

COMPARISON BETWEEN U.S. CONSTITUTION AND NEW YORK STATE CONSTITUTION

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SUBJECT MATTER	U.S. CONSTITUTION	NEW YORK STATE CONSTITUTION
SUFFRAGE		
<i>Minimum Age to Vote</i>	Eighteen (Amend. XXVI)	Eighteen (Art. II, § 1)
<i>Durational Residency Requirements to Vote</i>	None specified in Constitution, but U.S. Supreme Court has implied that any requirement that a person be a resident for more than 30 days preceding an election violates equal protection (Dunn v. Blumstein)	Must be a resident of the state, and of the county, city, or village for 30 days next preceding an election (Art. II, § 1)
<i>Citizenship Requirements to Vote</i>	None specified in Constitution, but limited by law to U.S. citizens (18 U.S.C. § 611)	None specified in Constitution, but limited by law to U.S. citizens (N.Y. Election Law § 5-102(1))
<i>Registration Deadline to Vote</i>	None specified in Constitution or law	Ten days before election (Art. II, § 5), but set by law at 25 days before election (N.Y. Election Law § 5-210(3))
<i>Whether Convicted Felons Are Excluded from Suffrage</i>	No provision either in Constitution or law	Yes (Art. II, § 3), but by law rights are restored after completion of incarceration and parole (N.Y. Election Law § 5-106)
BILLS OF RIGHTS		
<i>Establishment Clause (Separation of Church and State)</i>	Yes (Amend. I)	Yes (Art. XI, § 3) (prohibiting use of public money in aid of denominational schools)
<i>Free Exercise Clause (No Prohibition on the Exercise of Religion)</i>	Yes (Amend. I)	Yes (Art. I, § 3)
<i>Freedom of Speech and Press</i>	Yes (Amend. I)	Yes (Art. I, § 8)
<i>Right to Peaceably Assemble</i>	Yes (Amend. I)	Yes (Art. I, § 9(1))
<i>Right to Petition Government</i>	Yes (Amend. I)	Yes (Art. I, § 9(1))
<i>Right to Be Free from Unreasonable Searches and Seizures</i>	Yes (Amend. IV)	Yes (Art. I, § 12)
<i>Probable Cause Requirement for Warrants</i>	Yes (Amend. IV)	Yes (Art. I, § 12)
<i>Grand Jury Requirement for Prosecution of Felonies</i>	Yes (Amend. V); but by rule may be waived by defendant in open court after defendant advised of charge and his or her rights (Fed. R. Crim P. 7)	Yes, but may be waived (except in cases involving crime punishable by death or life imprisonment) by written instrument signed by defendant in open court in presence of counsel (Art. I, § 6)
<i>Grand Jury Requirement for Prosecution of Misdemeanors</i>	No	No
<i>Requirement of Due Process for any Deprivation of Life, Liberty or Property</i>	Yes (Amend. V; Amend. XIV)	Yes (Art. I, § 6)
<i>Right Not to Be Required to Incriminate Self</i>	Yes (Amend. V)	Yes (Art. I, § 6)
<i>Right Not to Be Put in Jeopardy Twice for Same Offense</i>	Yes (Amend. V)	Yes (Art. I, § 6); also established by law (N.Y. Criminal Procedure Law § 40.20)
<i>Requirement that Private Property be Taken only for Public Use</i>	Yes (Amend. V)	Yes (Art. I, § 7(a))
<i>Requirement that Just Compensation be Paid for any Taking</i>	Yes (Amend. V)	Yes (Art. I, § 7(a))
<i>Right to a Speedy Trial in Criminal Prosecution</i>	Yes (Amend. VI)	Not specified in Constitution, but established by law (N.Y. Criminal Procedure Law § 30.20)
<i>Right to a Public Trial in Criminal Prosecution</i>	Yes (Amend. VI)	Not specified in Constitution, but established by law (N.Y. Civil Rights Law § 12)
<i>Right to a Trial by Jury in Criminal Prosecution</i>	Yes (Amend. VII), but not required for cases involving imprisonment of 6 months or less; by rule may be waived by written instrument with approval of prosecutor and judge (Fed. R. Crim. P. 23)	Yes (Art. I, § 2), but not required for cases involving imprisonment of 6 months or less (Art. VI, § 18); may be waived (except in cases involving a crime charged which may be punishable by death) by written instrument signed by the defendant in open court with approval of judge (Art. I, § 2)
<i>Right to Confront Adverse Witnesses in Criminal Prosecution</i>	Yes (Amend. VI)	Yes (Art. I, § 6)
<i>Right to Counsel in Criminal Prosecution</i>	Yes (Amend. VI)	Yes (Art. I, § 6)
<i>Minimum Jury Size in Criminal Prosecutions</i>	Six for felonies or misdemeanors (Williams v. Florida; Ballew v. Georgia)	Twelve for felonies; six for misdemeanors (Art. VI, § 18)
<i>Right to a Trial by Jury in Civil Cases</i>	Yes, in suits at common law where value in controversy exceeds \$20 (Amend. VII); by rule may be waived if neither party requests jury (Fed. R. Civ. P. 38)	Yes, in actions at law; may be waived by parties (Art. I, § 2)
<i>Prohibition against Excessive Bail</i>	Yes (Amend. VIII)	Yes (Art. I, § 5)
<i>Prohibition against Cruel and Unusual Punishment</i>	Yes (Amend. VIII)	Yes (Art. I, § 5)
<i>Prohibition Against Denial of Equal Protection of Laws</i>	Yes (Amend. XIV)	Yes (Art. I, § 11)
<i>Additional Rights Provisions for which No Comparable Provision Exists in Other Constitution</i>	Right to keep and bear arms (Amend. II); restriction upon quartering of troops (Amend. III)	Restriction on ability of legislature to abrogate or limit right of action for wrongful death (Art. I, § 16); right of employees to organize and bargain collectively (Art. I, § 17); right of workers on public works jobs to be paid a prevailing wage (Art. I, § 17); authorization for legislature to enact a workers compensation system (Art. I, § 18)
LEGISLATIVE BRANCH		
<i>Name of Legislative Body</i>	Congress (Art. I, § 1)	Legislature (Art. III, § 1)
<i>Number of Houses of Legislature</i>	Two (bicameral), a Senate and a House of Representatives (Art. I, § 1)	Two (bicameral), a Senate and an Assembly (Art. III, § 1)
<i>Date of First Legislative Meeting of Year</i>	January 3 unless otherwise set by law (Amend. XX, § 2)	First Wednesday after first Monday in January (Art. XIII, § 4)
Upper House of Legislature		
<i>Name of Upper House</i>	Senate	Senate
<i>Number of Members of Upper House</i>	Two per state (Art. I, § 3, cl. 1); currently 100	50, but changeable by law (Art. III, § 2); currently 63 (N.Y. State Law § 123)
<i>Term of Members of Upper House</i>	Six years (Art. I, § 3, cl. 1)	Two years (Art. III, § 2)
<i>Term Limits for Members of Upper House</i>	None	None
<i>Method of Election of Each Member of Upper House</i>	Each elected by vote of all state electors (Amend. XVII)	Set by law; each elected by vote of electors of specified district (N.Y. State Law § 123)
<i>Minimum Age to Become Member of Upper House</i>	Thirty (Art. I, § 3, cl. 3)	Not specified in Constitution, but set by law at eighteen (N.Y. Public Officers Law § 3)

<i>Percent of Upper House Elected at Each General Election</i>	One-third of Senate elected during every even-numbered year (Art. I, § 3, cl. 2)	Entire Senate elected during every even-numbered year (Art. III, § 2)
<i>Citizenship Requirements to Become Member of Upper House</i>	Must be U.S. Citizen for 9 years (Art. I, § 3, cl. 3)	Must be U.S. Citizen; no time limit specified (Art. III, § 7)
<i>Residency Requirements to Become Member of Upper House</i>	Must be inhabitant of state at time of election (Art. I, § 3, cl. 3)	Must be resident of state for five years and resident of Senate district for 12 months immediately preceding election (Art. III, § 7)
