

The article establishes a fiscal limitation on the amount of debt that the state and certain public authorities may contract. In place of the present referendum requirement, provision is made that the state may not contract debt unless authorized by law enacted by two regular sessions of the legislature separated by an intervening election and unless the total debt service shall not exceed twelve percent of the average state revenues in the two preceding fiscal years. The twelve percent limitation may be increased, not to exceed fifteen percent, by statute approved by the people at referendum.

The proceeds from the creation of the indebtedness may be used only for capital construction purposes as defined in the article. The article also makes provisions for the issuance of bonds and the maturity and payment thereof. No debt may be issued by the state or certain public authorities unless certified by the governor.

The article directs the legislature to provide for the transfer to the state by January 1, 1970 of responsibility for all programs of public assistance and care now administered by local governments. It provides for the allocation of the costs of such programs, not paid or reimbursed by the federal government and requires that, within ten years, local governments be entirely relieved of all such costs.

The article permits public moneys to be granted or loaned to any person, association or private corporation for economic and community development purposes, as therein defined. Economic and community development purposes include the renewal and rebuilding of communities, the development of new communities, and programs and facilities to enhance the physical environment, health and social well-being of, and to encourage the expansion of economic opportunity for, the people of the state.

The state and local governments are prohibited from granting or loaning their moneys to or guaranteeing the obligations of any person, association or private corporation except for a public purpose. However, if they borrow money, such borrowed money may be loaned only for capital construction purposes.

The article authorizes the legislature to create a public corporation for the purpose of insuring and financing loans of persons, associations and private corporations for economic and community development purposes. Each local government is authorized to guarantee the obligations of a public corporation for such purposes. Each local government is authorized to guarantee the obligations of a public corporation for such purposes.

Provisions are made to allow the state to borrow money in anticipation of taxes and revenues and to maintain a tax stabilization fund.

Other provisions authorize the state to guarantee, insure and provide subsidies for the purposes of and to the extent authorized by the state constitution and by laws previously approved by the people at referendum.

#### ARTICLE XI

##### Local Government

This article describes the operations of local governments which are defined as counties, cities, towns and villages.

This article retains existing powers of local governments and, in addition, grants to them, subject to a statute of restrictions to be enacted, all legislative and administrative power which the legislature has power to confer.

In addition every local government is granted power to adopt local laws, not inconsistent with general law, relating to matters of local concern and local aspects of matters of state concern. The legislature, with certain limited exceptions, may act in these matters only on request from each local government affected or by general law or (except for New York City) on message of necessity from the governor and a two-thirds vote in each house.

This general grant is supplemented by the right to adopt local laws, not inconsistent with general law, relating to specific subjects, including the government, protection, order, conduct, safety, health and well-being of persons or property therein. The legislature is authorized to incorporate other specific grants of local government rights in a statute of local

governments which may be amended to reduce such rights only by action of the legislature with the governor's approval in two successive years.

The right of counties to adopt county charters by referendum is continued, but if only the government of the county is involved in the reorganization this may now be done by a single county-wide referendum approval instead of separate approvals in the cities and in the county outside of cities. Any change affecting units of government within a county will still require a dual or triple referendum. The right to transfer functions from one unit of government to another with appropriate referendum approvals is continued and extended to counties which have not adopted charters.

Two or more counties, or one or more with New York City, are empowered to create regional agencies to which they may transfer one or more of their functions.

Every local legislative body is required to reorganize its area in equal population districts in the year following each federal decennial census. Members of local legislative bodies are prohibited from holding public office in any other local government or any other elective office except delegate to a constitutional convention.

The legislature is required to provide for the supervision, review and equalization of assessments for purposes of taxation and may provide for counties to perform assessment or tax collection functions for units of government within their boundaries.

#### ARTICLE XII

##### Local Finances

This article governs the financial management of local governments and school districts.

