

# CONSTITUTIONAL REFORM FOR NEW YORK: WHAT'S ON THE MENU?

## WHO DOES THE ORDERING?

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Con Con Boot Camp

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## *I. HOUSE CLEANING*

Consider:

Reducing the length of document  
eliminating redundant, obsolete &  
superseded provisions

Bringing more coherence to the  
document by rearranging current  
material

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- ▶ Election Reform
  - ▶ **Add fifth member to Board of Elections appointed by Chief Judge**
  - ▶ **Create a right to run for office free from unreasonable restrictions and disqualifications for harmless error**
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## I Institutions

### ARTICLE III THE LEGISLATURE

Fixing the size of the senate; changing  
the apportionment requirements  
generally

Independent redistricting commission

Public Integrity and Campaign

Finance Commission

strictly limiting outside income & full  
disclosure

Campaign finance reform

Restructuring the process by which salaries and related benefits are distributed and raises granted.

Terms limits for leaders and or members

Joining the majority of states in differentiating the terms of the two houses of the legislature;

Reducing the size of the legislature (currently the 4th largest (although none of the 3 states having larger legislatures have greater populations)).

A unicameral legislature

## Article IV Executive

Consider:

Eliminating the message of necessity

Gubernatorial succession: Consider

legislative involvement in appointment of a new L-G when L-G ascends to the Governorships

Joint Party election of Governor and L-G

Eliminating the power of L-G to assume the office when Governor is out of state

Eliminating the pocket veto.

Defining the functions of the attorney general; eliminating 20 department limit specified in the constitution leaving them within the control of the legislature

## Article VI Judiciary

### **Consider:**

Court Merger completing the consolidation of the court system

Leaving jurisdiction in the hands of the legislature: The Federal Model Equalizing the size of the appellate departments, or restructuring them so that all of the boroughs in NYC are subject to the same appellate law

Eliminating elections for trial judges and exploring alternative procedures.

## State Finance Article VII

Consider

The constitutional debt limit referendum. Is it working?

The budget process and the current balance (imbalance?) of power that exists between the executive and legislature.

The state's budget practice

Authorities: provide more than one section to deal with these bodies;

Constitutionalizing the Public Authorities Reform Act

## Local Governments and Finance (Articles VIII, IX)

Consider:

Addressing unfunded mandates

Re-evaluating the use of the property tax as primary source of revenue

- Bringing the local finance law into the 21st century by eliminating dated exemptions, changing the debt limits to those based on personal income, etc.
- Revisiting debt and tax limits on local government:.
- Addressing the problems created by a local government “system” consisting of thousands of unit with overlapping jurisdictions and responsibilities, i.e., the issue of consolidation.

## State Finance Article VII

Constitutional debt limit provisions, which appear to be at odds with the state's debt incurring practices;

The budget process and the current balance (imbalance?) of power that exists between the executive and legislature.

Full Balanced Budget Requirement

Authorities: provide more than one section to deal with these bodies;

Constitutionalizing the Public Authorities

Reform Act

## *I. PUBLIC POLICIES*

### Gambling (Article I)

Consider:

Eliminating the prohibition on gambling

### Pension benefits (Article III)

Consider:

Denying pensions for public officials convicted of a felony

## **Education (Article XI)**

### **Consider:**

**Including in the education article the court ordered standard of a “sound basic education”**

**Providing benchmarks or criteria for monitoring the state’s efforts to meet that standard**

**The status and role of the Board of Regents**

**Provision for charter schools**

## **Conservation Article XIV**

### **Consider:**

**strengthening the conservation bill of rights section**

## **Taxation (Article XVI)**

**Reevaluating the constitutionally protected tax exemptions**

## **Article XVII (Social Welfare)**

**Rethink the purpose and scope of the what it means to care for the “needy”**

## **Housing (Article XVIII)**

**Consider:**

**Affording counties the same incentives to participate in housing as cities and towns**

## IV CHANGING THE CONSTITUTION

### **Article XIX**

Consider

Altering the process for selecting delegates to insure easier access and diversity

The “fox in the hen house” --public officials as delegates

The status of the fifteen at large delegates

A permanent constitutional revision commission empowered to make recommendation for changing the constitution directly to the voters

A limited or indirect constitutional initiative

A limited convention

## Article I Bill of Rights

Right to counsel: extend to civil proceedings threatening direct and imminent loss of shelter subsistence, personal health or safety, child visitation or custody child or unwanted continuation of a physically abusive marriage.

Remove to others parts of constitution irrelevant provisions e. g gambling provisions, legislative divorces swamp land reclamation

Placing education, care of needy and conservation in the Bill of Rights