Question	Vote			
	Yes	No	Total	
Constitutional Convention	929,415	1,579,390	2,508,805	
Monetary Jurisdiction of Courts	1,074,603	1,359,910	2,434,513	
Civil Service Veteran's Bonus	1,663,611	883,312	2,546,923	
\$2.4 Billion School Bond	1,265,150	1,430,830	2,695,980	

 $\label{eq:table 5.3}$  Voting Participation on Proposition Questions in New York, 1997

Source: New York State Board of Elections, www.elections.state,ny.us/elections/1997/.

state. (See table 5.3.) Results were closest in Sullivan County in the Catskills, and in Monroe County, including the City of Rochester. In Monroe County there was extensive public television programming on the question, where Tom Golisano financed a supportive media campaign.

The 4,202,593 voters who came to the polls on election day comprised 39.8 percent of the 10,550,560 New Yorkers who were registered. Of those who entered voting booths across the state, a total of 2,508,805 citizens were recorded on the convention question. Turnout plummeted and drop-off from the top of the ballot had decreased over the decades. As a result, the size of the electorate voting on the question remained remarkably stable for much of the twentieth century. The 1997 vote marked the first time in the century that a majority of those voting on the question in New York City did not favor a convention. In fact, only 14 percent of voters in New York City favored a convention, compared to 26.1 percent of voters outside of the City. As earlier noted, the mandatory convention question was defeated by a vote of 1,579,390 to 929,415. The majority comprised 15 percent of those registered to vote in the state; 37.5 percent of those voting in the election; and 62.9 percent of those recorded on the question. Page 10 percent of those recorded on the question.

## Lessons Learned

State legislators traditionally dislike constitutional conventions, especially those that are unlimited. It is their powers and prerogatives that are likely to be at stake when these are held. Legislatures can refuse to call conventions themselves and—as in New York in 1997—resist their being called

TABLE 5.4

New York State, November 4, 1997, General Election Referendum Question Vote:

"Shall there be a convention to revise the constitution and amend the same?"

		Blank,		
County	Yes	No	Void	Total
Albany	26,148	48,654	21,293	96,095
Allegany	2,491	6,195	3,022	11,708
Broome	13,186	25,446	8,351	46,983
Cattaraugus	4,446	13,271	7,478	25,195
Cayuga	3,597	10,620	5,807	20,024
Chautaugua	9,900	19,199	13,054	42,153
Chemung	5,597	7,492	5,156	18,245
Chenango	2,902	6,580	2,901	12,383
Clinton	6,987	10,226	7,775	24,988
Columbia	5,013	9,815	4,820	19,648
Cortland	3,295	6,893	4,270	14,458
Delaware	3,246	6,635	3,429	13,310
Dutchess	17,504	27,018	12,769	57,291
Erie	82,458	131,759	84,343	298,560
Essex	4,252	5,876	5,734	15,862
Franklin	2,968	5,970	5,477	14,415
Fulton	3,306	8,026	3,709	15,041
Genesee	4,496	7,047	2,673	14,216
Greene	3,660	7,598	4,137	15,395
Hamilton	857	1,884	1,071	3,812
Herkimer	4,091	7,666	4,946	16,703
Jefferson	6,550	9,612	5,566	21,728
Lewis	1,622	3,635	2,442	7,699
Livingston	7,017	8,640	3,876	19,533
Madison	4,020	8,637	5,601	18,258
Monroe	72,874	73,172	29,899	175,945
Montgomery	3,589	7,242	3,628	14,459
Nassau	61,275	135,894	126,341	323,510
Niagara	16,143	29,143	15,694	60,980
Oneida	16,876	25,978	24,364	67,218
Onondaga	30,566	55,890	30,401	116,857
Ontario	9,918	12,406	4,876	27,200
Orange	22,353	28,162	23,106	73,621
Orleans	2,958	4,676	2,116	9,750
Oswego	6,446	15,546	10,670	32,662
Oswego Otsego	4,718	8,572	5,972	19,262
Otsego Putnam	5,203	10,786	8,901	24,890
Putnam Rensselaer				
Rensseiaer Rockland	14,466	27,397	13,496	55,359 75,315
	14,986	34,120	26,209	75,315
St. Lawrence	5,427	11,204	9,603	26,234
Saratoga	14,994	27,608	8,405	51,007

(continued on next page)

TABLE 5.4 (continued)

