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A People's Constitutional Convention for New York?

By: Andrew Greenblatt*

Most New Yorkers don't know this, but in 1997 voters will be asked whether or not they want to hold a Constitutional Convention to amend the State Constitution. This could offer a once in a generation opportunity to get around the gridlock in Albany on a number of important issues, or the Convention could be hijacked by powerful party officials and their wealthy patrons. And the difference could be decided as early as this January.

If voters vote "Yes" in 1997 a range of headline issues could be discussed at the Convention. Questions about education, civil rights, state finances, the environment, and of course, government reform could all be on the agenda.

The process of holding a Constitutional Convention may seem complex, but in reality it's pretty simple. The State Constitution requires that voters get a chance to call a convention at least every twenty years. Since the last vote was in 1977, the next vote has to take place in 1997.

If voters vote "Yes" in 1997, delegates will be elected from around the state the next year. These delegates will then meet and offer amendments to the Constitution which would have to be approved (or disapproved) by the voters.

In all, 198 delegates would be elected. Three from each of the 61 Senate districts and 15 in statewide elections.

Unfortunately the current election laws would allow big money interests and party officials to control the outcome of many of the delegate elections. That's exactly what happened at the last Convention in 1967 where over 80% of the delegates had some type of direct connection to the major parties as either elected or appointed officials. And not surprisingly, when the Convention was over the same voters who called for a convention rejected the package of "reforms" that came out of it. So much for a "People's Convention."

But it doesn't have to be this way. If the State Legislature changes the election law, at least for the

election of delegates, New Yorkers can still have a "People's Convention.

Common Cause/NY is fighting for campaign reform in two vital areas. One, is by improving the way candidates get their names on the ballot. Right now, a potential delegate candidate would be required to collect thousands of signatures on petitions (three thousand for independent candidates, one thousand for those trying to get into a party primary.)

But collecting the signatures is just the beginning. The law is filled with dozens of hyper-technical requirements, violation of any one can lead to a candidates being thrown off the ballot. For example, the law requires your petition cover to be a certain color. For Right To Life candidates it's "goldenrod." Not yellow, "goldenrod." One candidate was recently thrown off a city council ballot for skipping the unlucky number thirteen when numbering the pages of her petition. The court ruled that her pages were not "sequentially numbered."

The point is, an independent candidate is less likely to know all the rules as well as an "insider" or a politically connected person with access to the party's lawyers. In a New York City Council race in 1993, fifty-one seats were open. Over eighty candidates were thrown off the ballot. Not one of them was an incumbent. Imagine the struggle grassroots delegate candidates would face.

Common Cause/NY believes that if we can reduce the number of signatures required and simplify the rules, we can have more independent, plain-people candidates, not just politically connected and backed candidates of both major parties on the ballot.

Same with financing the campaigns. Common Cause\NY believes we can take the big givers -- and their favors and influence -- out of politics and government by instituting a package of reforms. First of all we need to lower how much a person can give to a candidate. Currently for Senate District delegates the number is \$11,500 from one person to each candidate.

Next we need to cap overall spending so bankrolled candidates can't simply buy enough of a campaign to drown out their grassroots opponents. Finally, we need to offer public matching funds at a three to one rate for small contributions so that candidates who want to run their campaigns on small contributions have a chance of raising the money it takes to get elected. The supreme court has said that any cap on spending must be voluntary, but offering public financing only to those candidates who

accept the cap has proven to work in dozens of places around the country.

As you might imagine, politicians aren't too happy about giving up their control of any possible Constitutional Convention. That is why Common Cause/NY is organizing citizens now to put pressure on the politicians during the coming months, which for State Legislators is election season. New Yorkers deserve the right to call their own Constitutional Convention. State Legislators should pass the reforms needed to give them that opportunity as soon as they return to Albany in January.

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