



## 2021 New York State Ballot Questions and Citizens Union Recommendations

### Proposal Number 1, an Amendment: Amending the Apportionment and Redistricting Process

This proposed constitutional amendment would freeze the number of state senators at 63, amend the process for the counting of the state's population, delete certain provisions that violate the United States Constitution, repeal and amend certain requirements for the appointment of the co-executive directors of the redistricting commission and amend the manner of drawing district lines for congressional and state legislative offices. Shall the proposed amendment be approved?

CITIZENS UNION **OPPOSES** THIS PROPOSAL

#### Statement of Opposition

Citizens Union recommends a no vote on question 1, which would significantly alter New York's redistricting process, just a few weeks before the constitutional deadline for drawing new legislative boundaries across the state. This amendment would remove the protections that ensure no one political party could dominate the redistricting process. By lowering the needed threshold and changing voting procedures to approve new maps, the amendment effectively cuts off the minority party from having any influence on the redistricting process. Other provisions would allow the legislature to take over map-drawing on January 1st if the Independent Redistricting Commission does not approve a plan by then. Although the amendment would make beneficial changes to the redistricting criteria, some are already mandated by state law. The proposal would come into effect in the midst of redistricting, creating confusion and potentially limiting public input. Citizens Union supports a process for redistricting that is open and fair, and believes the proposed amendment clears a pathway for the legislature to reclaim influence over redistricting so they can draw lines to protect incumbents and strip the minority party's power.

### Ballot Proposal 2, an Amendment: Right to Clean Air, Clean Water, and a Healthful Environment

The proposed amendment to Article 1 of the New York Constitution would establish the right of each person to clean air and water and a healthful environment. Shall the proposed amendment be approved?

CITIZENS UNION **SUPPORTS** THIS PROPOSAL

#### Statement of Support

Citizens Union recommends a yes vote on question 2, which would add environmental rights to New York's Bill of Rights, with the understanding (based on its legislative history and available precedents) courts will construe it as self-executing against the government, but not against private parties, and as not authorizing claims for damages against the government, and with due regard for the role of the legislative and executive branches in developing and implementing environmental policy.



### **Ballot Proposal 3, an Amendment: Eliminating Ten-Day-Advance Voter Registration Requirement**

The proposed amendment would delete the current requirement in Article 2, § 5 that a citizen be registered to vote at least ten days before an election and would allow the Legislature to enact laws permitting a citizen to register to vote less than ten days before the election. Shall the proposed amendment be approved?

**CITIZENS UNION SUPPORTS THIS PROPOSAL**

#### **Statement of Support**

Citizens Union recommends a yes vote on question 3, which would allow voters to register to vote and cast their ballots less than ten days before an election. This proposal would allow the legislature to enact laws that make it possible to register to vote and cast your ballot on the same day. This streamlines registration and voting into a single process, diminishing administrative burdens associated with registration procedures and affidavit ballots and eliminating confusion and uncertainty over voter registration status. Every eligible citizen should have the opportunity to cast their ballot, regardless of when they registered to vote. Eliminating the current unnecessary restriction on voter registration will make it easier to vote and increase turnout in our elections.

### **Ballot Proposal 4, an Amendment: Authorizing No-Excuse Absentee Ballot Voting**

The proposed amendment would delete from the current provision on absentee ballots the requirement that an absentee voter must be unable to appear at the polls by reason of absence from the county or illness or physical disability. Shall the proposed amendment be approved?

**CITIZENS UNION SUPPORTS THIS PROPOSAL**

#### **Statement of Support**

Citizens Union recommends a yes vote on question 4, which would eliminate the requirement that absentee voters must be unable to physically cast their ballot for reasons of illness or physical disability. This measure would give alternative voting options to people who have unmovable obligations or irregular schedules. Given that most elections are held during work days, many citizens simply cannot afford to wait for hours in line to vote or incur the costs of traveling to and from the poll site. If this amendment is approved, all New Yorkers could easily cast their votes on their own time from the comfort of their own homes by mailing their ballot. Not only would this proposal increase voter turnout and public participation in our elections, but it would also carry the additional benefit of decreasing the number of challenged and litigated absentee ballots, making the process easier for election administrators. In fact, New York already implemented no-excuse absentee voting in 2020 and 2021, when this restriction was waived under the COVID state of emergency. Voters enthusiastically adopted this new voting method, and the result was dramatic increases in turnout in all elections.



## **Ballot proposal 5, an Amendment: Increasing the Jurisdiction of the New York City Civil Court**

The proposed amendment would increase the New York City Civil Court's jurisdiction by allowing it to hear and decide claims for up to \$50,000 instead of the current jurisdictional limit of \$25,000. Shall the proposed amendment be approved?

**CITIZENS UNION SUPPORTS THIS PROPOSAL**

### **Statement of Support**

Citizens Union recommends a yes vote on question 5, which would increase the jurisdiction of the New York City Civil Court to hear and decide claims for \$50,000 or less. The jurisdictional limit of the New York City Civil Court was last raised in 1983, when a constitutional amendment changed it from \$10,000 to \$25,000 to adjust for inflation and reduce the backlog of the State Supreme Court. It is well past time to raise the 35-year-old threshold. Citizens Union believes this amendment would reduce backlogs and delays, and adjust the current limit for inflation.