

VOTERS GUIDE New York 2014

A Guide to the Proposed Changes
to the New York State Constitution
& the Bond Act Proposal
On the Ballot November 4, 2014,
With Arguments in Support of
and Opposition to those Changes

New York Public Interest Research Group/NYPIRG

VOTERS GUIDE

TO THE PROPOSED CHANGES TO THE NEW YORK STATE CONSTITUTION AND BOND ACT PROPOSAL THAT WILL BE ON THE BALLOT THIS NOVEMBER 4, 2014, WITH ARGUMENTS IN SUPPORT OF AND OPPOSITION TO THOSE CHANGES

Summary

This Election Day, New York voters will be asked whether to amend the New York State Constitution and approve a Bond Act via three ballot questions included on the ballot. This guide offers a non-partisan look at the proposals in an effort to educate New York's voters. It includes viewpoints from both supporters of and opponents to the proposals, based on research done by the League of Women Voters of New York State and NYPIRG. The League of Women Voters has graciously allowed us to use their information for this guide. Please visit www.lwvny.org if you would like more information on the League, or to access their voting guides and other resources.

The New York Public Interest Research Group is opposed to Proposal #1 and has taken no position on Proposal #2 and Proposal #3.

Background

Tuesday, November 4, 2014 is Election Day, and polling places are open from 6 A.M. to 9 P.M. statewide. United States citizens who are over the age of 18 and have lived at their New York State residence for at least 30 days before the election date are eligible to vote in New York.

College students have the right to choose their campus address as their voting residence: www.lwvny.org/advocacy/vote/RTVCollegeStudents.pdf.

You must also be registered with the New York State Board of Elections in order to vote; voter registration forms must be postmarked by October 10th and received by the Board of Elections by October 15th in order to vote this November 4th.

See the Board's "Register to Vote" page at www.elections.ny.gov/VotingRegister.html – or visit your county board of elections office or local NYPIRG campus office (www.nypirg.org/campus/offices.html) for forms, information and non-partisan registration assistance.

If you are already registered, the location of your current polling place can be found at <https://voterlookup.elections.state.ny.us/votersearch.aspx>.

In addition to this Voters' Guide, voters may want to review the guide produced by the New York City Campaign Finance Board. The Campaign Finance Board focuses on New York City elections, but does provide information on ballot questions. For more information go to <http://www.nycffb.info/public/voter-guide/about.aspx>.

On this year's ballot, in addition to the candidates who are running for offices (members of the U.S. House of Representatives, Governor, Attorney General, State Comptroller, members of the State Senate and State Assembly), New Yorkers have the opportunity to vote on two proposed changes to the New York State Constitution and a bond act. The following are the state-approved summaries of the proposed constitutional changes and the bond act, as well as arguments in support of and in opposition to the changes (you can see the summaries, the abstracts of the proposals and the full text of the questions at <http://www.elections.ny.gov/ProposedConsAmendments2.html>):

PROPOSAL ONE

Revising State's Redistricting Procedure

Form of Submission of Proposal 1 [the way you will see it on the ballot, drafted by the New York State Board of Elections]:

“The proposed amendment to sections 4 and 5 and addition of new section 5-b to Article 3 of the State Constitution revises the redistricting procedure for state legislative and congressional districts. The proposed amendment establishes a redistricting commission every 10 years beginning in 2020, with two members appointed by each of the four legislative leaders and two members selected by the eight legislative appointees; prohibits legislators and other elected officials from serving as commissioners; establishes principles to be used in creating districts; requires the commission to hold public hearings on proposed redistricting plans; subjects the commission’s redistricting plan to legislative enactment; provides that the legislature may only amend the redistricting plan according to the established principles if the commission’s plan is rejected twice by the legislature; provides for expedited court review of a challenged redistricting plan; and provides for funding and bipartisan staff to work for the commission. Shall the proposed amendment be approved?”

YES

NO

Background on Redistricting and the Proposal Under the **current** redistricting process, the legislature is responsible for drawing the lines and legislators constitute the majority of the commission that drafts new district lines.

Under the **proposed** amendment to the State Constitution, the commission members would be appointed by the legislature and will consist of ten non-legislative members: eight members who are appointed by the four legislative leaders and two members appointed by the original eight, who cannot have been enrolled in either of the two major parties in the preceding five years. The amendment would prohibit certain individuals from serving on the commission, including: any person who has served in the New York state legislature in the last three years, statewide elected officials, members of Congress, spouses of these groups, legislators’ staff, lobbyists, state officers or employees and party chairs. The plans developed by this commission will be subject to approval by the legislature. However, if the legislature twice rejects the Commission’s proposal, the legislature would be empowered to draft its own lines.

