



Vote Yes! On the Back Factsheet: The 2021 Constitutional Amendment Ballot Questions

VOTE YES! ON THE BACK FOR DEMOCRACY AND THE ENVIRONMENT

In 2021, New Yorkers are only voting for local elected officials. On the back of your ballot voters have the opportunity to approve 5 Constitutional Amendments. Initiatives 1 through 4 would improve the way New Yorkers would be represented in Washington D.C. and Albany, give New Yorkers the right to a clean environment, and would make voting more accessible for all eligible New Yorkers.

How did these questions get on my ballot?

The New York Constitution amendment process begins when a proposed amendment is introduced in the State Senate or Assembly in the same manner as a piece of legislation. The NY Attorney General then has 20 days to deliver an opinion on how the proposed amendment relates to the State Constitution and other existing laws. After reviewing this opinion, both houses of the state legislature must vote to approve the text of the amendment with a simple majority vote. If approved, it is then referred to the next Legislative session, where it must be approved in both houses a second time with a simple majority vote.

After being approved by two consecutive Legislatures, the amendment is then put to the public for a vote during the next General Election. The public can approve or disapprove of these amendments through a simple majority vote. If an amendment receives a majority of the vote, it is added to the NY State Constitution.

Proposal 1: Vote Yes for Redistricting and Representation

Voters last approved State Constitution redistricting changes -- the process whereby congressional and state legislative district boundaries are adjusted to account for population shifts -- in 2014. Back then state primaries were set in September, and now they are in June. As a result, the timetable for the redistricting process has been upended. This amendment eliminates unfair or unconstitutional provisions still in the state constitution, and adds new measures to strengthen the redistricting process.

The proposal caps the number of senate districts at 63; does away with the partisan co-directors of the redistricting commission; eliminates the partisan commission voting rules; removes the 1894 rule so cities and towns are on equal footing in senate line drawing; and removes "dead wood" provisions long ruled unconstitutional under U.S. Supreme Court decisions. The proposal also addresses timetable issues mapmakers now face and some of the shortcomings of the 2014 amendments. Lastly, it eliminates convoluted rules that changed depending on the partisan makeup of the Legislature. This amendment improves on the 2014 changes and adds to them, and should be approved.

Proposal 2: Vote Yes for the Right to Clean Air, Water, and Healthful Environment

New York's natural environment is under siege, threatening our precious ecology and human health. Recent examples are the drinking water contamination uncovered in Hoosick Falls, Newburgh and on Long Island. Many other communities across the state suffer from threats posed by multiple pollution sources, particularly in communities of color and/or low-income areas.

While New York has been a leader in environmental preservation, environmental health and environmental justice, the lack of constitutional recognition of this fundamental right is glaring. Six states—Illinois, Pennsylvania, Montana, Massachusetts, Hawaii, and Rhode Island—have environmental protection planks in their constitutions. Elevating the right to clean air and water and a healthful environment to a constitutional protection will help ensure that New Yorkers -- regardless of location, means, or political clout -- have a basis in which to protect

themselves, their families, and communities. Vote yes on this important environmental protection.

Proposal 3: Vote Yes to Eliminate the 10-Day Advance Voter Registration Requirement

New York's voting rates are lower than the national average. The state's antiquated system of voter registration is a relic of a bygone era, perpetuating the re-election of incumbents and limiting voter participation. New York should join other states by allowing Same Day Registration through the passage of an amendment to the State Constitution. If approved, this amendment would allow -- but not require -- legislation to give New Yorkers the right to register and vote on the same day.

Often elections capture public interest only when the election is past the registration deadline. States that have same-day or no registration systems have among the highest voter participation rates in the nation. New York's constitution should end its "black-out" period and allow for same day registration.

Proposal 4: Vote Yes to Eliminate the Need for Excused Reason to Obtain Absentee Ballot

The NY Constitution places unnecessary restrictions and burdens on New Yorkers applying for an absentee ballot. Increased access to absentee ballots would likely boost participation from voters with work, school, or childcare commitments who would not qualify under current law.

New York's experience with the pandemic-inspired "no-excuse ballot by mail" underscores the benefits of allowing voters to mail in their ballots instead of going to the polls: e.g., safer for voters and poll workers, more convenient for voters with physical limitations, and reduced voter traffic at early voting and election day polling sites. Clearly, allowing voters an easy opportunity to vote through the mail is an important way to make civic participation easier in the modern age. Twenty-eight states and the District of Columbia permit any qualified voter to vote absentee without offering an excuse. New York should do the same.

This year's early voting period runs from October 23rd through October 31st, and Election Day is November 2nd. To look up your polling place and early voting location, visit voterlookup.elections.ny.gov.

Don't forget to flip your ballot and Vote Yes! on the Back for Proposals 1-4

For more information, please email us at democracy@nypirg.org

Information on question 2 prepared by NYPIRG, paid for by *Vote YES for Clean Air and Water*.

Information on questions 1, 3 and 4 prepared by NYPIRG, paid for by *Yes on 1, 3, 4*.