<i>How Vacancies in Upper House Are Filled</i>	Determined by each state; either special election or next scheduled general election- Governor may be allowed to fill vacancy until election (Amend. XVII)	As determined by law (Art. XIII, § 3); either special election or next scheduled general election, depending on time of vacancy (N.Y. Public Officers Law § 42)
<i>Leadership Roles in Upper House</i>	Vice President is President of Senate, but has no vote unless Senate is equally divided; other officers and president pro tem chosen by members of the Senate (Art. I, § 3, cl. 4)	Lieutenant Governor is President of Senate, but has only a casting vote (Art. IV, § 6); other officers and temporary president chosen by members of the Senate (Art. III, § 9)
Lower House of Legislature		
<i>Name of Lower House</i>	House of Representatives	Assembly
<i>Number of Members of Lower House</i>	Set by law; currently 435	150 (Art. III, § 2)
<i>Term of Members of Lower House</i>	Two years (Art. I, § 2, cl. 1)	Two years (Art. III, § 2)
<i>Term Limits for Members of Lower House</i>	None	None
<i>Method of Election of Each Member of Lower House</i>	Set by law; each elected by vote of electors of specified district	Each elected by vote of electors of specified district (Art. III, § 5)
<i>Minimum Age to Become Member of Lower House</i>	Twenty-five (Art. I, § 2, cl. 2)	Not specified in Constitution, but set by law at eighteen (N.Y. Public Officers Law § 3)
<i>Percent of Lower House Elected at Each General Election</i>	Entire House elected during every even-numbered year (Art. I, § 2, cl. 1)	Entire Assembly elected during every even-numbered year (Art. III, § 2)
<i>Citizenship Requirements to Become Member of Lower House</i>	Must be U.S. Citizen for 7 years (Art. I, § 2, cl. 2)	Must be U.S. Citizen; no time limit specified (Art. III, § 7)
<i>Residency Requirements to Become Member of Lower House</i>	Must be inhabitant of state at time of election (Art. I, § 2, cl. 2)	Must be resident of state for five years and resident of Assembly district for 12 months before election (Art. III, § 7)
<i>How Vacancies in Lower House Are Filled</i>	Special election; vacancy remains unfilled until election is held (Art. I, § 2, cl. 4)	As determined by law (Art. XIII, § 3); special election or next scheduled general election, depending on time of vacancy (N.Y. Public Officers Law § 42)
<i>Leadership Roles in Lower House</i>	Speaker and other officers chosen by members of the House (Art. I, § 2, cl. 5)	Speaker and other officers chosen by members of the Assembly (Art. III, § 9)
Provisions Common to Both Houses		
<i>Commencement of Legislative Term</i>	January 3 (Amend. XX, § 1)	January 1 (Art. XIII, § 4)
<i>Compensation for Legislators</i>	Fixed by law (Art. I, § 6, cl. 1), but variances may not take effect until intervening election occurs (Amend. XXVII)	Fixed by law, but may not be increased or diminished during current term (Art. III, § 6)
<i>Restrictions upon Holding Multiple Offices</i>	May not be appointed to any other civil office under authority of United States (Art. I, § 6, cl. 2)	Election or appointment to state, national or city office, except certain military offices, operates to vacate legislative seat (Art. III, § 7)
<i>Restrictions Concerning Adjournment</i>	Neither house may adjourn for more than 3 days without consent of other (Art. I, § 5, cl. 4)	Neither house may adjourn for more than 2 days without consent of other (Art. III, § 10)
<i>Authority of Legislature to Expel a Member</i>	By vote of two-thirds of the applicable house (Art. I, § 5, cl. 2)	Not specified in Constitution, but by law member may be expelled by vote of majority of the applicable house (N.Y. Legislative Law § 3)
<i>Whether Conviction of Felony Results in Automatic Expulsion</i>	No provision either in Constitution or law	Not specified in Constitution, but established by law (N.Y. Public Officers Law § 30(1)(e))
<i>Immunity for Legislators for Speech and Debate</i>	Yes (Art. I, § 6, cl. 1)	Yes (Art. III, § 11)
Legislative Process		
<i>General Power of Legislature to Legislate</i>	Legislation must fall within one of the powers enumerated in the Constitution (Art. I, § 8)	Power to legislate is plenary (e.g., not limited to express grants of power; permitted absent conflict with some state or national constitutional provision)
<i>Quorum Requirement for Legislature to Conduct Business</i>	Majority of the members of each house constitute a quorum for that house to conduct business (Art. I, § 5, cl. 1)	Majority of the members of each house constitute a quorum for that house to conduct business (Art. III, § 9), except for bills involving taxes or spending, which require three-fifths of the members of each house (Art. III, § 23)
<i>Requirement for Legislative Passage of Bill</i>	Majority of members of each house voting on bill (Art. I, § 7, cl. 2)	Majority of members elected to each house of the legislature (Art. III, § 14)
<i>Party Having a Casting (Tie-Breaking) Vote on Legislation</i>	Vice President (Art. I, § 3, cl. 4)	No
<i>Aging Requirement for Bills Before Passage</i>	None specified in Constitution	Bill cannot be passed unless it has been on members' desks in final form for three calendar legislative days, except by Governor's message of necessity (Art. III, § 14)
<i>Special Majority or Multi-Session Adoption Requirements for Certain Types of Bills</i>	None specified in Constitution	1) Approval of two-thirds of members elected to each house of the legislature required for any bill appropriating public moneys or property for local or private purposes (Art. III, § 20); 2) Enactment of two successive regular sessions of legislature required to take or dispose of any properties constituting the state nature and historical preserve (Art. XIV, § 4)
<i>Special Requirement for Revenue Bills</i>	Must originate in House of Representatives (Art. I, § 7, cl. 1)	May originate in either house (Art. III, § 12)
<i>Single Subject Requirement for Legislation</i>	None	No private or local bill can embrace more than one subject (Art. III, § 15)
<i>Veto Power of Chief Executive</i>	Yes (Art. I, § 7, cl. 2)	Yes (Art. IV, § 7)
<i>Time Limit for Chief Executive to Approve or Veto Legislation</i>	1) 10 days after presentation to President (except Sundays), or bill automatically becomes law; 2) if Congress is adjourned on the 10th day after presentation to President (except Sundays) and bill is neither approved nor vetoed by President by that date, then bill is deemed "pocket vetoed", and does not become law (Art. I, § 7, cl. 2)	1) 10 days after presentation to Governor (except Sundays), or bill automatically becomes law; 2) if legislature is adjourned on the 10th day after presentation to Governor (except Sundays) and bill is neither approved nor vetoed by Governor by that date, then bill is deemed "pocket vetoed", and does not become law; 3) if legislature is finally adjourned for the year on the 10th day after presentation to Governor (except Sundays) and bill is neither approved nor vetoed by Governor within 30 days after final adjournment, then bill is deemed "pocket vetoed" and does not become law (Art. IV, § 7)

