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# CAPITOL CONFIDENTIAL

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### Before a state constitutional convention, a few modest proposals

By [Casey Seiler](#), Capitol bureau chief on March 1, 2016 at 2:23 PM

2

Good government advocates have recommendations for how a state constitutional convention should be organized, and they're pushing for lawmakers and Gov. Andrew Cuomo to take action well before November 2017, when New Yorkers will get their once-every-20-years ballot opportunity to call for such a convention.

Blair Horner of the New York Public Interest Research Group and Barb Bartoletti of the state League of Women Voters spoke at a Tuesday news conference on behalf of a coalition that also includes Citizens Union, Common Cause, the Brennan Center for Justice, Wagner College and Reinvent Albany.

One of their proposals would seek a way — whether through statute or a last-minute constitutional fix — to prevent sitting lawmakers who are elected as delegates from doubling their salaries: The constitution sets delegate pay at the base annual rate of legislators, currently \$79,500.



Barbara Bartoletti of the League of Women Voters and Blair Horner of the New York Public Interest Research Group. (Casey Seiler, Times Union)

In addition, anyone receiving a public pension would under current law see it swell as the result of delegate service. Advocates would like to see those holding “elected or appointed” day jobs blocked from receiving that enrichment — though what they should receive from convention service has yet to be proposed.

Bartoletti noted that the League called for a no vote on the convention question before the 1997 vote, mainly due to the failure to reform the delegate selection process. The question was defeated by a whopping 2-to-1 margin.

“There were many people who said, ‘Wait, wait, wait — you’re going to allow elected officials, legislators, to actually be both legislators and delegates to the constitutional convention?’” Bartoletti said.

The coalition would also like to see lower signature requirements for those seeking to get on the ballot during the delegate elections, which if voters opt for a convention would take place in April 2018. Three delegates would be elected in each of New York’s 63 state Senate districts.

In addition, the 15 “at-large” delegates elected statewide should not be picked by party “slate” voting, but should be selected as individual candidates, the coalition argues. Its member groups also want to see current Freedom of Information Law, ethics and lobbying rules amended to make it clear that they apply to convention delegates.

It remains unclear if the Legislature will be responsive. In general, New York’s lawmakers have been wary if not outright hostile to constitutional conventions — not surprising, considering that they were explicitly designed as a workaround for achieving major changes to state government’s blueprint outside of the standard legislative process.

The veteran political scientist Gerald Benjamin of SUNY New Paltz pointed to the “Catch-22” inherent in depending on the Legislature to fix the convention system.

“You make certain process reforms a condition of having a convention, and of course the people situated to make the reforms don’t make them,” he said **in a recent interview on WMHT’s “New York Now.”** “And then they argue, ‘Well, you haven’t got the process reforms, (so) you can’t have your convention.’”

Cuomo’s executive budget proposal includes \$1 million to set up a commission that would lay the groundwork for a possible convention.

If a convention happens, state voters would get final say on any proposals that it offers up.

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## 2 Responses

1. *Geek On The Hill* says:

[March 1, 2016 at 2:36 pm](#)

Here would be my Top Three suggestions for Constitutional amendments:

1. Require the removal from office, permanent debarment from public or political employment, and forfeiture of any pension, annuity, or benefit, of any legislator who sponsored or co-sponsored a bill if the resulting law were found to be unconstitutional by any court of competent and final jurisdiction.
2. Limit the legislative session to one weekend every month and two weeks during the summer. Exceptions for special sessions would be allowable only in cases of war, terrorism, or natural disasters; and only business directly related to those reasons would be permitted to be discussed during those special sessions.
3. A seven-year sunset period would be imposed on all laws and regulations, including existing ones.

-Geek

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2. *Xchecker* says:

[March 2, 2016 at 6:15 am](#)

A tremendous opportunity to fix many of NYS's problems that will never come to pass. And probably just as well, since the delegates this legislature would appoint would only look to gain advantage for their special interests and to enrich themselves at taxpayer expense.

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The advertisement features the Zulily logo at the top, which consists of a stylized sunburst icon above the word "zulily". Below the logo, the text "your new favorite top" is written in a mix of sans-serif and script fonts. The central image shows a red long-sleeved top with a black floral pattern, displayed against a light yellow background with faint circular patterns. At the bottom of the advertisement is a red rectangular button with the white text "SHOP >".

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