Book Notes

Burton C. Agata
Hofstra Law School

Follow this and additional works at: https://scholarlycommons.law.hofstra.edu/hlps
Part of the Jurisprudence Commons

Recommended Citation
Available at: https://scholarlycommons.law.hofstra.edu/hlps/vol1/iss1/9

This Book Note is brought to you for free and open access by Scholarly Commons at Hofstra Law. It has been accepted for inclusion in Hofstra Law & Policy Symposium by an authorized editor of Scholarly Commons at Hofstra Law. For more information, please contact lawcls@hofstra.edu.
BOOK NOTES

Burton C. Agata*

I. THE THREE REPORTS OF NEW YORK'S TEMPORARY STATE.COMMISSION ON CONSTITUTIONAL REVISION.

For each of the following Temporary State Commission on Constitutional Revision publications, address inquiries to: The Nelson A. Rockefeller Institute of Government, 411 State Street, Albany, New York 12203-1003.


On November 4, 1997, a referendum mandated by the New York State Constitution will determine whether there will be a New York State constitutional convention in 1998. In 1993, Governor Mario Cuomo

* Co-Editor, Hofstra Law & Policy Symposium.
established the Temporary State Commission on Constitutional Revision. Eric Lane became counsel and staff director and Gerald Benjamin was the Commission’s Director of Research. Inasmuch as there was (and still is) no certainty that a convention will be held, the Commission decided that it could best serve the public purpose by identifying crucial issues that would have to be considered in order to hold and organize a convention as well as those important public issues that probably should be considered by the convention itself. The Commission drew on the advice and writings of a number of consultants from academia, government and business. It also held public hearings around the state. It met as a group a number of times and engaged in discussions of some length.

The three volumes described above were issued under the Commission’s auspices. They were designed to aid the Commission in formulating its recommendations and to inform the public about the issues concerning the calling of a state constitutional convention. The volumes include essays on practically every state constitutional issue, as well as the Commission’s recommendations concerning a number of subjects.

Indeed, the BRIEFING BOOK received the 1994 “Most Distinguished Research” Award of the Government Research Association. The commission consultants for the BRIEFING BOOK included Professors Benjamin¹, Briffault², Williams³ and Agata⁴ contributors to this issue of Law & Policy Symposium. Professor Galie contributed an essay to the FINAL REPORT⁵ Some of the other consultants and their contributions included Professors Jeffrey M. Stonecash (Elections and the Political Process), Robert P. Kerker (State Government Finance), Robert D. Stone (Education), Joseph F. Zimmerman (The Private Economy) and William R. Ginsburg (The Environment).

Although the volumes were prepared under the auspices of the New York commission, their contents should have broad general interest beyond New York. The discussion of the substantive questions in the BRIEFING BOOK and in the other two volumes will remain relevant in

¹. Structures of New York State Government; Amending the New York State Constitution Through the Legislature, with Melissa Cusa; and Social Policy, with Melissa Cusa.
². State Constitutions in the Federal System; Principal Provisions of State Constitutions: A Brief Overview; and Intergovernmental Relations.
⁴. Amending and Revising the New York State Constitution; Individual Liberties; and Criminal Justice.
⁵. A Pandora’s Box? Holding a Constitutional Convention in New York.
New York and elsewhere whether or not there is a New York constitutional convention. The crucial issues can and probably will be addressed in the context of legislative proposals and, even in New York, in the context of constitutional amendment by other than the convention method.

II. **REFERENCE GUIDES TO THE STATE CONSTITUTIONS OF THE UNITED STATE.**

The following volumes are published by Greenwood Press and are part of the series entitled, *REFERENCE GUIDES TO THE STATE CONSTITUTIONS OF THE UNITED STATES.* G. Alan Tarr is the series editor. Each volume in the series is numbered, and its number appears in parentheses in the description below.


**THE WYOMING STATE CONSTITUTION: A REFERENCE GUIDE,** by Robert
<table>
<thead>
<tr>
<th>Title</th>
<th>Author</th>
<th>Notes</th>
</tr>
</thead>
</table>


Each volume includes (1) a concise amply documented constitutional history of the state, (2) the text of the current state constitution with commentary accompanying each constitutional provision that explains each provision and "traces its origins and its interpretation by the courts and other governmental bodies", (3) a helpful bibliographical essay identifying major works on the relevant state constitution, (4) endnotes and (5) an index.

I cannot say that I have made a detailed examination of each volume or that I am equally familiar with the constitutional history of each state or with the law of its state constitution; however, the volumes on the state constitutions with which I can claim more than passing familiarity (New York, New Jersey, California and Vermont) contain thorough and extremely well-documented historical essays and explanations of the current state provisions, as well as comments and insights from their well-qualified authors. Judging from these four volumes and my probably less well-informed examination of the others in the series, each book in the series will provide the answers to the questions, particularly historical questions, of many who would consult them and will serve as a promising place to begin for those who seek more than these reference guides reasonably can be expected to provide.