

On Your November 2 Ballot: Five Progressive State Constitution Amendments

When you go to vote on November 2 (or October 23-31 if you are voting early), on your ballot you will see five proposals for amending the NY State Constitution. One calls for modifying the procedures now used for redistricting. Two seek to codify measures that make voting easier. The other two relate to the environment and the courts. All five are supported by progressive Democrats in the State legislature. Here is a brief summary of the five ballot proposals.

Proposal No. 1 Amending the Apportionment and Redistricting Process

The proposal would do the following:

- Drop the requirement that the two co-executive directors of the

redistricting commission be members of different political parties.

- Change the vote thresholds for adopting redistricting plans when one political party controls both legislative chambers.
 - Approval of a plan by the redistricting commission would require a vote in favor by at least seven of the ten commissioners. (Currently at least one commissioner appointed by each of the legislative leaders must vote in favor of a plan for approval. That arrangement has long given Republicans effective veto power over redistricting plans.)
 - If the redistricting commission does not have the votes needed to approve a plan, it must send the legislature the redistricting plan that garnered the most votes. The legislature would be able to adopt such plan with a 60% majority. (Currently if the speaker of the Assembly and the

temporary president of the Senate are members of the same political party, approval requires a vote in favor by at least two thirds of the members in each house.)

- For redistricting purposes, count incarcerated people at their place of last residence, instead of at their place of incarceration. Counting prisoners at their prison site gives undue representation to the upstate “red” counties where state prisons are located.
- Require that state Assembly and Senate district lines be based on the total population of the state, and require the state to count all residents, including non-citizens and Native Americans, if the federal census fails to do so.
- Cap the number of state senators at 63.
- Require the redistricting commission to submit its plan to the Legislature two months earlier than called for under the current procedure. (For the redistricting cycle in 2022, the

time frame would be condensed to meet election-related deadlines).

Proposal No. 1 is supported by 9 Democratic State Senators (including Michael Gianaris, Brad Hoylman, and Robert Jackson). At the September TPID Club meeting, Susan Lerner, Executive Director of Common Cause NY, recommended a vote in favor of this Proposal.

Proposal No. 2

Clean Water and a Healthful Environment

This proposal would protect public health and the environment by adding the right of each person to clean air and water and a healthful environment to the Bill of Rights in the New York Constitution.

Proposal No. 2 is supported by 17 Democratic State Senators (including Brad Hoylman, Robert Jackson, and Liz Krueger) and 3 Democratic State Assembly

members (including Carl Heastie and Richard Gottfried).

Proposal No. 3

Eliminating Ten-Day-Advance Voter Registration Requirement

The New York Constitution now requires that a citizen be registered to vote at least ten days before an election. This amendment would delete that requirement. If this amendment is adopted, the Legislature will be authorized to enact laws permitting a citizen to register to vote less than ten days before the election.

Proposal No. 3 is supported by 36 Democratic State Senators (including Brian Benjamin, Michael Gianaris, Brad Hoylman, Robert Jackson, Liz Krueger, John Liu, and Andrea Stewart-Cousins) and 14 Democratic State Assembly Members (including Linda Rosenthal).

Proposal No. 4

Authorizing No-Excuse Absentee Ballot Voting

This proposal would eliminate the requirement that a voter provide a reason for voting by absentee ballot. It would delete the requirement currently in the Constitution that restricts absentee voting to: (1) those who expect to be absent from the county of their residence, or from New York City for residents of that city, on Election Day, and (2) those who are unable to appear at their polling place because of illness or physical disability.

Proposal No. 4 is supported by 41 Democratic State Senators (including Brian Benjamin, Michael Gianaris, Brad Hoylman, Robert Jackson, Liz Krueger, John Liu, and Andrea Stewart-Cousins) and 7 Democratic State Assembly Members.

Proposal No. 5

Increasing the Jurisdiction of the New York City Civil Court

The New York City Civil Court is currently limited to hearing and deciding claims for \$25,000 or less. The proposed amendment would allow the Court to hear and decide claims for \$50,000 or less.

Proposal No. 5 is supported by 4 Democratic State Senators (including Brad Hoylman and Robert Jackson) and 2 Democratic State Assembly Members (including Richard Gottfried).