STATE OF NEW YORK

STATE BOARD OF ELECTIONS

Albany, New York
July 28, 2021
August 2, 2021

CERTIFICATION

To the Boards of Elections of the State of New York:

Notice is hereby given, that at the General Election to be held in this State on Tuesday, November 2, 2021, the following proposals will be submitted to the people for approval:

ABSTRACT OF PROPOSAL NUMBER ONE, AN AMENDMENT

The purpose of this proposal is to amend the portions of Article 3 of the New York Constitution that relate to the way district lines for congressional and state legislative offices are determined.

The proposal would do the following:

• Amend and repeal portions of the state constitutional amendment adopted by voters in 2014 that created a redistricting commission.

• Allow the redistricting commission to appoint two co-executive directors by simple majority vote, without consideration as to the party affiliation of the individual being appointed. Furthermore, this amendment would eliminate the alternative process currently in place that allows for the appointment of co-executive directors and co-deputy executive directors by the legislature should the redistricting commission fail to appoint co-executive directors and remove the requirement that the two co-executive directors of the redistricting commission be members of different political parties.

• Freeze the number of state senators at the current number of 63. Currently, under the state constitution, the number of senators was originally set at 50 and thereafter increased over time to 63.

• Require that state assembly and senate district lines be based on the total population of the state, and require the state to count all residents, including non-citizens and Native Americans

if the federal census fails to include them.

• Provide for incarcerated people to be counted at their place of last residence, instead of at their place of incarceration, for the purpose of redistricting. This practice is already established by state statute for Senate and Assembly districts.

• Revise the procedure for drawing and approving Congressional and state legislative districts scheduled to be first applied in 2022. The proposed amendment would alter the redistricting procedure in the following ways:

Change the redistricting map approval procedures for the redistricting commission and legislature by making changes to the voting thresholds needed to approve/adopt a plan. Under this proposal:

- Approval of a plan by the redistricting commission would require at least seven votes, out of the ten commissioners, in favor thereof. There would no longer be a requirement that at least one commissioner appointed by each of the legislative leaders vote in favor of a plan in order to approve it. A plan approved by at least seven commissioners must be approved by a majority of each house of the legislature to be approved.

- However, in the event that the redistricting commission votes on but does not have the seven votes needed to approve a plan, the commission is required to send the legislature the redistricting plan or plans that garnered the most votes. The legislature would be able to adopt such plan with a 60% majority. This amendment would repeal the requirement that in the event the speaker of the assembly and the temporary president of the senate are members of the same political party, approval shall require the vote in support of its passage by at least two thirds of the members elected in each house. If the commission fails to vote on any plan or plans by the deadline, all plans, including draft plans in the commission's possession are sent to the legislature, and each house of the legislature can introduce and adopt such a plan with or without amendments.

- The redistricting commission voting requirements and legislative vote thresholds for approving the commission's plan would no longer vary depending on the political affiliation of the Temporary President of the Senate and the Speaker of the Assembly.

- Require the redistricting commission that draws the lines to submit its redistricting plan and implementing legislation to the Legislature two months earlier than called for under the current procedure the timeline set forth in the 2014 state constitutional amendment. (For the redistricting cycle due to proceed in 2022, the time frame would be condensed to meet election-related deadlines).

• Remove certain restrictions on how Senate district lines are drawn, including the "block on border" rule that require placing of blocks on the border of districts in certain districts.

• Delete certain provisions that the United States Supreme Court has deemed unconstitutional.

TEXT AUTHORIZING SUBMISSION

A concurrent resolution of the Senate and Assembly proposing an amendment to sections 2, 4, 5, 5-a and 5-b of article III of the constitution, in relation to the number of state senators and inclusion of incarcerated persons in the federal census for population determination for redistricting purposes and to the functioning of the independent redistricting commission in the determination of district lines for congressional and state legislative offices; and to repeal section 3 of article III of the constitution relating thereto, the text of which can be found at: www.elections.ny.gov.

FORM OF SUBMISSION OF PROPOSAL NUMBER ONE, AN AMENDMENT

Amending the Apportionment and Redistricting Process

~~The~~ This proposed constitutional amendment ~~to Article III of the New York Constitution~~ 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?

ABSTRACT OF PROPOSAL NUMBER TWO, AN AMENDMENT

The purpose of this proposal is to protect public health and the environment by adding the right of each person to clean air and water and a healthful environment to the Bill of Rights in Article I of the New York Constitution.

