STATE OF NEW YORK

4392

2023-2024 Regular Sessions

IN ASSEMBLY

February 14, 2023

Introduced by M. of A. MORINELLO, McDONOUGH, NORRIS, DeSTEFANO, BRABENEC -- Multi-Sponsored by -- M. of A. BARCLAY, MILLER -- read once and referred to the Committee on Judiciary

CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY

proposing an amendment to section 1 of article 4 of the constitution, in relation to establishing a county representation system for electing the governor and lieutenant-governor within the state

Section 1. Resolved (if the Senate concur), That section 1 of article 4 of the constitution be amended and a new section 1-a is added to read as follows:

Section 1. **(a)** The executive power shall be vested in the governor, who shall hold office for four years; the lieutenant-governor shall be chosen at the same time, and for the same term. The governor and lieutenant-governor shall be chosen at the general election held in the year nineteen hundred thirty-eight, and each fourth year thereafter. They shall be chosen jointly, by the casting by each voter of a single vote applicable to both offices, and the legislature by law shall provide for making such choice in such manner. The respective persons having the highest number of **county representation** votes cast jointly for them for governor and lieutenant-governor respectively shall be elected.

(b) In the event a majority of county representation votes are not for a single person for the governor or lieutenant-governor, the respective person having the highest number of votes cast jointly for them for governor or lieutenant-governor respectively shall be elected.

§ 1-a. (a) County representation votes for the governor and lieutenant-governor shall be distributed as follows:

(i) Each county within the state shall be assigned two county representation votes; and

(ii) Each county shall be assigned at least one additional county representation vote based on the county's population such that these additional county representation votes sum to four hundred fourteen. Such additional county representation votes shall be assigned to coun-

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

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ties using the method of equal proportions by using the Huntington-Hill method.

(b) County representation votes shall be cast for the governor and lieutenant-governor from each county based on the respective persons having the largest number of votes cast jointly for them for the governor and lieutenant-governor respectively from such county.

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