

2009
Voter's Guide
League of Women Voters of New York State
1-866-598-6971 www.lwvny.org

PART II: BALLOT PROPOSALS
Election Day: November 3rd, 2009
Polls are open 6:00 am to 9:00 pm

What will be on the ballot on Election Day, November 3rd, 2009?

Voters in New York State will elect local officials (e.g. your mayor, town supervisor, town council members, etc.). You will also be voting on two statewide ballot proposals, and may be voting on local ballot proposals.

How can I get more information on what candidates will be on my ballot?

You can contact your local board of elections. Find out their contact information by consulting the web page of the State Board of Elections (<http://www.elections.state.ny.us/CountyBoards.html>), or by calling them at (518) 474-1953, or by email at info@elections.state.ny.us.

Where can I find general information about registering and voting?

The *League of Women Voters of New York State Voter's Guide Part I* has comprehensive information about deadlines, procedures and how to cope with problems and special situations. You can see a copy of the guide at www.lwvny.org under "Voter Services". You can also call the League at 866-598-6971, or email them at lwvny@lwvny.org. You can also contact your local board of elections.

What do I need to be aware of for this election?

Some local polling places will be piloting the new optical scanning equipment; the lever machines will no longer be in use at those polling places. You can consult the State Board of Elections web site for information on which polling places are involved in the pilot and how the process will work. The League's *Voter's Guide Part I*, cited above, also has good information about the new machines and voting process. As in prior elections, each polling place will have a Ballot Marking Device (BMD) for use by voters who are disabled and cannot use a lever machine, or by voters who want to vote on the BMD.

You should also be aware of what to do if you registered and your name is not on the rolls when you go to your polling place. The League's *Voter's Guide Part I* explains what to do in that situation; you should ask the poll worker for advice, and you either will be directed to a different polling place or assisted in voting by affidavit ballot. You should also plan to bring identification – a driver's license, valid photo ID, current utility bill, bank statement, government check or some other government documentation that shows your name and address – especially if you are voting for the first time.

BALLOT PROPOSALS

This *Voter's Guide* will help you to evaluate the two ballot proposals that will be on the November 2009 ballot. Both are amendments to the New York State Constitution. Read about the amendments and decide whether you wish to vote for or against each one. Look carefully for them on the ballot; sometimes they are easy to miss.

PROPOSAL NUMBER ONE: AN AMENDMENT

FORM OF SUBMISSION (how the proposal will be presented to you on the ballot):

Amendment to section 1 of article 14 of the Constitution, in relation to the use of certain forest preserve lands by National Grid to construct a 46 kV power line along State Route 56 in St. Lawrence County.

The proposed amendment would authorize the Legislature to convey up to six acres of forest preserve land along State Route 56 in St. Lawrence County to National Grid for construction of a power line. In exchange, National Grid would convey to the State at least 10 acres of forest land in St. Lawrence County, to be incorporated into the forest preserve. The land to be conveyed by National Grid to the State must be at least equal in value to the land conveyed to National Grid by the State. Should the amendment be approved?

What will this amendment do if approved by the voters?

The "Forever Wild" clause of the NYS Constitution prohibits any development in the Adirondack Forest Preserve, including the building of power lines, unless the constitution is specifically amended to allow it. A constitutional amendment requires passage by two separately elected state Legislatures and then approval by the voters. This amendment has been passed unanimously by the Legislatures that took office in 2007 and 2009, and is now being presented to the voters on the November, 2009 ballot.

This amendment will make constitutional an action that has, in fact, already taken place. The NYS Power Authority, with the involvement and agreement of the interested environmental and municipal groups, approved the building of a back-up power line through forest preserve land to protect the health and safety of the residents of the village of Tupper Lake. The line was built and activated in May of 2009.

What is the background on this proposal?

Before this new power line was built, the village of Tupper Lake had frequent power outages caused by damage to its single electrical supply line, principally from falling tree limbs in forested land along its route. There was no back-up line in the event of power failure, and during the winter alternative shelter had to be provided to village residents. This was considered an urgent situation that could not wait for the completion of the constitutional amendment process for relief, since it affected the health and safety of the villagers. The most environmentally friendly route for the new line traverses about two miles of Adirondack Forest Preserve land, affecting a small number of physical acres. While the new line could have been detoured to avoid forest preserve land, the detour would have involved a six mile cut through old-growth undeveloped forest and wetlands, endangering the habitat of wildlife. The chosen route along an existing road through previously cleared preserve land was judged to be more ecologically friendly. National Grid, the builder of the line, will compensate for the loss of existing preserve land by conveying

new forest preserve land to the State. This new land must be of equal or greater value than the land that was lost. Environmental and civic organizations are supportive of this remedy to what was a serious and persistent public health and safety issue. Since the amendment is specific to this situation, it does not give broader constitutional permission to other such solutions; each would require another constitutional amendment.

The League of Women Voters could not identify any organizations or opinions in opposition to this amendment.

PROPOSAL NUMBER TWO: AN AMENDMENT

FORM OF SUBMISSION (how the proposal will be presented to you on the ballot):

Amendment to article 3 of the Constitution, in relation to authorizing the Legislature to allow prisoners to voluntarily perform work for nonprofit organizations.

The proposed amendment would authorize the Legislature to pass legislation to permit inmates in state and local correctional facilities to perform work for nonprofit organizations. Shall the proposed amendment be approved?

What will this amendment do if approved by the voters?

The NYS Constitution currently prohibits labor performed by prisoners in state or local correctional facilities to be “be farmed out, contracted, given or sold to any person, firm, association or corporation”, except the state or any political division of the state and its public institutions. This means that prisoners cannot perform work, even voluntarily, for nonprofit organizations, such as churches, charities, social service agencies or educational institutions. If passed by the voters, this amendment will remove this constitutional impediment, and will authorize the Legislature to allow these inmates to voluntarily perform work for nonprofit organizations.

What is the background on this proposal?

The sponsors for the legislation proposing this constitutional amendment argue that prohibiting prisoners from voluntarily performing work for nonprofit organizations denies these often under-funded organizations access to a willing labor force for tasks such as grounds-keeping. They say that many localities have requested that the prohibition be removed. They also say that allowing inmate work crews to provide labor to these organizations will help fill the gaps in funding them, and will give the inmates a sense of “giving back” to the community.

The sponsors also make the point that passing this amendment would only give the Legislature authority to pass a law allowing inmates to do such work. This “enacting legislation” could include restrictions, in the interest of public safety, on which inmates would be eligible to perform this work. Two separately elected Legislatures passed this constitutional amendment with near unanimous votes in favor.

The League of Women Voters could not identify any organizations or opinions in opposition to this amendment.