TEXT AUTHORIZING SUBMISSION

A concurrent resolution of the Senate and Assembly proposing an amendment to article I of the constitution, in relation to the right to clean air and water and a healthful environment, the text of which can be found at: www.elections.ny.gov.

FORM OF SUBMISSION OF PROPOSAL NUMBER TWO, AN AMENDMENT

Right to Clean Air, Clean Water, and a Healthful Environment

The proposed amendment to Article I 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?

ABSTRACT OF PROPOSAL NUMBER THREE, AN AMENDMENT

Section 5 of Article II of the New York Constitution now requires that a citizen be registered to vote at least ten days before an election. The proposed amendment would delete that requirement. If this amendment is adopted, the Legislature will be authorized to enact laws permitting a citizen to register to vote less than ten days before the election.

TEXT AUTHORIZING SUBMISSION

A concurrent resolution of the Senate and Assembly proposing an amendment to section 5 of article II of the constitution, in relation to the ten-day advance registration requirement, the text of which can be found at: www.elections.ny.gov.

FORM OF SUBMISSION OF PROPOSAL NUMBER THREE, AN AMENDMENT

Eliminating Ten-Day Advance Voter Registration Requirement

The proposed amendment would delete the current requirement in Article II, Section 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?

ABSTRACT OF PROPOSAL NUMBER FOUR, AN AMENDMENT

The purpose of this proposal is to eliminate the requirement that a voter provide a reason for voting by absentee ballot. The proposed amendment would do so by deleting the requirement currently in the Constitution that restricts absentee voting to people under one of two specific circumstances: (1) those who expect to be absent from the county of their residence, or from New York City for residents of that city, on Election Day, and (2) those who are unable to appear at their polling place because of illness or physical disability.

TEXT AUTHORIZING SUBMISSION

A concurrent resolution of the Senate and Assembly proposing an amendment to article II, section 2 of the constitution, in relation to authorizing ballot by mail by removing cause for absentee ballot voting, the text of which can be found at: www.elections.ny.gov.

FORM OF SUBMISSION OF PROPOSAL NUMBER FOUR, 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?

ABSTRACT OF PROPOSAL NUMBER FIVE, AN AMENDMENT

The purpose of this proposal is to amend Article VI, Section 15 of the New York Constitution to increase the jurisdiction of the New York City Civil Court. The New York City Civil Court is currently limited to hearing and deciding claims for $25,000 or less. The proposed amendment would allow the New York City Civil Court to hear and decide claims for $50,000 or less.

TEXT AUTHORIZING SUBMISSION

A concurrent resolution of the Senate and Assembly proposing an amendment to article VI, section 15 of the constitution, in relation to the New York city civil court, the text of which can be found at: www.elections.ny.gov.

FORM OF SUBMISSION OF PROPOSAL NUMBER FIVE, 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?

We hereby certify that the foregoing Ballot Proposal One, an Amendment, Ballot Proposal Two, an Amendment, Ballot Proposal Three, an Amendment, Ballot Proposal Four, an Amendment, and Ballot Proposal Five, an Amendment, are correct copies of the originals as certified to be on file in the Department of State.

GIVEN under our hands and seal of the office
of the State Board of Elections, at the
City of Albany, this 28th day of July,
and 2nd day of August, in the year 2021.

Douglas A. Kellner
Co-Chair
New York State Board of Elections

Peter S. Kosinski
Co-Chair
New York State Board of Elections

For additional information please visit the New York State Board of Election's website at:
www.elections.ny.gov

Town of Alden Abstract of Proposition

Statement of Proposition: The purpose of the proposition stated on the ballot is to consider an increase of the present representation on the Alden Town Board which now consists of two (2) town council members and the Town Supervisor by the creation of two (2) additional town council members so that the Alden Town Board would then consist of four (4) town council members and the Town Supervisor.

Impact: Passage of the proposed proposition would increase the representation on the Alden Town Board so that the Alden Town Board would consist of four (4) town council members and the Town Supervisor.

Effect:

A **"yes" vote** would result in the addition of two (2) town council members, resulting in the composition of the Alden Town Board being increased to consist of four (4) town council members and the Town Supervisor such that two (2) town council members would be elected at the biennial town election held November 7, 2023, for terms of four (4) years (from January 1, 2024 to December 31, 2027) and one (1) town council member would be elected for a term of two (2) years (from January 1, 2024 to December 31, 2025) and thereafter at each biennial town election, there shall be elected two councilman for terms of four years each.

A **"no" vote** would leave the composition of the Alden Town Board as it presently stands to consist of two (2) town council members and the Town Supervisor.