County		Blank,		
	Yes	No	Void	Total
Schenectady	13,127	23,815	9,694	46,636
Schoharie	2,678	5,551	2,390	10,619
Schuyler	1,271	2,718	1,903	5,892
Seneca	2,269	4,562	2,927	9,758
Steuben	5,905	9,679	6,089	21,673
Suffolk	67,266	135,129	68,840	271,235
Sullivan	6,989	7,006	8,076	22,071
Tioga	3,145	5,589	1,370	10,104
Tompkins	6,821	9,295	3,707	19,823
Ulster	16,515	23,043	14,593	54,151
Warren	5,727	9,063	4,357	19,147
Washington	4,481	8,038	3,949	16,468
Wayne	7,655	10,372	2,651	20,678
Westchester	50,620	90,917	88,180	229,717
Wyoming	2,590	5,915	2,867	11,372
Yates	1,739	2,981	1,210	5,930
Total Outside NYC	731,199	1,265,863	796,184	2,793,246
Bronx	26,210	39,317	135,859	201,386
Kings	44,425	72,724	277,966	395,115
New York	63,298	81,170	194,225	338,693
Queens	51,381	89,150	227,202	367,733
Richmond	12,902	31,166	62,352	106,420
Total NYC	198,216	313,527	897,604	1,409,347
STATEWIDE TOTAL	929,415	1,579,390	1,693,788	4,202,593

Source: New York State Board of Elections, www.elections.state.ny.us/elections/1997.

as a result of mandatory referendum questions (in the fourteen states where this option exists). In 1997, legislative resistance worked in New York. More generally, we know that few constitutional conventions have been called by the mandatory referendum route.

But legislators cannot always keep the door barred, because in eighteen states, constitutions may be changed through the initiative and referendum process. The use of the constitutional initiative in recent years has produced structural changes in state government of enormous consequence. Term limitation is one example. Tax limitation is another. These results have not been favored by most state legislators and governors. And the incremental process through which they were achieved did

not consider the range of consequences for the systems into which they were introduced. Especially with regard to term limitation, these are only beginning to be understood.

The use of the constitutional initiative to accomplish feats that legislators dislike gives them reasons to reconsider their hostility to constitutional conventions. Conventions might be a way to restore the status quo ante, or at least to modify changes achieved through direct democracy. Legislatively initiated conventions to undo highly visible changes achieved through the use of the constitutional initiative would surely be denounced as antidemocratic. Calling them would thus be most difficult politically. But what about the use of the more deliberative process for constitutional change when it arises automatically, reflective of Thomas Jefferson's prescription for periodic redesign of democratic institutions to meet the demands of contemporary conditions?

This suggests that legislators in many states—those that have the constitutional initiative but do not have a mandatory convention question—have a stake in introducing constitutional changes to adopt a mandatory question provision. New York, of course, does not have initiative and referendum. Its legislature has proven itself dead-set against conventions called without its support. Nevertheless, the 1997 experience with the mandatory constitutional convention question in New York, when viewed in comparative context, does offer some general lessons about the utility of this kind of provision for achieving constitutional change, and the politics that surround it.

## A Dozen Lessons for State Constitutional Reformers

- The mandatory convention question offers a crucial periodic opportunity to reconsider and debate the fundamentals of state and local government. The rejection of an opportunity to hold a convention, if a considered choice, may be an important expression of support for the existing system. Under current political conditions in the United States, however, this opportunity is rarely seized.
- Conventions are not likely to be called as a result of a mandatory convention question. Experience in New York and comparative analysis show that this process is a very uncertain route to constitutional change.