<i>Can Legislature Override Executive Veto and What Majority is Required to Override</i>	Yes; two-thirds of members of each house voting on issue (Art. I, § 7, cl. 2)	Yes; two-thirds of elected members of each house (Art. IV, § 7)
<i>Can Legislature Override "Pocket Veto"</i>	No	No
EXECUTIVE BRANCH		
Chief Executive Officer		
<i>Title of Chief Executive Officer</i>	President (Art. II, § 1, cl. 1)	Governor (Art. IV, § 1)
<i>Term of Office of Chief Executive Officer</i>	Four years (Art. II, § 1, cl. 1)	Four years (Art. IV, § 1)
<i>Method of Election of Chief Executive Officer</i>	Chosen by majority of Electors, with each state appointing a number of Electors equal to the number of their Senators and Representatives in Congress (Art. II, § 1, cl. 2)	Chosen by a plurality of voters of the state (Art. IV, § 1)
<i>Process where No Candidate for Chief Executive Officer Receives Majority of Electoral Vote</i>	Chosen by House of Representatives, with each state House delegation having one vote (Amend. XII)	No provision comparable to Electoral College either in Constitution or law
<i>Minimum Age to Become Chief Executive Officer</i>	Thirty-five (Art. II, § 1, cl. 5)	Thirty (Art. IV, § 2)
<i>Citizenship Requirements to Become Chief Executive Officer</i>	Must be natural born U.S. Citizen (Art. II, § 1, cl. 5)	Must be U.S. Citizen (Art. IV, § 2); no time limit specified either in Constitution or law
<i>Residency Requirements to Become Chief Executive Officer</i>	Must be resident of United States for fourteen years (Art. II, § 1, cl. 5)	Must be resident of state for five years immediately preceding election (Art. IV, § 2)
<i>Commencement of Term of Chief Executive Officer</i>	January 20 (Amend. XX, § 1)	January 1 (Art. XIII, § 4)
<i>Term Limits for Chief Executive Officer</i>	May not be elected President: a) more than twice; or b) more than once if served more than two years of another President's term (Amend. XXII, § 1)	None
<i>Compensation for Chief Executive Officer</i>	Fixed by law, but may not be increased or diminished during current term (Art. II, § 1, cl. 7)	Fixed by law by joint resolution of Senate and Assembly (Art. IV, § 3), but may not be increased or diminished during current term (Art. XIII, § 7)
<i>Grounds for Removal from Office of Chief Executive Officer</i>	Impeachment by House of Representatives and conviction by Senate of treason, bribery, or other high crimes and misdemeanors (Art. II, § 4) (See Impeachment Process below for additional information)	Impeachment by Assembly and conviction by Court for the Trial of Impeachments of willful and corrupt misconduct in office (Art. VI, § 24; N.Y. Judiciary Law § 240) (See Impeachment Process below for additional information)
Powers and Duties of Chief Executive Officer		
<i>Commander in Chief of Military</i>	Commander in Chief of U.S. military when called into actual service (Art. II, § 2, cl. 1)	Commander in chief of the military and naval forces of the state (Art. IV, § 3)
<i>Power to Appoint Officers</i>	Appoints, with advice and consent of Senate, all ambassadors, department heads, federal judges, and other officers of the United States; by law, Congress may vest power to appoint inferior officers in President alone, courts of law, or department heads (Art. II, § 2, cl. 2)	Appoints with advice and consent of Senate most department heads, members of all boards and commissions, and judges of Court of Appeals (Art. V, § 4; Art. VI, § 2(e))
<i>Power to Appoint Officers when Consenting House Out of Session</i>	May fill any vacancy that happens during Senate recess for term expiring at end of next session (Art. II, § 2, cl. 3)	No authorization for recess appointments provided in Constitution
<i>Power to Remove Officers</i>	Except where statutorily limited, may remove any executive branch officer (established through case law); may not remove federal judges	May remove most department heads, members of any board or commission, any elective sheriff, county clerk, district attorney or register (Art. V, § 4; Art. XIII, § 13)
<i>Power to Veto Legislation</i>	May veto legislation; legislation may be enacted over veto if two-thirds of members of each house voting on issue vote to override (Art. I, § 7, cl. 2)	May veto legislation; legislation may be enacted over veto if two-thirds of elected members of each house vote to override (Art. IV, § 7)
<i>Power to Line Item Veto Legislation</i>	No; line item veto enacted by law previously held unconstitutional (Clinton v. City of New York)	Yes, for bills containing an appropriation of money (Art. IV, § 7; Art. VII, § 4)
<i>Power to Convene Legislature</i>	May convene both houses of Congress, or either of them (Art. II, § 3)	May convene both houses of legislature, or the Senate only (Art. IV, § 3)
<i>Power Over the Budget Process</i>	No role in budget process for President specified in Constitution; President required by law to submit budget, including spending and revenue proposals (31 U.S.C. § 1105), but budget bills enacted through normal legislative process	Governor required to submit budget detailing plan of expenditures and estimates of revenues for upcoming year, bills containing all required appropriations and other legislation needed to implement the budget; legislature has limited ability to alter Governor's budget bills, and Governor may veto any items added by legislature to budget bills (Art. VII)
<i>Power to Grant Pardons</i>	May grant reprieves and pardons for offenses against United States, except in cases of impeachment (Art. II, § 2, cl. 1)	May grant reprieves, commutations and pardons after conviction, for all offenses except treason and cases of impeachment (Art. IV, § 4)
<i>Duty to Address Legislature</i>	Must, from time to time, give Congress a State of Union (Art. II, § 3)	Must communicate condition of state by message to legislature at every session (Art. IV, § 3)
<i>Duty to Take Care that Laws be "Faithfully Executed"</i>	Yes (Art. II, § 3)	Yes (Art. IV, § 3)
Second in Command to Chief Executive Officer		
<i>Title of Second in Command to Chief Executive Officer</i>	Vice President (Art. II, § 1, cl. 1)	Lieutenant Governor (Art. IV, § 1)
<i>Term of Office of Second in Command</i>	Four years (Art. II, § 1, cl. 1)	Four years (Art. IV, § 1)
<i>Eligibility for Office of Second in Command</i>	Requirements are same as those for President (Amend. XII)	Requirements are same as those for Governor (Art. IV, § 2)
<i>Method of Election of Second in Command</i>	Chosen at same time as President and as part of a joint ticket with the President (Art. II, § 1, cl. 1; Amend. XII)	Chosen at same time as Governor and as part of a joint ticket with the Governor (Art. IV, § 1)
<i>Process where No Candidate for Second in Command Receives Majority of Electoral Vote</i>	Chosen by a majority of the members of the Senate (Amend. XII)	No provision comparable to Electoral College either in Constitution or law
