New York’s Constitutional Convention offers chance for sweeping reform...
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A bit of local trivia, since it’s Con-Con season once again: The Catskill Park owes its existence to the 1894 New York State Constitutional Convention. Here’s the item that did the job:

“The lands of the state, now owned or hereafter acquired, constituting the forest preserve as now fixed by law, shall be forever kept as wild forest lands. They shall not be leased, sold or exchanged, or be taken by any corporation, public or private, nor shall the timber thereon be sold, removed or destroyed.”

That’s 54 words, but around here, we tend to boil them down to two: Forever Wild. For well over a century, they have resisted just about every attempt to bend, fold, staple or otherwise pervert the constitutionally enshrined protection of New York State’s forest preserves.

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What the Con-Con giveth, the Con-Con can also take away. Voices that speak for the trees — groups like the Catskill Center for Conservation and Development, the Sierra Club, the Adirondack Mountain Club and the Adirondack Council — are now urging New York voters to vote No on Question 1 on November 7, fearing that another constitutional convention might be the end of the Catskill and Adirondack Parks as we know them.
“We know there are well funded special interests that want to find a way to pry open the State Constitution and weaken or eliminate its ‘forever wild’ clause,” said Willie Janeway, executive director of the Adirondack Council, in a statement released by the group back in June. “Having a convention would be like opening Pandora’s Box and could open our priceless Adirondack and Catskill Forest Preserves to development, clear-cut logging, and other commercial exploitation for the first time in 131 years.”

He knows whereof he speaks. Locals might remember Janeway from his former job with the state Department of Environmental Conservation, overseeing public lands in the Hudson Valley and lower Catskills as head of the DEC’s Region 3. As a public official, Janeway has sat across the table from plenty of folks who would love to take a chainsaw — or at least a chisel — to Forever Wild.

The Catskill and Adirondack Parks and their constitutionally untouchable trees are hardly the only treasures locked away in the vault of the New York State constitution. With a possible 2019 constitutional convention on the horizon, everyone with a favorite line in the novel-length document is suddenly very, very nervous.

Each cherished nonprofit cause in the state has its own Janeway, and many of them are vehemently opposed to a constitutional convention. Together, more than 150 of them form “New Yorkers Against Corruption,” an unholy anti-Con-Con alliance of unions and churches and political advocacy groups that spans the political spectrum from the Bronx GOP to Rural and Migrant Ministry, from Planned Parenthood to the New York Right to Life Committee.

They’re a motley crew, politically and spiritually, but there’s one thing that unites them: Sheer terror. The state legislature is pretty predictable, and they know who the players are. But a constitutional convention might do anything.

If New York voters opt for a constitutional convention, the 204 delegates elected next year might be drawn mostly from the ranks of sitting elected officials — or they might not. They will certainly be under pressure from the rich and powerful.
They will have no set agenda; they will have carte blanche to propose constitutional amendments as they see fit. Any amendments the delegates vote to approve will ultimately go before New York State voters as ballot referendums.

If the risks of a constitutional convention are high, so is the prize: real reform of Albany’s notoriously corrupt system. An end to gerrymandered districts, term limits for legislators, ethics measures with teeth, checks on unfunded mandates, a reorganization of the courts: All are possible with a constitutional convention, and probably impossible without one.

Good-government groups like Citizens Union, who are mainly concerned with fairness and accountability in the system, are fighting a lonely, lopsided battle for the Yes side against an array of deep-pocketed naysayers on both the right and the left. One of the loudest voices calling for a 2019 Con-Con is right in our own backyard: the celebrated political-science scholar Gerald Benjamin, a distinguished professor and director of the Benjamin Center at SUNY New Paltz.

“I believe that a convention is the only viable path to real lasting reform for New York state government,” Benjamin told the New York Law Journal in 2016, mincing no words. For the past year and a half, Benjamin has been beating the Con-Con drum, making the case for a revision of the state constitution in classrooms and auditoriums and in the pages of newspapers across the state.
Election Day is coming up soon, and I’m still torn on Question 1. The terror of the Con-Con’s opponents is contagious. Lately, it sometimes feels as though the New York State constitution is the only thing shielding me and my family from the unrelenting vitriol of a hostile federal government, and I hate to be reminded that it’s subject to revision. Opponents have compared holding a constitutional convention to “rolling a bunch of loaded dice.” It’s a gamble, and in such games, the odds are always in favor of the house.

On the other hand, this feels like a once-in-a-lifetime chance to dispel the poisonous fug of corruption and cronyism in state government, even if it is a long shot. It feels like a deeply cynical move to pass it up for purely strategic reasons.

I haven’t made up my mind for certain, but I suspect I’ll be voting Yes on Question 1. Not because I’m much of an optimist. I’d be surprised to see real reform in Albany in my lifetime, with or without a Con-Con. I suspect it’s just that my tolerance for political risk has gone up considerably of late. The past year has been a relentless assault on any illusions I might once have had that there’s any safe place to stand in America.

After all, we’ve seen how much damage regular old garden-variety democracy can do. Maybe it’s time to try the scary kind.

*Lissa Harris is the former editor of the Watershed Post. She lives in Margaretville*
with her wife and daughter. Send her Catskills news tips at lissa.e.harris@gmail.com.
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Check it out

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Kingston hotel bars locals from staying
Susan Dey  November 1, 2017 at 11:44 am

Lisa Harris thank you for your thoughts on whether to vote for a NYS Constitutional Convention or not. I will be voting NO on Question 1, however I haven’t been swayed by, as you wrote by “The terror of the Con-Con’s opponents is contagious”. My opinion is based on what I see as the reality of today’s politics (and government) – the reality that the Supreme Court win for Citizens United is now alive in our state of New York. Steve Bannon, Rebekah Mercer, and Robert Mercer are actively engaged in influencing disgruntled minds in NYS. In the presentations given by their organization Reclaim New York they attack unions, economic revitalization programs, healthcare, environmental protection, workers comp, public schools, medicaid and more. They stir up resentment toward property tax but never address what just a 10% cut in your town’s tax revenue would mean to services you depend on. I have attended many of these presentations and done a lot of research on Bannon and the Mercers and what our NYS Constitution means to us – like the right of people in rural areas to have access to healthcare facilities. I believe there is more depth to the concerns that Robert Mercer & friends would use one of their many $billions to influence, if not chose, the 204 delegates re-writing the NYS Constitution as well as those who would vote on it’s passage. (By the way – Robert Mercer has already donated to Citizens United for a US Constitutional Convention) These are different times. I’d like to challenge you and readers to become courageous citizens by committing to becoming more engaged in making the changes in Albany that are desperately wanted. Let’s be courageous with our time and contact LWV to help them pass better voter registration laws, let’s become courageous by committing to working for new representation in Albany. Already we are seeing a new wave of people willing to serve, to represent the needs of our communities over party line agendas. (And thank you Lisa Harris for being one of them!) To end – I don’t believe a vote against Con-Con is a vote from fear but a vote based on recent events and history. So when I vote NO to Con – Con I too will take a risk – a risk that there are many many more people like me willing to put in time and energy to have our voices heard and to work toward making changes in Albany and in our representation.

Susan Dey  November 1, 2017 at 11:48 am

Lissa! I would like to correct my misspelling of your name. I know it is not “Lisa”... I know you are Lissa. My apologies.

Susan
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