- 3. The fixed cycle for the mandatory question makes incidental any convergence between the timing of the convention question and the timing of a felt need in the polity for constitutional change.
- 4. Specifying the convention question in the constitution in a way that requires that any convention have an unlimited agenda is a major barrier to a convention being called.
- 5. Care should be taken to avoid self-executing provisions, like those in the New York Constitution, that strengthen arguments against holding a convention.
- 6. To maximize turnout, political visibility, and the harnessing of the convention question to political ambitions of existing or potential statewide leaders, it is best if the mandatory question is asked in a year in which there are major statewide and state legislative elections on the ballot.
- 7. Governors are likely to be champions of conventions. Governors or gubernatorial candidates are uniquely situated to mobilize people and resources for statewide, good government reform efforts.
- 8. If conditions in a state appear to need serious reform, citizens are not presumptively afraid of state constitutional conventions. But they will hear from opponents, so citizens' willingness to consider a convention must be reinforced with compelling, understandable commonsensical advocacy.
- 9. Official commissions are important in preparing for a convention, but they are not enough. A reasonably financed organizational structure outside the government is essential to generate the political support that will be needed to call a convention.
- 10. Organized business interests are those most likely to respond positively to economy, efficiency and effectiveness arguments for structural change in government through constitutional conventions.
- 11. Legislative leaders and legislators will almost always be against a convention. To gain their support, especially if a convention is unlimited, there must be the prospect of some powerful potential political gain for them as individuals or the legislature as an institution (e.g., the removal of term limitation).
- 12. Particular interests with established legislative relationships and a stake in the constitutional status quo are likely to align with the legislature and against change.

## **Notes**

- 1. See Joel Stashenko, "If New York Voters Oblige on Election Day," *Associated Press Pol. Serv.*, October 17, 1997, available at 1997 WL 2555925; Gus Bliven, "For the 13th Time, the State Budget is Late," *Syracuse Post Standard*, April 2, 1997 (Editorial), at A8, available at 1997 WL 5730231.
- 2. See Kevin Collison, "Reform Urged in Bid to Avoid State Constitutional Convention," *Buffalo News*, February 26, 1995 at A13, available at 1995 WL 5446979.
- 3. See Documents, *Rutgers Law Journal*, vol. 2 (1995), p. 1390. In fact, in 1992 New York spent \$8,429 per pupil, the third highest in the nation.
- 4. Researchers for the Constitutional Revision Commission reported that out of approximately 4,000 New York state schools, there were about 1,000 schools, primarily in city neighborhoods, whose students "cannot meet minimum standards on measures of basic skills." Ibid.
- 5. See Janice C. May, "State Constitutions and Constitutional Revision, 1990–91," in *The Book of the States*, 1992–93, vol. 29 (Lexington, Ky.; Council of State Governments, 1992), p. 4 (noting that Governor Cuomo expressed "strong support" for a constitutional convention). Terry Andersen, a commission member, wrote in "N.Y. Citizens Will Have to Reform State," *Newsday, March 28, 1995* (available at 1995 WL 5103773) that though the New York State Temporary Commission on Constitutional Revision had concluded that immediate constitutional reform was the best cure for New York's troubled state government and there were many editorials in favor of a constitutional convention, policy makers were silent "without public interest"; Highlights of the Commission's Reports may be found in the *New York Times*, February 25, 1995 (available at LEXIS, News Library).
  - 6. New York Constitution of 1846, article XIII, section 2.
- 7. See John Dinan, "The Earth Belongs Always to the Living Generation": The Development of State Constitutional Amendment and Revision Procedures," *Review of Politics*, vol. 62 (2000), p. 662.
- 8. The states and the lengths of their automatic submission cycles are: Hawaii (nine years); Alaska, Iowa, New Hampshire, and Rhode Island (ten years); Michigan (sixteen years); and Connecticut, Illinois, Maryland, Missouri, Montana, New York, Ohio, and Oklahoma (twenty years). See May (1992), p. 4, note 7.
- 9. See National Municipal League, *Model State Constitution*, 6th ed. (New York: The League, 1966), art. XII, 12.03(a) and Albert Sturm, "State Constitutions and Constitutional Revision," Council of State Governments, The *Book of the States*, vol. 21 (Lexington, Ky: The Council, 1972), p. 20, table 3.
- 10. John Dinan, "Framing a "People's Government": State Constitution-Making in the Progressive Era," *Rutgers Law Journal* vol. 30 (1999), p. 934. (quoting Letter from Thomas Jefferson to Samuel Kercheval (July 12, 1816), in Adrienne Koch and William Peden eds., *The Life and Selected Writings of Thomas Jefferson* [1944]) p. 575.
- 11. See Dinan (2000), pp. 662–63 and n. 44 (citing the remarks of Mr. Donaldson made during the Maryland Constitutional Convention of 1850).

