

How to fix New York's Constitution?



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Michael Halberstam, associate professor of law
UB Law School



BUFFALO, N.Y. - Among many crucial decisions to be made on Election Day, Nov. 7, 2017, New Yorkers will go into voting booths to ponder the question: “Shall there be a convention to revise the constitution and amend the same?”

The New York Constitution mandates this question appear on the ballot every 20 years to give New Yorkers the opportunity for government reform. If the referendum is successful, a constitutional convention will be held - with the state's voters having the last word on whether to accept the constitutional amendments proposed by the convention.

To educate voters about the ramifications of this question, a town hall meeting on Tuesday, April 5, at 2 p.m. in the UB Law School will bring together prominent experts on the government and constitution of New York State to discuss:

- The content and character of the federal and state constitutions.
- What a constitutional convention would look like.
- The issues at stake in constitutional reform.

The event will be held at O'Brien Hall on UB's North Campus (building No. 11 on this map: <http://bit.ly/1DTCNEV> [<http://bit.ly/1DTCNEV>]).

Note: Parking for members of the public is very limited near O'Brien Hall. Members of the public should park at the Center for Tomorrow lot on Flint Road and take a shuttle to Flint Loop, a short walk from there to the O'Brien Hall. Please allow an extra 20 minutes for parking and travel to O'Brien Hall.

“Constitutional change is necessary in the eyes of good government groups,” says Michael Halberstam, associate professor of law at UB and acting director of the Law School's Jaeckle Center for Law, Democracy, and Governance. “But the call for a convention is also highly controversial, because there is much to lose.”

According to Halberstam, New York State United Teachers (NYSUT) has likened a constitutional convention to “opening Pandora's box.” The union worries that collective bargaining and state pensions would be threatened. Conservationists worry that Article XIV might be struck, which provides that New York state forests like the Adirondack Mountains be “forever wild.” On the other hand, “a convention offers perhaps the only opportunity to pass meaningful legislative, campaign finance and redistricting reform,” says Halberstam.

A town hall meeting on the 2017 referendum will be held April 5 at UB

By Ilene Fleischmann [</news/our-services/media-contacts.html>]

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Several experts are slated to speak at the town hall meeting, which will be immediately followed by a reception in the Cellino & Barnes Conference Center. Presenters include:

- **Gerald Benjamin** is the associate vice president for regional engagement and director of the Benjamin Center for Public Policy Initiatives at SUNY New Paltz. From 1993-95, he served as research director for the New York State Constitution Revision Commission.
- **Christopher Bopst** is chief legal and financial officer at Sam-Son Logistics in Buffalo, New York. Prior to that, he was a constitutional and litigation partner at Goldberg Segalla in Buffalo and is the co-author, with Peter J. Galie, of the leading reference work on New York State's Constitution, "The New York Constitution: A Reference Guide" and other notable works on the New York State Constitution and the Constitutional Convention process.
- **Henrik Dullea** served as director of state operations and policy management for New York Gov. Mario Cuomo from 1983-91, and as assistant secretary to the governor for education and the arts for New York Gov. Hugh Carey from 1976-80. He is the author of "Charter Revision in the Empire State: The Politics of New York's 1967 Constitutional Convention" and co-editor (with Gerald Benjamin) of "Decision 1997: Constitutional Change in New York." Dullea serves as a member of the Board of Trustees of the State University of New York (SUNY).
- **Peter J. Galie** is professor emeritus and former chairman of the Department of Political Science at Canisius College. He is a leading expert on New York State's constitutional history, including its constitutional conventions. As earlier indicated, he and Bopst have collaborated on "The New York Constitution: A Reference Guide" and scores of other books and articles on the subject.

The program is co-sponsored by the UB Law School's Baldy Center for Law and Social Policy, the Buffalo Law Review, the Jaeckle Center for Law, Democracy, and Governance, and by the Buffalo Partnership for the Public Good.

It is also part of a multiyear educational campaign of the Rockefeller Institute of Government of SUNY, the Benjamin Center of Public Policy Initiatives at SUNY New Paltz, the Government Law Center at Albany Law School, the League of Women Voters of New York State, and the Siena Research Institute to promote understanding and awareness of essential issues pertaining to the New York State Constitution leading up to the 2017 New York State Constitutional Convention referendum.

Editor's note: The program is eligible for 2.5 CLE credits in Professional Practice. UB Law School has been certified by the New York State Continuing Legal Education Board as an Accredited Provider of continuing legal education in the State of New York for the period of March 11, 2014 - March 10, 2017.

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