

History of Constitutional Conventions in NYS

1777: Religious freedom, trial by jury, property owner's right to vote, due process, right to counsel, and protection from bills of attainder.

1801: Set number of state legislators. Power of nominations given to the legislature instead of the Governor.

1821: Established a mechanism for amending the Constitution without a convention. Abolished the Council of Appointments. Created a new system of circuit courts. Established voting qualifications for white and African American men.

1846: Expanded the types of offices that would be elected by the people. Restrictions on legislative power and the spending of public dollars. Mandate the presentation to the voters of question whether to call a convention every 20 years.

1867: Accepted: Extend judges terms in office, reduce case backlog. Rejected: Increase term limits for senators, restriction of legislative power and increasing the governor's power.

1894: Creation of the University of the SUNY. "Forever Wild" state forest preserve. Merit based civil service. Established home rule provisions for municipalities. Set up laws regarding voter registrations, voting machines and bipartisan election boards. Established guidelines for the selection of convention delegates. Creation of Blaine amendment.

1915: Rejected: Equal Protection Clause. Measure to institute a more coordinated government body.

1938: 9 ballot questions; 6 passed by voters.

Accepted: Safety net for needy, housing, transportation for education, and debt limitations for New York City's rapid transit. Equal protection clause prohibiting discrimination based on race, color or creed in both private and state action.

1967: Packaged all amendments as single ballot question that was rejected by voters. Amendments included improving the language protecting freedom of speech, allowing citizens to bring legal action against the state, allowing the legislature to reduce the voting age, repealing the Blaine Amendment, allowing the legislature to incur debt without voter referendum.

Who We Are

The League of Women Voters is a nonpartisan political organization that encourages informed and active participation in government, works to increase understanding of major public policy issues, and influences public policy through education and advocacy.

What We Do

Established in 1920 (1919 in NYS) after winning the right to vote for women, the League is one of the nation's most respected community-based organizations. In addition to our work in the elections area, League volunteers work on issues of local importance, from education to land use and housing. We do not support or oppose any candidates for office or political parties. We want everyone to vote so our elected leaders represent our entire community.

We are a voice for all, working to connect people directly with government. We provide and work from facts. We educate. We advocate for change.

Want More Information?

Visit the League's website lwvny.org for more information on the upcoming convention question.



LEAGUE OF
WOMEN VOTERS®

League of Women Voters of NYS
62 Grand Street, Albany NY 12207
Phone: (518) 465-4162

www.lwvny.org

lwvny@lwvny.org

Twitter @LWVNY

Facebook: League of Women Voters
NYS

New York's Constitutional Convention Question

**League of Women Voters
of New York State**

Get the Facts! The Who, What, Where, When, Why and How of New York State's Constitutional Convention Question



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Background

The New York State Constitution mandates that every 20 years voters be presented with the ballot question: **"Shall there be a convention to revise the constitution and amend the same?"** A constitutional convention allows delegates, elected by the people, to gather and examine our state's Constitution. The delegates can strike current text and propose changes and new provisions to the document. Changes to language can be made for greater clarity and understanding, or to streamline what is already in place. New provisions would serve to address issues that the current constitution does not address.

The League of Women Voters of NYS has a position in support of the 2017 ballot proposal.

When Will I Be Voting?

November 7, 2017

Vote on whether or not to convene a state constitutional convention.

November 6, 2018

Election of Delegates

November 5, 2019

Estimate for the date of vote on convention's proposed changes

Amending the Constitution

Amending Legislatively:

Identical resolutions must pass in both houses in two consecutive legislative sessions with an intervening statewide election

Amending through Convention:

Vote by people whether to convene. People elect delegates. Delegates convene in Albany and examine Constitution. Delegates propose amendments and alterations. People vote on whether or not to accept amendments and changes.

Logistics

The convention would convene in Albany on **April 2nd, 2019**. Past conventions have been held in Assembly chamber but these were held before session was extended into June. The Convention could potentially be held in a convention center in Albany.

Last convention in 1967 was held from April 4th until September 26th.

Delegates get to decide how they will organize themselves and how convention will proceed.

Cost

Cost estimates have ranged from **\$50 million** to **\$108 million**. Costs would include delegate salaries, staff, renting a meeting space, and a potential for webcasting of the sessions

Some amendments to the Constitution do have the potential to save the state money long term.

Delegates

15 At Large Delegates (state-wide)
3 delegates for each of the **63** Senate districts
Total of 204 delegates

Anyone can run to become a delegate. Delegates must collect petition signatures in order to appear on the ballot.

Senate District Delegates:

Established Party: 1,000 signatures or 5% of enrolled party in district
Independent: 3,000 signatures or 5% of votes cast in last gubernatorial election

Statewide At-Large Delegates:

15,000 Signatures or State party Committee can make appointments

Delegate Salaries

The Constitution states that delegates be paid the same salary as members of the Assembly. Assembly salaries are currently set at **\$79,500**.

Dual Compensation:

Under current constitutional provisions judges and legislators who serve as delegates are eligible to receive both their full salaries for their judicial/legislative position and for their service as delegates. A constitutional amendment would have to be passed to bar dual compensation for legislators and judges elected to be delegates.

Dual Pensions:

Before the 1938 and 1967 Conventions, special legislation was passed to ensure that convention participation was considered "government service" under pension law in NYS. This allowed judges and legislators to include the money they earned as delegates in their compensation for pension purposes.