- 12. Robert J. Martineau, "The Mandatory Referendum on Calling a State Constitutional Convention: Enforcing the People's Right to Reform Their Government," *Ohio State Law Journal* vol. 31 (1970), p. 424 and n. 14, pp. 439–46. See also Eugene M. Van Loan III, "Amending the Constitution by Convention," 42, *New Hampshire Bar Journal* vol. 31 (2001), pp. 55, 56, 58 n. 5 (noting that a convention was the sole means of constitutional amendment in New Hampshire until 1964, when an amendment granting the amending power to the legislature was added to the state constitution).
- 13. In the 1996 election in Hawaii, 163,869 voters cast ballots in favor of holding a convention, while 160,153 voted against holding one. *Bennett v. Yoshina*, 140 F.3d 1218, 1222–23 (9th Cir. 1998). Nevertheless, some 45,245 voters left the question blank on their ballots, meaning that a majority of all votes cast did not favor holding a convention. The court said: "It is perfectly constitutional for a state to demand that a proposition win not only a majority of the votes cast, but a majority of all the votes that could have been cast" (p. 1227).
  - 14. May (1992), p. 4, n. 27.
- 15. See Martineau (1970), p. 424 (noting that the legislature can defeat a convention completely by failing to pass the legislation necessary to implement a convention).
  - 16. N.Y. Constitution, article XIX, 2.
- 17. The eight other mandated question states are Alaska, Connecticut, Hawaii, Iowa, Missouri, Montana, Rhode Island, New Hampshire, and Ohio. May (1992), p. 25. Additionally, the Montana Constitution specifies an "unlimited convention" in its sections on calling a convention, though not in the section addressing the automatic call. Montana Constitution, article XIV, 1–3.
- 18. The six states also allowing constitutional amendment through an initiative are Illinois, Michigan, Missouri, Montana, Ohio, and Oklahoma. See Council of State Governments, *Book of the States, 2000–2001*, vol. 33 (Lexington, Ky.: Council of State Governments, 2000), p. 7, table 1.3. In four of these states, the mandatory language is specified, or a limited convention seems precluded by language in the state constitution. See, for example, Illinois Constitution, article XX, 2a ("The State Board of Elections . . . shall . . . certify to the several county clerks any proposal to amend the constitution."); Michigan Constitution, article XII, 1.XII(2) (permitting amendments to "be proposed . . . by petition of the registered electors of [Michigan]"); Montana Constitution, article XIV, 1 (mandating an "unlimited convention"); Oklahoma Constitution, article XXIV, 3 (supplying the right to amend the Constitution by "initiative petition").
- 19. Albert L. Sturm, *Thirty Years of State Constitution-Making: 1938–1968* (New York: National Municipal League, 1970), p. 3.
  - 20. Sturm (1970), p. 85.
- 21. See Council of State Governments (2000), pp. 171–72, table 5.7. New Hampshire and Vermont also hold gubernatorial elections in even-numbered years that are not presidential election years, but governors in those states serve two-year terms.
  - 22. N.Y. Constitution, art. XIII, 8.
- 23. Peter J. Galie, *The New York State Constitution: A Reference Guide* (Westport, Conn.: Greenwood Press, 1991), p. 240.