<i>Grounds for Removal from Office of Second in Command</i>	Process is same as that to remove President (Art. II, § 4)	Process is same as that to remove Governor (Art. VI, § 24; N.Y. Judiciary Law § 240)
Powers of Second in Command		
<i>Duty to Preside Officer either Legislative House</i>	Vice President serves as President of the Senate (Art. I, § 3, cl. 4)	Lieutenant Governor serves as President of the Senate (Art. IV, § 6)
<i>Power to Vote in either Legislative House</i>	May vote in Senate to break ties (Art. I, § 3, cl. 4), including power to cast tie-breaking votes on substantive legislation	May vote in Senate to break ties (Art. IV, § 6); historically has been interpreted not to include power to cast tie-breaking votes on substantive legislation
Succession within Executive Branch		

<i>How Vacancy in Chief Executive Office Filled</i>	Vice President becomes President for remainder of term (Art. II, § 1, cl. 6)	Lieutenant Governor becomes Governor for remainder of term (Art. IV, § 5)
<i>Does Successor to Chief Executive Office become "New" or "Acting" Chief Executive</i>	New President (Amend. XXV, § 1)	New Governor (Art. IV, § 5)
<i>Who Succeeds Chief Executive Officer-Elect who Dies before Taking Office</i>	Vice President becomes President for term for which President-elect was elected (Amend. XX, § 3)	Lieutenant Governor becomes Governor for term for which Governor-elect was elected (Art. IV, § 5)
<i>Who Succeeds to Chief Executive Office during Temporary Disability of Chief Executive Officer</i>	Vice President becomes Acting President until President is able to discharge the powers and duties of office (Amend. XXV, § 3, 4)	Lieutenant Governor becomes Acting Governor until inability ceases or term of office expires (Art. IV, § 5)
<i>How is Disability of Chief Executive Officer Determined</i>	Inability may be declared by President (Amend. XXV, § 3), or by Vice President and majority of heads of executive departments (Amend. XXV, § 4)	Not constitutionally defined
<i>What Happens when Chief Executive Officer Leaves Jurisdiction</i>	No provision in either Constitution or law that President cedes power when he/she leaves United States	Lieutenant Governor is Acting Governor when Governor leaves state (Art. IV, § 5)
<i>Who Acts as Chief Executive Officer during Impeachment of Chief Executive Officer</i>	No provision in either Constitution or law that President cedes power when he/she has been impeached	Lieutenant Governor is Acting Governor when Governor impeached until inability ceases or term of office expires (Art. IV, § 5)
<i>How Vacancy in Second-Highest Office is Filled</i>	President nominates a Vice President who must be confirmed by a majority vote of both Houses of Congress (Amend. XXV, § 2)	Not constitutionally defined, although Governor allowed to name his/her own Lieutenant Governor (N.Y. Public Officers Law § 43; Skelos v. Paterson)
<i>Officer Next in Command if Chief Executive Officer and Second in Command are Both Unable to Act</i>	Not specified in Constitution, but by law next in line is Speaker of the House of Representatives (3 U.S.C. § 19)	Temporary President of the Senate (Art. IV, § 6)
<i>Officer Next in Command if Chief Executive Officer and Second and Third in Command are All Unable to Act</i>	Not constitutionally defined, but by law next in line is President pro tempore of the Senate (3 U.S.C. § 19)	Speaker of the Assembly (Art. IV, § 6)
<i>If Chief Executive Office and Second-Highest Office are Both Vacant, Is Election Held</i>	No; individual acting as President serves until expiration of presidential term (3 U.S.C. § 19)	Yes; election to fill both offices for remainder of term is held at next general election not less than three months after both offices have become vacant (Art. IV, § 6)
Other Constitutional Officers		
<i>Comptroller (Chief Fiscal Officer)</i>	Not a constitutionally created office; closest analogue would be Comptroller-General of the United States, a position appointed by President with consent of Senate for a 15-year term (31 U.S.C. § 703)	Comptroller elected for 4-year term at same time as Governor; must meet eligibility qualifications required for Governor (Art. V, § 1)
<i>Attorney General (Chief Legal Officer)</i>	Not a constitutionally created office; closest analogue would be Attorney General, a position appointed by President with consent of Senate who serves at pleasure of President (28 U.S.C. § 503)	Attorney General elected for 4-year term at same time as Governor; must meet eligibility qualifications required for Governor (Art. V, § 1)
Executive Departments		
<i>Number of Executive Departments</i>	Established by law; currently 15 federal departments	Limited by Constitution to 20 (Art. V, § 2); exact amount established by law
<i>Specific Departments Created by Constitution</i>	None	Department of audit and control, headed by elected comptroller; department of law, headed by elected Attorney General; department of agriculture and markets, headed by commissioner appointed in manner determined by law; and department of education, headed by The Regents of the University of the State of New York, who appoints a commissioner of education to be the chief administrative officer of the department (Art. V, § 4)
<i>Process for Appointment of Department Heads</i>	All department heads appointed by President with advice and consent of Senate (Art. II, § 2, cl. 2)	All department heads other than those specifically provided above appointed by Governor with advice and consent of Senate (Art. V, § 4)
<i>Process for Removal of Department Heads</i>	May be removed by President, except where statutorily limited (established through case law)	Process for removal depends upon the officer: 1) All department heads appointed by Governor with advice and consent of Senate may be removed by Governor (Art. V, § 4); 2) Attorney General or Comptroller may be removed for misconduct or malversation in office by two-thirds vote of elected members of Senate upon recommendation of Governor (Art. XIII, § 5; N.Y. Public Officers Law § 32); 3) Any department head, regardless of method of appointment, may be removed by impeachment by Assembly and conviction by Court for the Trial of Impeachments of willful and corrupt misconduct in office (Art. VI, § 24; N.Y. Judiciary Law §240)
<i>Standards for Civil Service Appointments</i>	No provision for civil service contained in Constitution, but established by law	Appointments and promotions in state and municipal civil service made according to merit and fitness, and competitive examinations required where practicable (Art. V, § 6)
JUDICIAL BRANCH		
Highest Court		
<i>Name of Highest Court</i>	Supreme Court of the United States (Art. III, § 1)	New York State Court of Appeals (Art. VI, § 2(a))
<i>Number of Judges on Highest Court</i>	Established by law, currently nine (28 U.S.C. § 1)	Seven (Art. VI, § 2(a))
<i>Quorum Requirement for Highest Court to Conduct Business</i>	Established by law; currently six (28 U.S.C. § 1)	Five (Art. VI, § 2(a))
