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# CONSTITUTIONAL CONVENTION YES OR NO?



SHOULD NEW YORK HAVE A  
CONSTITUTIONAL  
CONVENTION?

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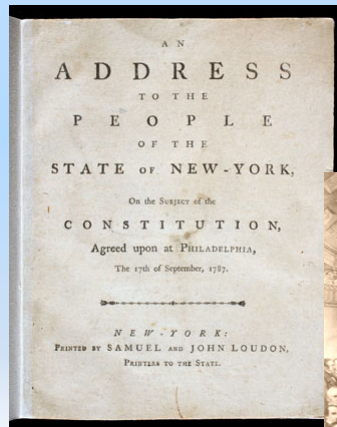
## Constitutional Convention

- NEW YORK HAS ITS OWN CONSTITUTION
- WHY?
- HOW IS IT DIFFERENT FROM THE FEDERAL CONSTITUTION?
- THE PEOPLE'S CHOICE TO REWRITE OR AMEND



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# Constitutional Convention



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# Constitutional Convention

November 7, 2017 Ballot Question

**“Shall there be a convention to revise the constitution and amend the same?”**



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# Constitutional Convention

- **WHAT HAPPENS IF THE CON CON PASSES:**
  - ELECTION OF DELEGATES:  
**NOVEMBER 6, 2018**
    - HOW ARE DELEGATES SELECTED?
  - CONVENING OF CONVENTION:  
**APRIL 2, 2019**
  - VOTERS DECIDE ON AMENDMENTS:  
**NOVEMBER 5, 2019**



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## Constitutional Conventions Have Been Primary Mechanism to Effect Fundamental Reforms



- 1777 through 1967; nine Con Cons
- All four Constitutions were written by Con Cons
- Virtually every right written by a Con Con



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# Constitutional Convention

- **WHY DO WE NEED A CONVENTION?**
  - **OBSOLETE AND OUTDATED SECTIONS**
  - **NEED FOR REFORM**
    - REFORM OF COURT STRUCTURE
    - VOTING
    - ETHICS
    - REDISTRICTING
    - EDUCATION
    - STATE FINANCE
    - HOME RULE
    - LOCAL FINANCE
    - NEW RIGHTS?

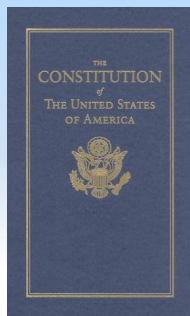


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# Constitutional Convention

## The State Constitution is Broken

- “Bloated, disorganized, 52,500-word behemoth,” more than six times longer than the US Constitution



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## Constitutional Convention

- **COURT REFORM**

- ARTICLE VI
- NEW YORK HAS MOST BYZANTINE COURT SYSTEM IN THE COUNTRY
- MULTIPLE LEVELS OF TRIAL COURTS
- OUTDATED APPELLATE COURT BOUNDARIES
- DOES THE PUBLIC CARE



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## Constitutional Convention

- **VOTING**

- NEW YORK HAS ONE OF THE MOST ANTIQUATED VOTING LAWS IN THE COUNTRY- SOME OF IT IS IN THE CONSTITUTION
- PROPOSALS
  - NO FAULT ABSENTEE BALLOTING
  - SAME DAY REGISTRATION
  - EARLY VOTING



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# Constitutional Convention

- **COMPREHENSIVE ETHICS REFORM**
  - LEGISLATURE IS NOT DOING IT
- **ENVIRONMENTAL PROTECTION**
  - FOREVER WILD CLAUSE
  - CLIMATE CHANGE
- **EDUCATION**
  - BLAINE AMENDMENT



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# Constitutional Convention

- **REDISTRICTING**
  - NON PARTISAN COMMISSION
- **STATE FINANCE**
  - BUDGET PROCESS
  - USE OF PUBLIC AUTHORITIES AND IDEAS
- **LOCAL FINANCE AND HOME RULE**
  - UNFUNDED MANDATES
  - PREEMPTION
  - MULTIPLICITY OF LOCAL GOVERNMENT



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## Constitutional Convention

- **AMENDMENT PROCESS THROUGH THE LEGISLATURE**
- **LACK OF ACTION BY LEGISLATURE**



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## Constitutional Convention

- **ARGUMENTS AGAINST A CONVENTION**
  - POLITICAL PARTIES WILL CONTROL
  - COST
  - 204 DELEGATES
  - SPECIAL INTERESTS WILL CONTROL  
LOBBYISTS / DARK MONEY-CITIZENS UNITED
  - RISK THAT RIGHTS MIGHT BE ELIMINATED
  - DOUBLE DIPPING BY LEGISLATORS AND JUDGES



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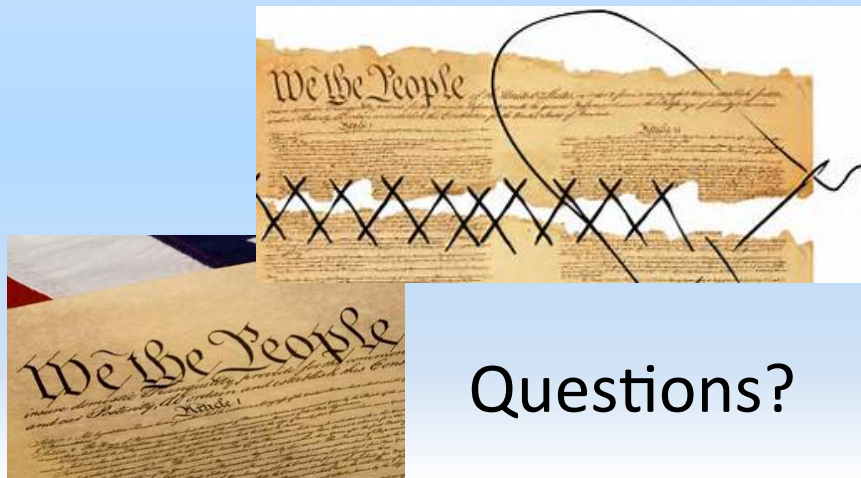
## Constitutional Convention

- **THE VOTERS GET TO DECIDE**
  - WHETHER THERE IS A CONVENTION
  - WHO THE DELEGATES ARE
  - WHETHER ANY AMENDMENTS ARE ADOPTED



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## Constitutional Convention



Questions?



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