 administrative error in excluding the appropriate
7 notices to the members of the task force, and
8 that your point is on point, well taken, and it's
9 my recommendation, and I'd like to make it in the
10 form of a motion, that this proposed agenda be
11 submitted to each member of the task force, as I
12 believe it has just been done, but that no public
13 activity be taken or formal activity be taken on
14 the agenda until the next scheduled meeting, a
15 meeting of which Senator Dilan's recommendation
16 should be certainly made appropriately to
17 everyone.

18 MR. DILAN: I would like to, if I can,
19 amend the motion.

20 MR. MCENENY: Can I get a second for the
21 motion first?

22 MV: Second.

23 MR. MCENENY: Okay. Go ahead Senator
24 Dilan.

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2 MR. DILAN: Sure, I totally agree with
3 Senator Nozzolio's motion, however I'd just like
4 to actually make an amendment that based on what
5 I see here on this agenda, that I would like to
6 see the election data move even further back from
7 2006 to 2002. I feel that it should go back to
8 as far as 2002, and that should be made available
9 to the public.

10 MR. NOZZOLIO: The motion is, as I
11 understand it Mr. Chairman, to--mine, is to table
12 the discussion on these issues until the next
13 meeting, the next available meeting, at which
14 time, Senator, then you'd have an opportunity, as
15 all of us would be able to discuss what needs to
16 be changed, what needs to be added, and anything
17 substantive that you'd like to add to this agenda
18 certainly could be made for the next meeting.

19 MR. DILAN: I will withdraw my
20 amendment, but I would urge this panel then to
21 consider going back to 2002.

22 MR. MCENENY: Thank you. I think
23 there's a number of issues in discussion of
24 Senator Nozzolio's amendment. I think there's a

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2 number of issues that the staff is working on,
3 will continue to work on, and I'm sure going back
4 to the 2002 election is something that they could
5 report on on the next meeting. And with that is
6 there an approval vote for Senator Nozzolio's
7 amendment? Objections?

8 MR. HEDGES: No, but I do have a
9 suggestion/question; that we actually identify a
10 time and place such that we can get proper notice
11 out to everyone. That we normally in the
12 assembly side of things try to have a seven-days
13 notice for meetings and so forth. So I'm not
14 sure what makes good sense, except that we should
15 make sure it's well in advance.

16 MR. DILAN: I would like to recommend
17 then, if Senator Nozzolio would consider
18 restating his motion and indicate the next
19 regular meeting could be held on the 10th when
20 we're in Westchester. Also I would like for this
21 panel to consider that we also have local
22 election data, not just federal and state data,
23 available to the public. But I would recommend,
24 if it's so acceptable to Senator Nozzolio and the

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2 co-chairs that we hold this meeting at our next
3 public hearing.

4 MR. NOZZOLIO: I have no objection to
5 that. So let me re-amend the motion before us.

6 MR. MCENENY: I will take a second
7 amendment. Take a new amendment or a new motion.
8 Let's take a new motion.

9 [crosstalk]

10 MR. NOZZOLIO: Why don't you move, co-
11 chair, to set the date and time.

12 MR. MCENENY: We hold a meeting. I
13 assume it would be acceptable to be following
14 within one hour maximum, because there was some
15 confusion today, following the meeting to be held
16 in Westchester County on the 10th.

17 MV: Second.

18 MR. MCENENY: Those in favor.

19 VOICES: Aye.

20 MR. DILAN: Thank you very much
21 everyone.

22 MR. MCENENY: Thank you. We instruct
23 the staff to get the material necessary, the
24 public notices necessary out there for both our

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2 members, the general public, and staff. Do we
3 have a motion to adjourn? Do we have a motion to
4 adjourn?

5 MV: Second.

6 MR. MCENENY: Second. All in favor.

7 VOICES: Aye.

8 MR. MCENENY: The meeting is adjourned.

9 (The public hearing concluded at 3:32
10 p.m.)

Committee on Governmental Employees, 3-3-2010

C E R T I F I C A T E

I, Walter Baker, do hereby certify that the foregoing typewritten transcription, consisting of pages number 1 to 13, inclusive, is a true record prepared by me and completed from materials provided to me.

A handwritten signature in cursive script that reads "Walter Baker". The signature is written in black ink and is positioned above a horizontal line.

Walter Baker, Transcriptionist

August 13, 2011