<i>Term of Judges on Highest Court</i>	During good behavior (Art. III, § 1)	Fourteen years (Art. VI, § 2(a))
<i>Ability of Judge to Serve Multiple Terms on Highest Court</i>	Not applicable	Yes
<i>Method of Selection of Judges on Highest Court</i>	Appointed by President with consent of Senate (Art. II, § 2, cl. 2)	Appointed by Governor with consent of Senate from candidates recommended by judicial nominating commission (Art. VI, § 2(e))
<i>Qualifications for Service as Judge on Highest Court</i>	No age, education, profession, or native-born citizenship qualifications specified in Constitution or by law	Must be a resident of the state and have been admitted to the practice of law in the state for at least ten years (Art. VI, § 2(e)); may hold no other public office (Art. VI, § 20(b))
<i>Mandatory Retirement Age for Judges on Highest Court</i>	None	70 years; may serve as retired justice of supreme court until age 76 (Art. VI, § 25(b))
<i>Compensation for Judges on Highest Court</i>	Fixed by law, but may not be diminished during time in office (Art. III, § 1)	Fixed by law, but may not be diminished during designated term (Art. VI, § 25(a))

<i>Grounds for Removal from Office of Judge on Highest Court</i>	Impeachment by House of Representatives and conviction by Senate of treason, bribery, or other high crimes and misdemeanors (Art. II, § 4) (See Impeachment Process below for additional information)	(1) Impeachment by Assembly and conviction by Court for the Trial of Impeachments of willful and corrupt misconduct in office (Art. VI, § 24; N.Y. Judiciary Law §240) (See Impeachment Process below for additional information); (2) Removal for cause by concurrent resolution adopted by two-thirds of members of each house of the legislature (Art. VI, § 23(a)); (3) Removal for cause or forced retirement for mental or physical disability preventing the proper performance of judicial duties by commission on judicial conduct (and, if requested by judge, review by Court of Appeals) (Art. VI, § 22(a)); or (4) Removal upon finalization of conviction of a felony or crime involving moral turpitude (Art. VI, § 22(f))
<i>Original Jurisdiction of Highest Court</i>	Cases affecting ambassadors, public ministers, consuls; cases which a state is adverse to U.S.; or cases between states (Art. III, § 2, cl. 2; 28 U.S.C. § 1251)	None
<i>Appellate Jurisdiction of Highest Court</i>	Determined by law, as authorized (Art. III, § 2, cl. 2); Congress has made appellate jurisdiction almost entirely discretionary (within control of the Court); Court reviews cases from federal courts of appeals and from state courts of last resort generally involving interpretations of federal statutes or U.S. Constitution	Determined by Constitution (Art. VI, § 3) and by law as authorized (Art. VI, § 3); some jurisdiction is discretionary (within control of the Court), while some is mandatory; Court generally reviews cases from appellate divisions involving interpretation of state or federal constitutions or other important issues
Intermediate Appellate Courts		
<i>Name of Intermediate Appellate Courts</i>	United States Courts of Appeals (28 U.S.C. § 43(a))	Appellate Divisions of New York State Supreme Court (Art. VI, § 4)
<i>Number of Divisions of Intermediate Appellate Courts</i>	Established by law, currently thirteen circuits (28 U.S.C. § 41)	Four departments (Art. VI, § 4(a))
<i>Number of Judges on each Intermediate Appellate Court</i>	Established by law, currently between six and twenty-nine (28 U.S.C. § 44(a))	Either five or seven, depending on the department (Art. VI, § 4(b))
<i>Number of Intermediate Appellate Judges Hearing Each Appeal</i>	Established by law, currently three (28 U.S.C. § 45(c))	Five (Art. VI, § 4(b))
<i>Quorum Requirement for Intermediate Appellate Court to Conduct Business</i>	Established by law; currently two (28 U.S.C. § 46(d))	Four (Art. VI, § 4(b))
<i>Term of Judges on Intermediate Appellate Courts</i>	During good behavior (Art. III, § 1)	Earlier of five years or expiration of remaining supreme court term which justice is serving (Art. VI, § 4(c))
<i>Ability of Judge to Serve Multiple Terms on Intermediate Appellate Court</i>	Not applicable	Yes
<i>Method of Selection of Judges on Intermediate Appellate Courts</i>	Appointed by President with consent of Senate (Art. II, § 2, cl. 2)	Designated by Governor from current justices of supreme court (Art. VI, § 4(c))
<i>Qualifications for Service as Judge on Intermediate Appellate Court</i>	Established by law; except District of Columbia Circuit, must be resident of circuit to which he or she is appointed at time of appointment (28 U.S.C. § 44)	Must have been admitted to the practice of law in the state for at least ten years (Art. VI, § 20(a)); may hold no other public office (Art. VI, § 20(b)); presiding justice must be a resident of the judicial department in which he or she is designated (Art. VI, § 4(c))
<i>Mandatory Retirement Age for Judges on Intermediate Appellate Courts</i>	None	70 years; may serve as retired justice of supreme court until age 76 (Art. VI, § 25(b))
<i>Compensation for Judges on Intermediate Appellate Courts</i>	Fixed by law, but may not be diminished during time in office (Art. III, § 1)	Fixed by law, but may not be diminished during designated term (Art. VI, § 25(a))
<i>Grounds for Removal from Office of Judge on Intermediate Appellate Court</i>	Impeachment by House of Representatives and conviction by Senate of treason, bribery, or other high crimes and misdemeanors (Art. II, § 4) (See Impeachment Process below for additional information)	(1) Impeachment by Assembly and conviction by Court for the Trial of Impeachments of willful and corrupt misconduct in office (Art. VI, § 24; N.Y. Judiciary Law §240) (See Impeachment Process below for additional information); (2) Removal for cause by concurrent resolution adopted by two-thirds of members of each house of the legislature (Art. VI, § 23(a)); (3) Removal for cause or forced retirement for mental or physical disability preventing the proper performance of judicial duties by commission on judicial conduct (and, if requested by judge, review by Court of Appeals) (Art. VI, § 22(a)); or (4) Removal upon finalization of conviction of a felony or crime involving moral turpitude (Art. VI, § 22(f))
<i>Original Jurisdiction of Intermediate Appellate Courts</i>	None	Certain types of cases as prescribed by the Constitution (e.g., Art. XIV, § 5) and by law
<i>Appellate Jurisdiction of Intermediate Appellate Courts</i>	Determined by law, as authorized (Art. III, § 2, cl. 2); each circuit court reviews cases of district courts within its circuit and decisions of federal administrative agencies	Determined by Constitution (Art. VI, § 4(k)) and by law as authorized (Art. VI, § 4(k)); each department reviews cases of certain trial-level courts (supreme court, county court, surrogate's court, family court, court of claims) within its department
Courts of Original General Jurisdiction		
<i>Name of Court(s) of Original General Jurisdiction</i>	United States District Courts (28 U.S.C. § 132(a))	New York State Supreme Court (Art. VI, § 6(d))
