



NEW YORK STATE SENATOR

Martin J. Golden

Senator Golden Introduces Legislation to Let Voters Reform Government and Rewrite the State Constitution

MARTIN J. GOLDEN June 26, 2009

ALBANY---- State Senator Martin J. Golden (R-C-I, Brooklyn) today said that he is introducing legislation to let the voters decide whether to hold a constitutional convention in order to fix New York's increasingly dysfunctional State government.

A constitutional convention lets citizens propose changes to government and to the state constitution. The voters then decide whether to adopt the changes at a general election.

The New York State constitution requires that the question of forming a constitutional convention be put to voters every 20 years, or when more frequently if the legislature decides. The next scheduled vote on the issue would be in 2017. The bill by Senator Golden allows the question to be put to voters as early as this November.

Senator Golden's legislation also attempts to make sure that the convention would be dominated by citizens not politicians, lobbyists, or party bosses. It specifically prohibits elected officials, lobbyists, and party chairmen from serving as delegates to the convention, and limits campaign contributions for delegates to \$100 per year.

The bill also establishes reasonable time limits on the length of the convention and its costs, so as to assure that the operations of the convention are not a burden on taxpayers, and to assure that the convention allows for maximum citizen participation.

Senator Golden said that "Recent events make it clear that our state government is in the midst of a constitutional 'perfect storm'. The absence of a process for succession to the office of Lieutenant Governor, coupled with a closely divided Senate that has been unable to function effectively, makes it clear that the outmoded State Constitution clearly needs an overhaul."

“It’s time to construct a blueprint for governing that reflects New York today, not New York as it was at the time our constitution had its last major overhaul, in 1938,” Golden said. “There is a great need for a New York State Constitutional Convention to be convened, not only to overhaul State government, but to possibly provide for such important initiatives as initiative and referendum, mandate reform, spending caps and property tax caps, and local government reform.” Golden noted that there is no limit as to what issues may be considered by a constitutional convention.

Under the constitution, the question as to whether to have a constitutional convention would be put to the voters at a general election in November. If the answer is yes, then voters would elect three delegates from each senatorial district at the next general election, the following year. These delegates would then convene on the first Tuesday of April, to begin the convention. Delegates would receive the same pay as Assemblymen, and also be reimbursed for expenses. The bill provides for a three month convention, but there is otherwise no limit on the length of time or the issues that could be discussed.

If the bill passed, and the question could be put to voters this year, the schedule would be as follows:

Question to voters	November, 2009
Election of Delegates	November, 2010
First session	April, 2011