- 24. Connecticut Constitution, art. XIII, 2; see also Wesley W. Horton, *The Connecticut State Constitution: A Reference Guide* (Westport, Conn.: Greenwood Press, 1993), p. 163.
- 25. See Mario M. Cuomo, "The Critics are Wrong, New York Needs a Constitutional Convention" (Letter to the Editor) *Albany Times Union*, April 25, 1994, p. A6.
- 26. Gerald Benjamin, "Change the Rules, Change the Game," *Empire State Report* (October 1991), p. 37.
  - 27. Executive Order No. 172, N.Y. Comp. Codes R. & Regs., title 9, 4.172 (1993).
- 28. See Kevin Sack, "In Quest for Perot Constituents, Cuomo Attacks, Pataki Parries," *New York Times*, September 25, 1994, p. A1.
  - 29. See Executive Order No. 30, N.Y. Comp. Codes R. & Regs. title 9, 5.30 (1996).
- 30. N.Y. Constitution of 1894, art. III, 2–5. See also WMCA, Inc. v. Lomenzo, 377 U.S. 633 (1964).
- 31. Henrik N. Dullea, Charter Revision in the Empire State: The Politics of New York's 1967 Constitutional Convention (Albany: Rockefeller Institute Press, 1997), pp. 49–57. See also Calvin B. T. Lee, One Man, One Vote: WMCA and the Struggle for Equal Representation (New York: Scribner, 1967), pp. 133–45.
- 32. Dullea (1997), pp. 67–71 (stating that the goals of the committee were to show bipartisan support for a constitutional convention, to demonstrate that the question was not an upstate versus downstate battle, and to provide editorial writers with necessary information for their support).
- 33. Gerald Benjamin and Henrik N. Dullea (eds.), *Decision 1997: Constitutional Change in New York* (Albany: Rockefeller Institute Press, p. 1997), pxvi; see also Temporary State Commission on Constitutional Revision, *Effective Government Now for the New Century: A Report to the People, the Governor, and the Legislators of New York* (Albany: The Commission, 1995). The Commission members were Peter C. Goldmark, Jr., Terry Anderson, Amalia V. Betanzos, Jill M. Considine, Peggy Cooper Davis, Henrik N. Dullea, Shirley W. Eberly, Margaret Fung, Stanley W. Hill, Mary Ann Brigantti-Hughes, James L. Larocca, Nathan Leventhal, Murray Light, Richard P. Nathan, Keith C. St. John, David Sive, Peter G. Ten Eyck, II, and Malcolm Wilson.
- 34. Neither the legislature nor the governor appointed a commission to prepare for the mandatory convention vote in 1977. The state had just overcome a serious fiscal crisis, and since there was a general feeling that a convention on the heels of this effort would not be well timed, no convention was authorized by the voters. In 1957, the Republican legislature agreed to join with Averill Harriman, the Democratic Governor, in appointing a commission, but only after it retained control of two-thirds of the appointments and the chairmanship. See Dullea (1997), pp. 31–38. Again, a call for a constitutional convention was defeated by the voters. Nelson Rockefeller's work as chair of this effort provided a base for his gubernatorial run in 1958, and his commission staff provided the core for his staff as governor.
- 35. His staff based in Albany included Gerald Benjamin, who had been working on this issue at the Rockefeller Institute, as Research Director. His staff based in New York

- City included Eric Lane as Counsel to the Commission, and Pauline Toole as Communications Director. Other staffers were Melissa Cusa and Michael L. Owens. Teri Potente, assistant to Peter Goldmark at the Rockefeller Foundation, also played an important role.
- 36. W. Brooke Graves, "Constitutional Revision," in National Municipal League, Committee on State Government. *Model State Constitution with Explanatory Articles*, 5th ed. (New York, The League, 1948), p. 51.
- 37. N.Y. Constitution of 1894, art. XIV, 2. The modern version of the self-executing provision appears in N.Y. Constitution, art. XIX, 2.
- 38. See Peter J. Galie and Christopher Bopst, "The Constitutional Commission in New York: A Worthy Tradition," *Albany Law Review*, vol. 64 (2001), p. 1294.
- 39. N.Y. Constitution of 1894, art. XIV, 2. Similar provisions appear in N.Y. Constitution, art. XIX, 2. See Burton C. Agata, "Amending and Revising the New York State Constitution," in Benjamin and Dullea (eds.) (1997), pp. 331 and 339.
- 40. Temporary N.Y. State Commission on Constitutional Revision, *Interim Report: The Delegate Selection Process* (Albany: The Commission, 1994), pp. 1–4.
- 41. David I. Wells, "Legislative Districting and the New York State Constitution," Benjamin and Dullea (eds.), pp. 105, 110–12.
- 42. See *Delegate Selection Process* (1994), pp. 5–7, quoting Lani Guinier, "The Triumph of Tokenism: The Voting Rights Act and the Theory of Black Electoral Success," *Michigan Law Review* vol. 89 (1991), p. 1094.
  - 43. See generally Dullea (1997).
- 44. For example, the dual compensation problem could be fixed either by constitutional amendment or by statute. *Delegate Selection Process* (1994), pp. 22–24.
- 45. Agata (1997) described the 1938 Convention, having passed "[fifty-eight] proposals, submitted to the people in nine parts," as "substantially successful," pp. 340–41.
- 46. See Editorial, "Call a Constitutional Convention," *New York Times*, October 28, 1997, at A22; Elsa Brenner, "A New Constitution: Yes or No?," *New York Times*, November 2, 1997, p. 16; Sarah Metzgar, "State Convention Issue Makes for Odd Bedfellows," *Times Union* (Albany), September 21, 1997, p. A1; "Major Media Campaign Airs Statewide as N.Y. State Constitutional Convention Vote Nears," *PR Newswire*, October 24, 1997, available at LEXIS, News Library, PR Newswire File. Galie and Bopst (2001), noted that though such groups as the League of Women Voters, Civil Service Employees Association (C.S.E.A.), American Federation of Labor–Congress of Industrial Organizations (A.F.L.-C.I.O.), and the National Organization of Women (N.O.W.) were opposed to a convention, they recognized "the need for constitutional reform," p. 1286.
- 47. The New York State Constitution explicitly provides that state land "shall be forever kept as wild forest lands." N.Y. Constitution, art. XIV, 1. The state constitution also protects citizens working under service appointments and citizens who are members of retirement plans. N.Y. Constitution, art. V, 6–7. The fear of losing or altering these protections by way of a constitutional convention was a major area of concern; see James Dao, "Unions Oppose Constitutional Assembly," *New York Times*, November 1, 1997, p. B5.