<i>Number of Divisions of Courts of Original General Jurisdiction</i>	Established by law; currently 94 districts, with each state and certain U.S. territories having between 1 and 4 districts	Currently 11 judicial districts, with each district having between 1 and 11 counties (Art. VI, § 6(a))
<i>Number of Judges on each Division of Courts of Original General Jurisdiction</i>	Established by law; each district has specified number of district judges	Established by law; each judicial district has number of justices determined by legislature within certain population limits set by Constitution (Art. VI, § 6(b))
<i>Term of Judges on Courts of Original General Jurisdiction</i>	During good behavior (Art. III, § 1)	Fourteen years (Art. VI, § 6(c))
<i>Ability of Judge to Serve Multiple Terms on Court of Original General Jurisdiction</i>	Not applicable	Yes
<i>Method of Selection of Judges on Courts of Original General Jurisdiction</i>	Appointed by President with consent of Senate (Art. II, § 2, cl. 2)	Chosen by a plurality of voters of the judicial district in which justice will serve (Art. VI, § 6(c))
<i>Qualifications for Service as Judge on Court of Original General Jurisdiction</i>	Established by law; with certain exceptions, generally must be resident of district for which he or she is appointed (28 U.S.C. § 134(c))	Must have been admitted to the practice of law in the state for at least ten years (Art. VI, § 20(a)); may hold no other public office (Art. VI, § 20(b))
<i>Mandatory Retirement Age for Judges on Courts of Original General Jurisdiction</i>	None	70 years; may serve as retired justice of supreme court until age 76 (Art. VI, § 25(b))
<i>Compensation for Judges on Courts of Original General Jurisdiction</i>	Fixed by law, but may not be diminished during time in office (Art. III, § 1)	Fixed by law, but may not be diminished during designated term (Art. VI, § 25(a))

<i>Grounds for Removal from Office of Judge on Court of Original General Jurisdiction</i>	Impeachment by House of Representatives and conviction by Senate of treason, bribery, or other high crimes and misdemeanors (Art. II, § 4) (See Impeachment Process below for additional information)	(1) Impeachment by Assembly and conviction by Court for the Trial of Impeachments of willful and corrupt misconduct in office (Art. VI, § 24; N.Y. Judiciary Law §240) (See Impeachment Process below for additional information); (2) Removal for cause by concurrent resolution adopted by two-thirds of members of each house of the legislature (Art. VI, § 23(a)); (3) Removal for cause or forced retirement for mental or physical disability preventing the proper performance of judicial duties by commission on judicial conduct (and, if requested by judge, review by Court of Appeals) (Art. VI, § 22(a)); or (4) Removal upon finalization of conviction of a felony or crime involving moral turpitude (Art. VI, § 22(f))
<i>Original Jurisdiction of Court of Original General Jurisdiction</i>	Certain types of cases as prescribed by the Constitution (e.g., Art. III, § 2) and by law; generally hears suits involving federal questions, suits in which the U.S. is a party, and suits between parties from different states	General jurisdiction over all cases in law and equity, civil and criminal (Art. VI, § 7(a)); only cases over which it does not have original jurisdiction are claims against the state and claims by state against claimants (Art. VI, § 9)
<i>Appellate Jurisdiction of Court of Original General Jurisdiction</i>	None	Determined by Constitution (Art. VI, § 7(a)); generally no appellate jurisdiction unless appellate term of the court has been created in the department (Art. VI, § 8)
<i>Other Constitutionally Created Courts</i>	None	Court of claims (Art. VI, § 9 (claims against state)); county courts (Art. VI, § 10, 11 (certain specified civil and criminal cases)); surrogate's court (Art. VI, § 12 (wills and estates)); family court (Art. VI, § 13 (certain specified family issues)); New York city-wide courts (Art. VI, § 15 (certain specified civil and criminal cases in New York City)); district courts (Art. VI, § 16 (jurisdiction set by legislature but no more than \$15,000 at issue)); town, village and city courts (Art. VI, § 17 (jurisdiction set by legislature but no more than \$15,000 at issue))
PUBLIC OFFICERS		
<i>Oath of Office Required</i>	Yes (Art. II, § 1, cl. 8; Art. VI, cl. 3)	Yes (Art. XIII, § 1)
<i>Term of Office for Public Officers</i>	No specific provision for those terms of office not provided in Constitution; has been interpreted to mean that officer holds appointment during the pleasure of authority making appointment	Duration of any office not provided by Constitution may be declared by law; otherwise, office shall be held during the pleasure of authority making appointment (Art. XIII, § 2)
<i>How Vacancy in Public Office is Filled</i>	Selection of all other officers whose selection is not provided for in Constitution is dependent on the nature of the position; most superior officers are appointed by President with advice and consent of Senate (Art. II, § 2, cl. 2); appointment of inferior officers may be provided by law	Selection of all other officers whose selection is not provided for in Constitution is determined by law (Art. XIII, § 3)
<i>Grounds for Removal from Office of Public Officer</i>	No specific provision for removal other than impeachment provided in Constitution; case law has held that most superior officers may be removed by President, except where limited by law; removal of inferior officers may be provided by law	In addition to impeachment, legislature must provide by law for removal for "misconduct or malversation in office" of all officers, except judicial, whose powers and duties are not local or legislative and who shall be elected at general elections (Art. XIII, § 5); legislature may declare the cases in which any office shall be deemed vacant (Art. XIII, § 6)
<i>Compensation of Public Officers</i>	No specific provision for compensation other than those affecting specific offices provided in Constitution	Compensation for state officers named in Constitution shall be fixed by law, but may not be increased or diminished during the term for which officer was elected or appointed (Art. XIII, § 7)
IMPEACHMENT PROCESS		
<i>Persons Subject to Being Impeached</i>	President, Vice President and all civil officers (including judges) of the United States (Art. II, § 4)	Not defined constitutionally, but defined by law as all civil officers of the state, except justices of the peace and certain other judges (N.Y. Judiciary Law § 240)
<i>Body Having Power of Impeachment</i>	House of Representatives (Art. I, § 2, cl. 5)	Assembly (Art. VI, § 24)
<i>Requirement for Body to Bring Impeachment Proceedings</i>	Majority of members of House of Representatives present and voting	Majority of members elected to the Assembly (Art. VI, § 24)
<i>Body having Power to Hear Impeachment Trials</i>	Senate (Art. I, § 3, cl. 6)	Court for the Trial of Impeachments (President of Senate, senators (or major part of them), and judges of the Court of Appeals (or major part of them)) (Art. VI, § 24)
