

S T A T E O F N E W Y O R K

6093--A

2009-2010 Regular Sessions

I N S E N A T E

July 15, 2009

Introduced by Sen. GRIFFO -- read twice and ordered printed, and when printed to be committed to the Committee on Rules -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY

proposing an amendment to section 2 of article 19 of the constitution, in relation to authorizing a limited constitutional convention

1 Section 1. Resolved (if the Assembly concur), That section 2 of arti-
2 cle 19 of the constitution be amended to read as follows:
3 S 2. At the general election to be held in the year nineteen hundred
4 fifty-seven, and every twentieth year thereafter, and also at such times
5 as the legislature may by law provide, the question "Shall there be a
6 convention to revise the constitution and amend the same?" shall be
7 submitted to and decided by the electors of the state; and in case a
8 majority of the electors voting thereon shall decide in favor of a
9 convention for such purpose, the electors of every senate district of
10 the state, as then organized, shall elect three delegates at the next
11 ensuing general election, and the electors of the state voting at the
12 same election shall elect fifteen delegates-at-large. The delegates so
13 elected shall convene at the capitol on the first Tuesday of April next
14 ensuing after their election, and shall continue their session until the
15 business of such convention shall have been completed. Every delegate
16 shall receive for his or her services the same compensation as shall
17 then be annually payable to the members of the assembly and be reim-
18 bursed for actual traveling expenses, while the convention is in
19 session, to the extent that a member of the assembly would then be enti-
20 tled thereto in the case of a session of the legislature. A majority of
21 the convention shall constitute a quorum for the transaction of busi-
22 ness, and no amendment to the constitution shall be submitted for
23 approval to the electors as hereinafter provided, unless by the assent
24 of a majority of all the delegates elected to the convention, the ayes
25 and noes being entered on the journal to be kept. The convention shall

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets
[] is old law to be omitted.

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1 have the power to appoint such officers, employees and assistants as it
2 may deem necessary, and fix their compensation and to provide for the
3 printing of its documents, journal, proceedings and other expenses of
4 said convention. The convention shall determine the rules of its own
5 proceedings, choose its own officers, and be the judge of the election,
6 returns and qualifications of its members. In case of a vacancy, by
7 death, resignation or other cause, of any district delegate elected to
8 the convention, such vacancy shall be filled by a vote of the remaining
9 delegates representing the district in which such vacancy occurs. If
10 such vacancy occurs in the office of a delegate-at-large, such vacancy
11 shall be filled by a vote of the remaining delegates-at-large. Any
12 proposed constitution or constitutional amendment which shall have been
13 adopted by such convention, shall be submitted to a vote of the electors
14 of the state at the time and in the manner provided by such convention,
15 at an election which shall be held not less than six weeks after the
16 adjournment of such convention. Upon the approval of such constitution
17 or constitutional amendments, in the manner provided in the last preced-
18 ing section, such constitution or constitutional amendment, shall go
19 into effect on the first day of January next after such approval.

20 AT SUCH TIMES AS THE LEGISLATURE MAY PROVIDE BY LAW, THE QUESTION
21 "SHALL THERE BE A CONVENTION TO REVISE ARTICLES III, IV, V AND VIII OF
22 THE CONSTITUTION, CONCERNING THE LEGISLATURE, AND AMEND THE SAME?" SHALL
23 BE SUBMITTED TO AND DECIDED BY THE ELECTORS OF THE STATE; AND IN CASE A
24 MAJORITY OF THE ELECTORS VOTING THEREON SHALL DECIDE IN FAVOR OF A
25 CONVENTION FOR SUCH PURPOSE, A CONVENTION SHALL BE HELD WHICH SHALL
26 OPERATE IN THE MANNER PRESCRIBED IN THIS SECTION, EXCEPT THAT SUCH
27 CONVENTION SHALL ONLY CONSIDER AND SUBMIT AMENDMENTS TO ARTICLES III,
28 IV, V AND VIII OF THIS CONSTITUTION AND SHALL BE RESTRICTED TO A PERIOD
29 OF EIGHTEEN MONTHS.

30 S 2. Resolved (if the Assembly concur), That the foregoing amendment
31 be referred to the first regular legislative session convening after the
32 next succeeding general election of members of the assembly, and, in
33 conformity with section 1 of article 19 of the constitution, be
34 published for 3 months previous to the time of such election.