



Proposed Amendments Await November Vote

On November 2, 2021, New York voters will elect candidates to various judgeships and local offices, including Mayor of New York City. They will also vote on five proposed amendments to the New York State Constitution. While these five ballot measures may not receive as much media attention as political campaigns do, they may have a greater impact on the future of the Empire State. This position paper will provide an overview of the five proposed amendments.

NYCF Urges A No Vote On Proposal One

Proposal One would overhaul New York's redistricting process. Every 10 years, following the national census, New York's congressional, State Senate, and State Assembly districts are redrawn. In 2014, voters passed a constitutional amendment that substantially changed the redistricting process. Now, before that process has even been used, the Legislature is pushing for a new set of changes. Why?

It seems clear that the purpose behind Proposal One is to make the redistricting process less independent and cause the majority party to have unfettered control of it. Specifically, Proposal One would (a) repeal the requirement that the two co-executive directors of the redistricting commission be members of different parties; (b) repeal the requirement that a commission redistricting plan be approved by commission members of both parties; and (c) repeal the requirement that a redistricting plan be approved by a two-thirds vote of the Legislature if the Senate and the Assembly are each controlled by the same political party. This is exactly the opposite of the way a redistricting process should operate. New Yorkers for Constitutional Freedoms opposes this naked power grab by Senate Majority Leader Andrea Stewart-Cousins (D-Yonkers) and Assembly Speaker Carl Heastie (D-Bronx) and urges voters to vote NO on Proposal One.

NYCF Remains Neutral On Proposal Two

Proposal Two would amend the New York State Constitution to provide that "each person shall have a right to clean air and water, and a healthful environment." While New Yorkers for Constitutional Freedoms wants clean air and water for all New Yorkers, we are uncertain

about whether this amendment would advance that goal. We take no position on Proposal Two. However, progressives are framing this issue as one of racial and environmental justice.

NYCF Urges A No Vote On Proposal Three

Proposal Three would remove the requirement that a voter wishing to vote in an election be registered to vote at least 10 days prior to that election. This requirement is currently set forth in Section 5 of Article II of the New York Constitution. The passage of Proposal Three would allow the Legislature to pass a law allowing voters to register less than 10 days before a given election; in fact, it would open the door to the passage of a same-day voter registration law. Because a same-day voter registration system could create administrative headaches and provide opportunities for voter fraud, New Yorkers for Constitutional Freedoms calls for a NO vote on Proposal Three.

NYCF Urges A No Vote On Proposal Four

Proposal Four would allow no-excuse absentee balloting in New York. Currently, the New York State Constitution allows absentee balloting only if (a) a voter expects to be outside of his/her county of residence on Election Day; or (b) a voter is unable to vote in person due to disability or illness. Allowing large numbers of voters to use absentee ballots makes it difficult for boards of elections to tally election results quickly. Furthermore, unlimited absentee balloting creates a climate in which voter fraud is very difficult to detect. New Yorkers for Constitutional Freedoms calls for a NO vote on Proposal Four.

NYCF Remains Neutral On Proposal Five

Proposal Five would expand the jurisdiction of the New York City Civil Court. Currently, the Court may decide claims for up to \$25,000. Proposal Five would raise that jurisdictional limit to \$50,000. New Yorkers for Constitutional Freedoms takes no position on Proposal Five.

For more information on Proposals One through five, please visit the website of the New York State Board of Elections at <https://www.elections.ny.gov/2021BallotProposals.html>.