<i>Requirement for Conviction on Impeachment</i>	Two-thirds of members of Senate present (Art. I, § 3, cl. 6)	Two-thirds of members of Court for the Trial of Impeachments present (Art. VI, § 24)
LOCAL GOVERNMENT		
<i>Governance of Local Governments</i>	No specific provisions addressing local governments provided in Constitution	Every local government (except a county wholly included within a city), must have a legislative body that is elected by the people (Art. IX, § 1(a))
<i>Authority to Adopt Local Laws</i>	N/A	Every local government has the power to adopt local laws as provided by the Home Rule Article of the Constitution (Art. IX, § 1(a))
<i>Method of Selection of Local Government Officials</i>	N/A	All officers whose selection is not provided for by the Constitution are elected by the people of the local government or appointed by certain officers of the local government as provided by law (Art. IX, § 1(b))
<i>Ability to Adopt Alternative Forms of Government</i>	N/A	Counties, other than those wholly included within a city, may adopt, amend or repeal alternative forms of county government either provided by the legislature or of their own creation; abolition of certain offices requires a referendum of local voters (Art. IX, § 1(h)(1))
<i>Responsibility of Legislature in Organization of Local Governments</i>	N/A	Legislature required to provide for the creation and organization of local governments (Art. IX, § 2(a)); legislature required to enact and amend a "Statute of Local Governments" granting to local governments powers such as those of local legislation and administration (Art. IX, § 2(b)(1))

<i>Restrictions Upon State Enactments Relating to Property, Affairs or Government of any Local Government</i>	N/A	Legislature may act in relation to property, affairs or government of any local government: 1) only by general law; or 2) by special law either on request of the local government (under conditions specified in Constitution) or on certificate of necessity from Governor with concurrence of two-thirds of members elected to each house of legislature (Art. IX, § 2(b)(2))
<i>Authority of Local Government to Adopt Local Laws</i>	N/A	Every local government has the power to adopt local laws relating to its property, affairs or government and local laws relating to a series of other constitutionally-specified subjects, regardless of whether the law relates to the local government's property, affairs or government (Art. IX, § 2(c))
PUBLIC FINANCE		
<i>Requirement that Referendum Be Approved before Undertaking Debt Obligations</i>	No referendum requirement contained in Constitution or law	With certain exceptions, approval by majority of voters voting on issue required for state to incur general obligation debt (Art. VII, § 11); no referendum requirement for municipalities to incur debt
<i>Limit on Number of Subjects or Purposes for Undertaking of Debt Obligations</i>	No single work or purpose requirement contained in Constitution or law	With certain exceptions, state may only incur general obligation debt for a single work or purpose, which must be distinctly specified (Art. VII, § 11); no single work or purpose requirement for municipalities to incur debt
<i>Requirements for Repayment of Debt Obligations</i>	No provisions concerning repayment of debt contained in Constitution	Repayment of both state and local debt obligations must comply with requirements contained in Constitution (Art. VII, § 12; Art. VIII, § 2)
<i>Limit on Amount of Debt Obligations that Can Be Incurred</i>	No limit on amount of debt that can be incurred contained in Constitution, but limit on aggregate amount of debt that can be issued imposed by law	No limit on amount of debt that can be incurred by state contained in Constitution or law; limit on amount of debt that can be incurred by municipalities, established as percentage of the average full valuation of taxable real estate of such municipality (Art. VIII, § 4)
<i>Limit on Amount of Revenue that Can Be Raised by Taxes</i>	No limit on amount of revenue that can be raised by taxes contained in Constitution or law	No limit on amount of revenue that state can raise by taxes; limit on amount of revenue that municipalities can raise by real estate taxes, established as percentage of the average full valuation of taxable real estate of such municipality (Art. VIII, § 10)
<i>Prohibitions on Gifts or Loans of Money or Credit to Individuals or Private Companies</i>	No prohibition on gifts or loans of money or credit to individuals or private companies contained in Constitution or law	With certain exceptions, state may not give or loan money to private entities or give or loan credit to individuals, private entities or public entities (Art. VII, § 11); with certain exceptions, municipalities may not give or loan money or property to individuals or private entities or give or loan credit to individuals, private entities or public entities (Art. VIII, § 1)
<i>Description of Budget Process</i>	Budget process not specifically outlined in Constitution	Governor seeks and coordinates requests from agencies of state government, develops and prepares a comprehensive, balanced budget proposal (plan of proposed expenditures and revenues available to support expenditures), and submits budget to legislature along with appropriation bills and other legislation required to carry out budgetary recommendations; legislature then modifies and enacts the budget into law (Art. VII)
<i>Constitutional Requirement that Budget Be Balanced</i>	No	Yes (Art. VII, § 2)
OTHER PUBLIC POLICIES		
<i>Corporations</i>	No specific provisions addressing corporations contained in Constitution	Regulates public and private corporations: corporations may not be created by special act except for municipal purposes or if objects of corporation cannot be attained under general law (Art. X, § 1); corporate dues are secured by individual liability of the corporators (Art. X, § 2); corporations have right to sue and are subject to be sued as natural persons (Art. X, § 4)
<i>Public Authorities</i>	No specific provisions addressing public authorities contained in Constitution	No public authority can be created except by special act (Art. X, § 5); the accounts of every public authority are subject to supervision of the state comptroller or city comptroller (Art. X, § 5); neither the state nor any municipality may be liable for payment of any obligations issued by a public authority (Art. X, § 5)
<i>Defense</i>	Congress has power: to declare war (Art. I, § 8, cl. 11), to lay and collect taxes to provide for the common defense of the United States (Art. I, § 8, cl. 1), to raise and support armies (Art. I, § 8, cl. 12), and to provide and maintain a navy (Art. I, § 8, cl. 13); President is Commander-in-Chief of military (Art. II, § 2, cl. 1)	Defense and protection of state and of the United States is an obligation of all persons within state (Art. XII, § 1); legislature provides for discharge of defense obligation and for maintenance and regulation of an organized militia (Art. XII, § 1); Governor is Commander-in-Chief of military and naval forces of state (Art. IV, § 3)
