



NEW YORK STATE SENATOR

Velmanette Montgomery

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Senator Velmanette Montgomery

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News from **State Senator**

**Velmanette Montgomery**

25th Senate District

September 19, 2017

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**Senator Montgomery, Senate Democratic Leader Stewart-Cousins and Union Leaders Discuss Inherent Risk of a New York State Constitutional Convention**

**(Brooklyn, NY)** - Today, Senator Velmanette Montgomery, joined by Senate Democratic Leader Andrea Stewart-Cousins, her colleagues in government and union leaders, held an informational panel on the guaranteed rights and protections that would be at risk should a State Constitutional Convention be convened.

The New York State Constitution mandates that every 20 years, voters be asked if a convention should be held to revise the constitution. From there, delegates are chosen to make recommendations for changes to be made. While New Yorkers have the right to approve or deny a Constitutional Convention, there are inherent risks in calling one.

Current rights guaranteed by the State Constitution that could be altered or removed include:

- Public employee pension and retirement benefits.

- The right to minimum wage and worker's compensation.
- Unions' right to organize and bargain collectively.
- Prevention of private corporations from profiting off prison labor.
- Right to counsel and security against unreasonable searches, seizures and interceptions.
- Free public education for all students of the state.
- Structure for an independent New York State Education Department.

"Many of my constituents are hearing about the Constitutional Convention for the first time and have questions about what it means. It is important for me to educate my constituents on what is protected in our State Constitution. New Yorkers need to understand what the entire process would look like if a Convention were to take place so they can make an informed decision in November," **said State Senator Velmanette Montgomery**

"Now is not the time for a Constitutional Convention. In this dangerous era of Trump powerful corporate interests will try to make fundamental changes to our State Constitution that are antithetical to our New York values. There has been a lot of talk about what can be accomplished through a Constitutional Convention, but the State Legislature can and should be passing voting reforms, ethics reforms, criminal justice reforms, real redistricting reforms and a whole host of other critical priorities, and not relying on others to do their jobs. A Constitutional Convention potentially controlled by corporate and conservative special interests would be a disaster for the working men and women of New York." **New York Senate Democratic Leader Andrea Stewart-Cousins**

The event featured special guests and a group of expert panelists to discuss the importance of the state constitution and the rules of law that protect and benefit every New Yorker.

In addition to Senator Montgomery and Senate Democratic Leader Stewart-Cousins, Public Advocate Letitia James, Senator Roxanne Persaud, Assemblymembers Walter T. Mosley, Jo Anne Simon and Tremaine S. Wright also spoke of the risks of a convention and the importance of a progressive State Legislature to introduce, pass and enact laws that will benefit the public.

“During this November Election we owe it to our citizens to secure the protections and rights guaranteed to them by the New York State Constitution. The Constitutional Convention will be on the ballot, and by opening up a convention, it would trigger a two-year process that could leave our most vulnerable citizens at risk. There are other proven methods of changing the NYS Constitution, namely through legislation, that maintains the protection of our public schools, our senior citizens, as well as union and workers’ rights, affordable housing programs and our environment. Since 1894, the New York State Constitution has been amended through the legislative process over 200 times, further proving its efficacy. As an elected official and a public servant, believe that it is vital that we come together and vote 'no' to opening up a constitutional convention this November,” **said Assemblyman Mosley.**

"I stand with Senator Montgomery, Senate Democratic Leader Stewart- Cousins, and my colleagues in government in stressing the importance of our constituents being educated and prepared for what is possible should a Constitutional Convention be held. The protections that are provided for in our state constitution will be subject to modification and we all need to understand just how far reaching the impact could be." - **Assemblywoman Tremaine Wright**

“A convention unnecessarily risks weakening or eliminating the current ‘Forever Wild’ clause (Article 14, Section 1) of the constitution,” **said panelist John Sheehan, Director of Communications for the Adirondack Council, an environmental organization.** “Forever Wild is the strongest forest protection law in the world. It remains strong because it cannot be repealed or weakened by government. Only the voters may alter it. Forever Wild protects drinking water and more than 3 million acres of Adirondack and Catskill Forest Preserve from logging, lease, sale, development and destruction. It safeguards nearly all of the motor-free wilderness and never-logged, ancient forest remaining in the Northeast.”

“As advocates for low-income New Yorkers, we are very concerned that a State Constitutional convention could result in a retraction or even eradication of basic rights to social safety net benefits that New Yorkers have long been able to access in times of need,” **said panelist Susan Welber, Staff Attorney of Civil Practice Law Reform Unit for Legal Aid Society.** “There is an objective history to support this concern. First in the 1967 convention, then in 1993 and in repeatedly in more recent years, amendments have been introduced that would weaken these crucial rights.”

“Big money would rig a constitutional convention for their own interests, and then charge the cost of a convention to ordinary taxpayers. That’s millions, possibly hundreds of millions of dollars, spent by special interests trying to strip rights from hard-working New Yorkers. That’s money that could be better spent funding our public schools and fixing mass transit. We have to stay united against a constitutional convention. It’s just a con,” **said Michael Mulgrew, President of the United Federation of Teachers.**