

STATEN ISLAND REAL-TIME NEWS

Voters being asked to change N.Y. constitution -- why it matters to you

Updated August 05, 2017

Posted August 05, 2017

419
shares

16 Comments



Should NY hold a constitutional convention?

On Election Day, Tuesday, Nov. 7, voters will be asked whether New York state should hold a constitutional convention. The state constitution requires that every 20 years this question be posed to voters. Should a majority of voters say “yes,” a long process begins. Here’s how it works.



A special convention

The last New York constitutional convention, or as those in politics call it, con-con, was in 1967. It wasn’t at the 20-year mark but was called as a special convention to deal with some pressing issues, like redrawing legislative districts based on population and an attempt by Democrats in control of the Assembly to solidify their hold in the constitution.

Since then, the public has voted against holding one.

If voters do decide they want a constitutional convention, then delegates are elected the following year.



Voters elect delegates

The state constitution governs con-con —it states that at the next general election following the con-con vote, three delegates from each state Senate district will be elected, as well as 15 at-large delegates statewide, for a total of 204 delegates. In this case, the delegate election would be in 2018. The state Legislature may set the rules for the delegate election, but if they decide not to, then elections occur just like any other: on party lines, delegates must collect petition signatures, run campaigns, etc.



Powerful people may remain in charge

There is nothing stopping politicians from being elected as delegates. While a small number of delegates to the 1967 con-con were sitting state lawmakers, (fewer than 10 percent) a good number were former elected officials, judges and people involved in politics. The speaker of state Assembly was president of con-con, and the majority leader of Senate Republicans was the minority leader of con-con. Democrats held a majority of the seats.

This, opponents of a convention argue, is exactly what shouldn't happen: people in power controlling the convention. This would prevent things like ethics reform and term limits from getting passed.



Much like state legislature

The convention would run much like the state legislative session: It would be held in Albany, probably a few days a week. Delegates would be paid the same as state lawmakers, \$79,500, along with a travel stipend, just like state lawmakers get. It would convene the April following the delegate election the previous November (in this case, April 2019). It would last as long as it takes for the delegates to decide their proposals.

Opponents of a convention argue that the logistics of being a delegate would limit it to people in elected office or in positions to take a leave of absence. Regular people who have jobs outside of Albany wouldn't be able to make it work.



It's all up to the delegates

What happens at a convention can vary greatly. Once they convene, the delegates set the rules.

In 1967, they decided to take an all-or-nothing approach: Everything they posed to voters was presented as a “big ugly” package. An unpopular proposal to repeal the James G. Blaine Amendment, that prohibited the state from funding parochial schools, dragged down the rest of the package. Previous conventions posed amendments individually.



Voters have final say on changes

Once the convention has ended, the delegates decide when the public vote to adopt will be — the state constitution only provides that it can't be sooner than six weeks after they adjourn.

If voters approve the amendments, they go into effect the following Jan. 1.



Not inexpensive

Opponents of con-con argue it will cost too much: the high estimate is \$200 million. Proponents argue it will be lower, \$50 million-\$75 million.

Proponents, like Dick Dadey, executive director of Citizens Union, a good government group, argues voters can expect to see ethics reform and term limits addressed.

Gerald Benjamin, veteran political science professor and director of The Benjamin Center at SUNY New Paltz argues the convention will provide “democratic accountability and good government,” changing the “three men in a room” culture and look at improving legislative redistricting.

Others want to see criminal justice reform, and all see the lengthy and outdated document as in need of some housekeeping.

Opponents argue the people in charge in Albany now will most likely drive the agenda at the convention and continue to stymie progress on those items.

They also argue that reform can be done legislatively, saving the cost and time of a convention.

Most labor unions oppose a convention because they fear worker protections will be weakened and pensions hurt, an argument that proponents say is fear mongering.

BACK TO TOP

Registration on or use of this site constitutes acceptance of our **User Agreement** and **Privacy Policy**

© 2017 SILive.com. All rights reserved (**About Us**).

The material on this site may not be reproduced, distributed, transmitted, cached or otherwise used, except with the prior written permission of SILive.com.

Community Rules apply to all content you upload or otherwise submit to this site.

 **Ad Choices**