Existing debt and tax limits are continued except that: (1) such limits are deleted with respect to city school districts, other than New York, Buffalo, Rochester, Syracuse, Seneca and Albany; (2) the two percent limit set forth for cities and villages over five thousand population in Article XVIII in the present constitution is transferred to the general debt limit of such local governments; (3) the legislature is required to establish tax limits for towns by January 1, 1972; (4) the five year average of full valuation of taxable real property as the base on which the percentage limit is calculated, may be changed to a three year average by statute and local referendum; and (5) the debt or tax limit of any local government may be changed in the future.

The article limits the amount of certain types of debt to the debt limit, including revenue bonds, debt to the extent that its revenues support the carrying charges. It continues to permit the cost of capital projects financed by current revenues to be excluded from the debt and tax limits.

The article continues with exceptions enumerated therein, basic principles of debt regulation, that debts shall not be contracted for longer than the period of probable usefulness, that the full faith and credit of local governments and school districts shall be pledged for all their borrowing, that serial bonds shall be used for long-term borrowing, and that debt service payments must always be made with precedence over other obligations.

Special provisions are made for cooperative financing of local enterprises by local governments and other public corporations.

#### ARTICLE XIII

##### Defense and the Organized Militia

This article provides that the defense of the state and the United States is an obligation of all persons within the state, and that the legislature shall provide for the discharge of this obligation and for the maintenance of a militia of which the governor is the commander-in-chief. It directs the legislature to provide for the continuity of state and local governmental offices and activities when such offices and activities are jeopardized in time of disaster or enemy attack.

#### ARTICLE XIV

##### Amendments to the Constitution

This article provides for amendment of the constitution by the legislature or by a constitutional convention. An amendment may become part of the constitution by

adoption by two regular sessions of succeeding terms of the legislature and approval thereafter by a majority of the electors voting thereon at a general election. A new constitution may also be adopted or amendments made to the existing constitution by a constitutional convention and approval by a majority vote of the people at an election held not less than six weeks after adjournment of the convention.

The article provides the question of whether to hold a constitutional convention shall be submitted to the people in 1972, every twentieth year thereafter, and at such other times as the legislature may provide. The article prescribes the number, manner of election, qualifications and compensation of delegates to future constitutional conventions, and certain aspects of the conduct of such conventions.

Any amendment proposed by a constitutional convention inconsistent with an amendment proposed by the legislature and coincidentally submitted for approval of the people shall, if approved, supersede the latter to the extent of the inconsistency.

#### ARTICLE XV

##### Miscellaneous

This article contains several provisions not appropriate for inclusion in any of the first fourteen articles.

It reserves to the state all powers not expressly denied to it by either this constitution or the federal constitution.

The article provides that when ever the constitution authorizes the legislature to act, unless expressly provided otherwise, such action must be by statute, requiring the approval of the governor.

It authorizes the state or any local government or public corporation to acquire by purchase, gift or eminent domain such property as may be necessary for economic and community development purposes, including property required in excess of such purpose, and such property as may be ultimately required for such purpose, although temporarily not so required.

The article requires corporations and associations for banking purposes to be formed under and be subject to general laws. Savings banks are not permitted to have any capital stock. Local governments and school districts are not permitted to own any stock in or hold bonds of any private corporation or association, except that such provision does not prevent them from making deposits in savings and loan associations and saving banks.

It prohibits gambling in the state except for the conduct of bingo by non-profit organizations, state operated lotteries, the proceeds of which are to be applied exclusively for educational purposes, and pari-mutuel betting on horse racing from which the state shall derive revenue for the support of government.

The article guarantees that every citizen may freely speak, write and publish his sentiments on all subjects, being responsible for the abuses of that right.

It fixes the operative date of the constitution as January 1, 1969 except that (1) for the purpose of contracting state debt a statute may be passed for the first time in the year 1968, and (2) for purposes of making a gift or loan of public money to private enterprise for economic and community development purposes, statutes not inconsistent with the existing constitution, may be enacted and implemented in the year 1968.