<i>Education</i>	No specific provisions addressing education contained in Constitution	Legislature required to provide for maintenance and support of a system of free common schools (Art. XI, § 1); creates The University of the State of New York, and gives the legislature control over that organization (Art. XI, § 2); with certain exceptions, prohibits the use of public property, money, or credit in aid or maintenance of denominational schools (Art. XI, § 3)
<i>Conservation</i>	No specific provisions addressing conservation contained in Constitution	Certain lands of the state constituting the "forest preserve" are to be forever kept as wild forest lands, and may not be leased, sold or exchanged (Art. XIV, § 1); legislature may appropriate moneys for acquisition by state of land for purposes of conservation (Art. XIV, § 3); requires legislature to provide for acquisition of beautiful or significant lands and waters and provides that such properties, once acquired, may not be taken or otherwise disposed of except by law enacted by two successive regular sessions of the legislature (Art. XIV, § 5)

<i>Canals</i>	No specific provisions addressing canals contained in Constitution	Legislature may not sell, abandon or otherwise dispose of the barge canal system (Art. XV, § 1), but may sell, abandon or dispose of barge canal property no longer necessary or useful (Art. XV, § 2) and may lease or transfer the barge canal system to the federal government (Art. XV, § 4)
<i>Taxation</i>	Direct taxes (e.g., taxes based on ownership, such as property tax) must be apportioned among states (Art. I, § 2, cl. 3); no direct tax may be laid except in proportion to the previous census (Art. I, § 9, cl. 4); Congress has power to lay and collect taxes but such taxes must be uniform throughout United States (Art. I, § 8, cl. 1); Congress may lay and collect taxes on incomes without apportionment among states and without regard to census (Amend. XVI)	Taxation power may never be surrendered, suspended or contracted away (Art. XVI, § 1); any law delegating the taxing power must specify the types of taxes which may be imposed (Art. XVI, § 1); exemptions from taxation may be granted only by general laws, and may be altered or repealed except those exempting property used for religious, educational or charitable purposes (Art. XVI, § 1); legislature shall provide for supervision, review and equalization of assessments, but assessments may not exceed full value (Art. XVI, § 2)
<i>Social Welfare</i>	No specific provisions addressing social welfare contained in Constitution	Aid, care and support of the needy are public concerns and shall be provided by state and its subdivisions, as legislature determines (Art. XVII, § 1); protection and promotion of health of inhabitants are matters of public concern and shall be provided by state and its subdivisions, as legislature determines (Art. XVII, § 3); care and treatment of persons suffering from mental disorder and protection of the mental health of inhabitants may be provided by state and local authorities, as legislature determines (Art. XVII, § 4); legislature may provide for maintenance and support of institutions for detention of persons charged with or convicted of crimes, and state commission of correction shall inspect all such institutions (Art. XVII, § 5)
<i>Housing</i>	No specific provisions addressing housing contained in Constitution	Legislature may provide for low rent housing and nursing home accommodations for low income persons or for the clearance, replanning, reconstruction and rehabilitation of substandard and insanitary areas, as legislature determines (Art. XVIII, § 1); legislature has wide ranging powers to effect such purposes and to authorize cities, towns or villages to undertake such purposes (Art. XVIII, § 2); certain amounts of debt incurred by cities, towns and villages for this purpose do not count towards the municipal debt limits (Art. XVIII, § 4); legislature and local governments given wide range of powers to acquire land for these purposes (Art. XVIII, § 8, Art. XVIII, § 9)

METHODS OF AMENDMENT

Constitutional Convention		
<i>How Constitutional Convention Convened</i>	Called upon application of legislatures of two-thirds of the states (Art. V)	Convened when proposal for convention is: 1) submitted to voters either by law or as a mandatory call; and 2) approved by majority of voters voting on question (Art. XIX, § 2)
<i>Mandatory Constitutional Convention Vote</i>	None	Held at general election in 1957 and every twentieth year thereafter (Art. XIX, § 2)
<i>Restrictions on Amendments That May Be Proposed by Constitutional Convention</i>	May not deprive any state of equal suffrage in Senate without consent of the deprived state (Art. V)	None
Legislatively Proposed Amendment		
<i>How Legislatively Proposed Amendment Proposed</i>	Proposed by two-thirds of members of each house of Congress voting on amendment (Art. V)	Proposed by majority of elected members of each house of two consecutively elected legislatures (Art. XIX, § 1)
<i>Requirement for Approval of Legislatively Proposed Amendment</i>	Ratification by legislatures of three-fourths of states or by conventions in three-fourths of states (Art. V)	Approval by majority of voters voting on question (Art. XIX, § 1; Art. XIX, § 2)
<i>Restrictions on Amendments That May Be Legislatively Proposed</i>	May not deprive any state of equal suffrage in Senate without consent of the deprived state (Art. V)	None
Popular Initiative		
<i>Available as Means of Constitutional Amendment</i>	No	No
CURRENT CONSTITUTION		
<i>Process By Which Constitution Became Effective</i>	Ratification by ratification conventions of nine states (Art. VII, cl. 1)	Approval by vote of state electors (Art. XIX, § 2)
<i>Effective Date of Current Constitution</i>	June 21, 1788 (ratified by ninth state, New Hampshire)	January 1, 1939 (Art. XX, § 1) (significant amendments to 1894 Constitution were adopted by 1938 Constitutional Convention and approved by voters in November 1938)
<i>Number of Constitutional Conventions Throughout History</i>	One (1787)	Nine (1777, 1801, 1821, 1846, 1867-68, 1894, 1915, 1938, 1967)
<i>Number of Constitutions Adopted Throughout History</i>	One (1787)	Four (1777, 1821, 1846, 1894)
<i>Number of Amendments to Current Constitution</i>	Twenty-seven	221
<i>Number of Proposed Amendments to Current Constitution Submitted to Voters (including Proposed New Constitutions)</i>	None (approval by voters not required)	301
<i>Approximate Number of Words of Current Constitution (including Separately Worded Amendments)</i>	7,600	49,350

* No court has decided whether this means two-thirds of the house members of the house or two-thirds of the members voting on the issue. Most commentators believe that it means two-thirds of the members present and voting on the issue.