

# VOTE NO

## ON A CONSTITUTIONAL CONVENTION

On Election Day 2017, New Yorkers will be asked if the state should hold a convention to rewrite the state constitution. ***It is a bad idea.*** This is what you need to know:



### THE NYS CONSTITUTION IS UNDER THREAT

Our state constitution, rewritten during FDR's New Deal, is highly progressive. It protects New York public schools, workers rights, crucial safety nets, healthcare and our civil rights. It can supersede and protect New Yorkers against backward Federal rulings.

These hard-won protections are under direct assault by New York billionaires, special interest groups and their lobbyists who are underwriting the call for a constitutional convention.



### OUR RIGHTS ARE AT RISK

Special interest groups can hijack the Convention process. A Constitutional Convention gives big-money special interests, political insiders and lobbyists the opportunity to rewrite the state constitution for their own benefit. They can strip workers of their pensions, destroy unions, and end the right to bargain collectively.



### THE CATSKILLS & ADIRONDACKS ARE ALSO AT RISK

Our present State constitution requires that the Adirondack and Catskill mountains be kept "forever wild." A Convention puts everything up for grabs. It gives wealthy developers and the mining industry the chance to remove that protection in order to plunder State land. A convention poses a direct threat to crucial protections that safeguard our water, halt natural gas pipeline construction and ban fracking in New York State.



### IT'S A TAXPAYER-FUNDED BOONDOGGLE

- It is estimated that the Constitutional Convention would cost taxpayers a staggering \$300 million. These are critical funds that should be used for education, fire and police protection, and tax cuts.
- The convention would be run by the same politicians, lobbyists and special interest groups who have gamed the system for their own benefit and who have led rampant corruption in Albany.
- Delegates to the convention would be paid almost \$80,000—on top of their taxpayer-funded salaries. They would also get to hire their own staff, *including their friends and relatives.* There is no time frame for the completion of the convention process—the cost could become astronomical.

**A CONVENTION IS UNNECESSARY**  
We already have a legislative process in place to amend our state constitution.

Learn more  
[www.uft.org/news-stories/dangers-constitutional-convention](http://www.uft.org/news-stories/dangers-constitutional-convention)

# ADDITIONAL 2017 NYS BALLOT MEASURES

What you will be asked to decide on Tuesday, Nov. 7

SOURCE Ballotpedia.org

## Proposal 2

### Pension Forfeiture for Convicted Officials Amendment\*

#### VOTE "YES" to:



Authorize judges to reduce or revoke the public pension of a public officer convicted of a felony related to his or her official duties.

#### A "no" vote:



Opposes this amendment to authorize judges to reduce or revoke the public pension of a public officer convicted of a felony related to his or her official duties.

#### Overview

**Proposal 2** would allow judges, following a court hearing, to reduce or revoke the public pension of a public officer convicted of a felony related to his or her official duties. Judges would consider the severity of the crime in determining whether to reduce or revoke the officer's public pension. They would also consider whether pension forfeiture would create undue hardship for the convicted officer's spouse, children, and other dependents. The measure would define public officers as elected officials, governor-appointed officials, municipal administrators and managers, heads of government departments, boards, and commissions, state and local chief fiscal officers and treasurers, judges and justices of the unified court system, and employees of the state designated as policymakers.

#### About pension forfeiture in New York State

In NYS, the issue of pension forfeiture for public officials rose to prominence following the criminal convictions of multiple elected officials, including Speaker of the Assembly Sheldon Silver and Senate Majority Leader Dean Skelos in 2015. Silver was sentenced to 12 years in prison and was permitted to receive an annual pension of \$79,224. Skelos was sentenced to five years in prison and was set to receive an annual pension of \$95,832. In 2011, the state enacted the Public Integrity Reform Act (PIRA), which allowed judges to reduce or revoke the public pension of officials convicted of crimes. As the state constitution describes pensions as contractual relationships, *PIRA could not authorize judges to reduce or revoke pensions of those who entered the state retirement system before the law's enactment. An amendment is required to allow judges to reduce or revoke pensions of officials who entered the system before November 2011.*

\*SOURCE Ballotpedia.org

## Proposal 3

### Forest Preserve Land Bank Amendment\*

#### VOTE "YES" to:



Support the creation of a 250-acre land bank, which would allow local governments to request state Forest Preserve land for qualifying projects in exchange for the state adding 250 new acres to the preserve. The amendment also allows bike paths, sewer lines, and utility lines within the width of highways on preserve land.

#### A "no" vote:



Opposes the creation of a 250-acre state Forest Preserve land bank; and would not allow bike paths, sewer lines, and utility lines within the width of highways on preserve land.

#### Overview

**Proposal 3** would create a forest preserve land bank of 250 acres for qualifying local projects. The land bank would be referred to in law as the *Health and Safety Land Account*. Municipalities would request to use acres in the land bank to address bridge and road hazards, water wells to meet drinking water standards, and stabilizing public utility lines. **Before local governments could request acres in the land bank, the state would be required to acquire 250 new acres to include in the Forest Preserve.** The measure would also allow bike paths, sewer lines, and electric, telephone, and broadband lines within the width of highways (49.5 feet or the width of the easement in existence on July 1, 2015) cutting through the Forest Preserve.

#### Status of the New York Forest Preserve

Section 1 of Article XIV of the New York Constitution provides for the State Forest Preserve, located in the Adirondack Mountains and Catskill Mountains, to be "forever kept as wild forest lands." As the land in the preserve is protected in the constitution, a ballot measure is needed each time the state or a local government wants to use land to construct roads, wells, or other amenities. The last public vote on using forest preserve land to construct amenities was in 2009, when voters approved Proposal 1. The measure allowed for the use of six acres to construct a 46-kilovolt power line along State Route 56.