The amendment also creates a timeline for the redistricting process and new criteria for drawing district lines. The amendment states that district lines cannot be drawn to discourage competition, nor can they be drawn for the purpose of favoring or disfavoring incumbents, particular candidates or political parties. The amendment establishes new rules for passage of a plan and requires that twelve public hearings be held across the state. It also requires that maps and data be made available to the public in a

form that allows the public to review, analyze and comment upon plans and develop alternative plans. The proposed amendment also requires future mapmakers to develop plans based on the core of the existing districts, no such requirement currently exists.

Proponents of the amendment argue that this will create a fairer redistricting process that bans political gerrymandering, has a clear timeline, creates new opportunities for public participation and that the legislature does not have a ‘free hand’ in amending the commission’s plans. **Proponents** further argue that the composition of the proposed commission is a significant improvement because it prohibits those with conflicts of interest, including legislators, from serving on the commission. They also argue that since the proposed commission will include appointees by the majority and minority party leaders in each house, in addition to appointees who are neither Republicans nor Democrats, it will allow for meaningful participation in the process by minority parties and third parties.

Opponents of the amendment argue that it does not adequately reform the redistricting process. They object to the fact that eight of the ten commissioners are appointed by legislative leaders and are critical of the legislature’s power to amend the plans if they fail to achieve legislative approval after two votes. They argue that this is the equivalent of the legislature drawing its own lines since the Commission’s plans are ultimately approved by the legislature.

In addition, **opponents** object to the proposal’s requirement that future mapmakers must consider the core of existing districts when drafting new ones. **Opponents** also argue that the structure of the commission will result in partisan gridlock and that voting rules for both the commission and legislative approvals are overly complex.

PROPOSAL TWO

Permitting Electronic Distribution of State Legislative Bills

Form of Submission:

“The proposed amendment to section 14 of Article 3 of the State Constitution would allow electronic distribution of a state legislative bill to satisfy the constitutional requirement that a bill be printed and on the desks of state legislators at least three days before the Legislature votes on it. It would establish the following requirements for electronic distribution: first, legislators must be able to review the electronically-sent bill at their desks; second, legislators must be able to print the bill if they choose; and third, the bill cannot be changed electronically without leaving a record of the changes. Shall the proposed amendment be approved?”

YES

NO

Background: **Currently**, the State Constitution requires that all bills be printed and delivered to the desks of members in paper form. This *proposal* would allow bills to be distributed to members in electronically written format. Legislators would have the option of continuing to receive paper bills if they so choose.

Proponents of the amendment argue that allowing bills to be distributed to the desks of members in electronic form will save taxpayer dollars and reduce paper waste. **Proponents** suggest that this amendment offers an environmentally friendly alternative to paper bills and will help modernize the way state government operates.

Opponents: The League of Women Voters of New York State could not identify any organizations or expressed opinions in opposition to this amendment.

PROPOSAL THREE

The Smart Schools Bond Act of 2014

Form of Submission:

“The SMART SCHOOLS BOND ACT OF 2014, as set forth in section one of part B of chapter 56 of the laws of 2014, authorizes the sale of state bonds of up to two billion dollars (\$2,000,000,000) to provide access to classroom technology and high-speed internet connectivity to equalize opportunities for children to learn, to add classroom space to expand high-quality pre-kindergarten programs, to replace classroom trailers with permanent instructional space, and to install high-tech smart security features in schools. Shall the SMART SCHOOLS BOND ACT OF 2014 be approved?”

YES

NO

Background: If voters permit the state to **borrow**, the revenue received from the sale of Smart Schools bonds would be used for capital projects related to educational technology, including but not limited to: purchasing educational technology equipment and facilities, such as interactive whiteboards, computer servers, desktop and laptop computers, tablets and high-speed broadband or wireless internet connectivity for schools and communities; constructing and modernizing facilities to accommodate pre-kindergarten programs and replacing transportable classroom units with permanent instructional space; and installing high-tech security features in school buildings.

Proponents of the amendment argue that disparities of classroom technologies exist across school districts and the Act will increase students’ access to classrooms that are equipped with advanced technologies, enabling them to gain the skills necessary to succeed in the 21st century.

Some **opponents** of the amendment have argued that the technologies will be obsolete by the time the state is finished paying for them. **Others** have expressed concern that equipping classrooms with advanced technologies without ensuring the availability of personnel that know how to use and train others on the technology could result in underutilization. Also, **opponents** feel that public dollars should only be allocated to public schools, rather than parochial or private schools.