

The **CON** in the constitutional convention

According to the state constitution, every 20 years New York voters are asked to give thumbs up or down on a simple referendum: “Shall there be a convention to revise the constitution and amend the same?”

The question will appear at the top of the ballot on Nov. 7, 2017.

“They say there are pros and cons to every issue,” said NYSUT Vice President Paul Pecorale, “but I see only cons in this ‘Con Con.’”

THREE key reasons

Here are three key reasons why a state constitutional convention should be rejected:

1. The constitution establishes the basic organizational structure for state government as we know it. A convention would place everything on the table and delegates would have the power to swipe away any of the policies, programs and protections we might take for granted.

For example, the delegates — who could be political party appointees or even sitting elected officials — could decide to alter the balance of power. With enough votes, they could give much more power to the executive branch and significantly weaken the role of the Legislature. We all know how much the Legislature has done to amend and repair the damaging executive budget proposals we’ve seen in recent years.

Concentrating unchecked power could be a disaster.

2. The constitution establishes the fundamental rights every NYSUT member enjoys as a citizen of the state, as a public employee or as a retired public employee.

It guarantees the right of all state residents to a free public education; establishes your rights to be a member of a union and to bargain collectively; prohibits reductions in public pension benefits; provides workers compensation; and requires that the state provide for social welfare needs. It provides the “Forever Wild” statute that protects the Adirondack and Catskill parks. Imagine New York State without those things.

3. The constitution sets the most important policy goals for the people of New York State. Any changes would affect every other law in place, as well as future statutes.

Think about what happened in 1967: Voters approved the call for a convention and what resulted was a number of bad constitutional proposals, including a repeal of the “Blaine Amendment,” which prohibits the use of state monies to assist religious schools.

That issue continues to be debated today, and NYSUT annually fends off efforts by privatization advocates and religious schools to establish backdoor voucher schemes funded by the state.

The catch 50 years ago was that, after voting to authorize a constitutional convention, voters had the opportunity to accept or reject the proposed changes. New Yorkers rejected the convention’s proposed revisions, including a repeal of the Blaine Amendment. Had voters not rejected the repeal of Blaine, public education would look very different in New York State today.

“In an off-election year, the referendum on a constitutional convention is going to be one of the biggest votes our members face, and we need to get out the vote and defeat it,” said NYSUT Executive Vice President Andy Pallotta.

WHAT YOU NEED TO KNOW

- The constitutionally required 20-year referendum to propose a constitutional convention will be on the Nov. 7, 2017 ballot.
- If it passes, three delegates per state Senate district and 15 at-large delegates — 204 in total — would be elected at the next general election, in November 2018.
- Delegates can include members of the Legislature or other elected officials, as well as political party leaders — and they can hold both positions, collecting both salaries.
- The convention would meet in Albany in 2019 for an unspecified duration, and then publish its suggested amendments.
- Any proposed changes are submitted to voters for approval separately or as a group for another public referendum no sooner than six weeks after the convention adjourns.