#### FORM OF SUBMISSION OF QUESTION NUMBER ONE PROPOSED NEW CONSTITUTION

Shall the proposed new Constitution, adopted by the Constitutional Convention, and the Resolution submitting the same, be approved?

IT TAKES R...  
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**YOU**  
AND YOUR DOCTOR  
For FREE booklet write:  
**AMERICAN CANCER SOCIETY**  
1910 James St., Syracuse, N.Y. 13203

## ELECTION NOTICE

### Office of the Board of Elections Allegany County

NOTICE is hereby given pursuant to section 77 of the Election Law that the Next General Election will be held on November 7, 1967 between the hours of 6:00 A. M. and 9:00 P. M. and the offices to be voted for within the County of Allegany, State of New York are as follows:

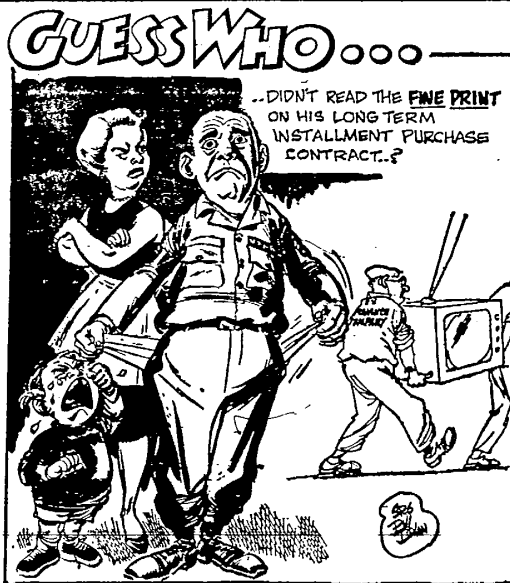
2 Associate Judge of the Court of Appeals

2 Justice of the Supreme Court  
2 Coroners  
Town officers in all Towns of the County.

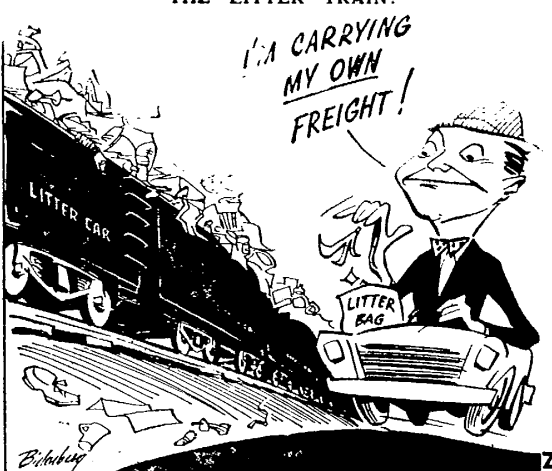
ALSO One (1) Proposition, Two (2) Amendments and One (1) Question will be submitted to the people of the State of New York for approval. A copy of each such proposition, amendment and Question may be had upon application to the Election Inspectors of the appropriate district or to the Board of Election, County Court House, Belmont, N. Y., by any voter.

CATHERINE B. DEAN  
GERALD N. MABEY  
Commissioners of Election

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#### THE LITTER TRAIN!



Keep America Beautiful, Inc., the national anti-litter organization, estimates that litterbugs in 1967 will dump enough trash on U.S. streets, highways and beaches to fill a freight train stretching from Chicago to Houston, a distance of 1,080 miles. The hypothetical train would be made up of 100,000 cars with a total capacity of 20 million cubic yards. Unfortunately, points out KAB, this litter won't end up in freight cars or any other receptacle. It will cost U.S. taxpayers \$500 million to have it picked up. The answer to this staggering tax bill: Don't litter. Carry a litter bag in your car. Stash your trash in litter containers, not on the road.