- 48. The Commission's Interim Report (*Delegate Selection Process* [1994], p. 37) indicates that commissioners disagreed over the delegate selection process, and that two commissioners regarded altering this process as "an essential precondition" before calling a constitutional convention. Three commissioners ultimately dissented from the Commission's call for a convention. *Effective Government Now for the New Century* (1995), pp. 29—32.
  - 49. See Dullea (1997), p. 34.
  - 50. Effective Government Now for the New Century (1995), p. 11.
  - 51. Ibid., p. 12.
  - 52. Ibid.
  - 53. Ibid., p. 22.
  - 54. Ibid., pp. 29-30.
  - 55. Ibid., p. 31.
- 56. See Clyde Haberman, "Rent Accord: Just Another Albany Deal," *New York Times*, June 17, 1997, p. B1.
- 57. See "Voters Favor Convention on State Constitution," *New York Times*, July 24, 1997, p. B4. The poll was conducted between July 14 and July 20, 1997, by telephone, with a sample size of 1,008 respondents. Of those polled, 53 percent favored a convention, 17 percent thought it was a bad idea, and 30 percent were undecided.
- 58 . See Richard Perez-Pena, "Scorn for Albany Unites Forces Urging a New Constitution," *New York Times*, October 26, 1997, p. 36.
- 59. Descriptions of the politics surrounding the convention question here and following are drawn from the personal involvement of the author and news accounts. See Richard Perez-Pena," Constitution is Stealth Issue of 1997, Attracting Strong Feelings," New York Times, September 27, 1997, p. B4; Tom Precious, "Coalition Aims to Block State Constitutional Revision," Buffalo News, September 16, 1997, p. A6; James Dao, "Pataki and D'Amato Back Constitutional Convention," New York Times, October 8, 1997, p. B5; Metzgar (September 21, 1997); and Tom Precious, "Unions Rally Members to Defeat Convention, Little Publicity and Strong Union Turnout Could Defeat the Proposal," Syracuse Post-Standard, October 29, 1997, p. A7.
- 60. Gerald Benjamin, "The Affirmative Case: Vote 'Yes' for a Constitutional Convention," *City Law*, vol. 3 (1997), pp. 49, 51.
- 61. One hundred and ninety-eight was the number of delegates that would be elected to a convention if it were held.
- 62. See news articles cited at fn. 62; Richard Perez-Pena, "Voters Refuse to Take Chances on Bond Act and Convention," *New York Times*, November 6, 1997, p. B3; and "Cuomo, Challengers State Positions in Gubernatorial Campaign," *Buffalo News*, November 2, 1994, p. C3 (Election Guide).
- 63. Elizabeth Kolbert, "Divisive Idea Calls Cuomo Out of Shell, " *New York Times*, October 9, 1997, p. B2.

- 64. See "Deep Six These Six," New York Daily News, November 3, 1997, p. 32 (Editorial).
- 65. See Richard Perez-Pena, "Voters Reject Constitutional Convention," *New York Times*, November 5, 1997, p. B1.
  - 66. Ibid.
  - 67. Dao (November 1, 1997).
- 68. See Gerald Benjamin, "Constitutional Revision in New York State: Retrospect and Prospect," in N.Y. State Bicentennial Commission, *Essays on the Genesis of the Empire State* (Albany: The Commission, 1979), p. 39, table II.
- 69. Source for voting data is: New York State Board of Elections, www.elections. state.ny.us/elections/1997.