



**THE LEAGUE
OF WOMEN VOTERS**
of New York State

The League of Women Voters of New York State
62 Grand Street, Albany, New York 12207
Phone: 518-465-4162 Fax: 518-465-0812
www.lwvny.org E-Mail: lwvny@lwvny.org

September 2019

**Materials for Constitutional Convention Position Update
Approved by the June 2019 Convention**

Purpose

The purpose of this update is to determine whether there is member agreement on deleting the first sentence of the League's 1993 Constitutional Convention position, as revised June 2015.

The entire position is on next page. The first sentence to be deleted is below:

"The League of Women Voters of New York State does not support or oppose the holding of a constitutional convention."

Shortly after this position was adopted in 1993, the state Board applied it by deciding to oppose the 1997 Constitutional Convention referendum based on the extensive criteria contained within the position. However, during the most recent decision in 2017 in which the state board decided to support the referendum, the first sentence was interpreted by some members to foreclose a decision by the state Board to support or oppose the referendum. At the June 2019 convention, the delegates approved an update that would propose deletion of the first sentence to confirm state Board responsibility to apply the position to support or oppose using the criteria set forth in the balance of the position and depending on circumstances at the time.

A YES vote on the update will delete the first sentence and confirm the authority of the state Board to either support or oppose a future referendum for a state constitutional convention based on the criteria in the position.

A NO vote will leave the position as currently written. Under the new Study and Update Process adopted by the board this spring and attached as Appendix B, members, local leagues and ILOs may suggest a future update to this position.

Background

The New York State constitution can only be changed by amendments approved by two consecutively elected state Legislatures, or through a constitutional convention convened by a specific process described in Article XIX of the constitution. That Article provides that every 20 years the public has a chance to vote on the question of whether to hold a constitutional convention -- "Shall there be a convention to revise the constitution and amend the same?". In addition, the Legislature can place the question on the ballot at any time. There are three public votes involved in the constitutional convention process.

1. Whether to hold the convention,
2. The election of delegates, and
3. Approval of any amendments to the constitution.

Past League Action

A study of the New York constitutional convention process was undertaken in 1992 and the board adopted a position in 1993. The delegate selection portion of the position was amended in 2015. The position has been applied twice. The state board voted to oppose the November 1997 ballot question on the constitutional convention. The state Board voted to support the 2017 ballot question on the constitutional convention.

CONSTITUTIONAL CONVENTION
Statement of Position
As announced by the State Board, February 1993, revised June 2015

The League of Women Voters of New York State does not support or oppose the holding of a constitutional convention.

The League of Women Voters of New York State recognizes that a constitutional convention is an acceptable (legal) method of amending the New York State Constitution and that the provision requiring periodic mandatory submission of the question of calling a convention is a proper procedure.

The impetus for a convention between the mandated twenty-year referenda should come from the public. However we feel that certain principles are essential throughout the process:

- Education and involvement of the public must be an integral part of each phase of the process.
- Planning should be given adequate time and sufficient funding.
- **Nonpartisanship is essential.**

The League believes that specific conditions should be incorporated in the policies and procedures established for constitutional conventions:

- **Pre-Convention Commission:** A preparatory commission should be appointed with adequate time to study the issues, establish the agenda and procedures and prepare position papers for the convention. Such a commission should provide ongoing information to the public and solicit its participation.
 - **Convention delegates:** The League supports the following reforms as positive factors in deciding on support for a constitutional convention. Delegates should be elected by a fair nonpartisan process that complies with federal voting rights provisions and eases ballot access to encourage participation by racial and other minorities. Public financing should be provided for candidates and their positions on issues and convention goals should be widely publicized to enable voters to cast informed votes at their election. Statewide office holders, state or federal legislators, and state judges should not serve as delegates. *Revised June 2015.*
- **Convention process:** Procedures must be put in place to reduce partisanship, by assuring that committees and committee chairmanship are beyond party control.

Reasonable time limits must be placed on the length of the convention and its costs.

The issues to be considered must be determined in advance by the pre-convention commission and researched by position papers, which are complete and available at the time of the convention. Meetings of the delegates should be open, held at acceptable convenient hours, with full media coverage.

- **Ballot Issues:** Widespread public hearings and adequate voter education are necessary prior to the placement of referenda on the ballot. Constitutional amendments recommended by a convention should be submitted to the voters as separate issues.



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Approved by the June 2019 Convention**

**NAME OF
LEAGUE** _____

CONTACT:

Please complete this response form, submit it for board approval and forward it to the state League by March 1, 2020.

The first sentence of the current position to be deleted is below:

“The League of Women Voters of New York State does not support or oppose the holding of a constitutional convention.”

Please check one of the following:

_____ **YES -Support deletion of the first sentence.**

_____ **NO - Retain the current position.**

If this response is on behalf of a local League or an ILO, please describe the process by which this form was completed (board meeting, general membership meeting, polling of members, etc.).

Comments:

**Mail, Fax or Email completed form by March 1, 2020 to:
LWVNYS, 62 Grand St, Albany, NY 12207
Fax: 518-465-0812 Email: Linda@lwvny.org
Questions: Call the League at 518-465-4162**