

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 lending 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 guaranteeing loans of persons, associations, and public and private corporations for economic and community development purposes. Each local government is authorized to guarantee the obligations of any public corporation for such purposes within such local government.

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

Other provisions continue authorization for debt, guarantees and periodic subsidies for the purposes of, and to the extent authorized by, the prior constitution and by laws previously approved by the people at referendum.

ARTICLE XI

Local Governments

This article describes the powers and other aspects of 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 govern-

ment 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 redistrict 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, Yonkers and Albany, (2) the two-percent limit set forth for cities and villages over five thousand population in Article XVIII of 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 limits are 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 same way.

The article continues the exclusion of certain types of debt from the debt limit, including revenue producing debt to the extent that its revenues support the carrying charges. It continues to permit the costs 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 1992, 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 whenever 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 government 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 purposes 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?

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Legal Notice

STATE OF NEW YORK DEPARTMENT OF STATE

Albany, September 30, 1967
Pursuant to the provisions of section seventy-two of the Election Law, the following Proposition, Number One, and proposed amendments to the State Constitution Numbers One and two, will be submitted to the voters of the State for approval or disapproval, at the General Election on November seventh, nineteen hundred sixty-seven.

JOHN P. LOMENZO,
Secretary of State.

Abstract of Proposition Number One

Chapter 715 of the Laws of 1967, to be known as the Transportation Capital Facilities Bond Act, authorizes the creation of a state debt in an amount not to exceed in the aggregate two billion five hundred million dollars to provide monies to be used, in such manner and upon such terms and conditions as the Legislature may prescribe, for the acquisition, construction, reconstruction and improvement of transportation capital facilities and equipment and for the acquisition of real property and interests in real property required therefor. Separate allocations of the monies to be received from the sale of bonds are made for (a) State highways, parkways and arterial highways (one billion two hundred fifty million dollars); (b) rapid transit, railroad, omnibus or marine transportation capital facilities, and equipment (one billion dollars); and (c) airport or aviation capital facilities and equipment (two hundred fifty million dollars). The statute provides for the submission to the voters at the 1967 general election of the following proposition or question: "shall chapter 715 of the laws of nineteen hundred sixty-seven, known as the transportation capital facilities bond act, authorizing the creation of a state debt in the amount of two billion five hundred million dollars to provide monies for the acquisition, construction, reconstruction and improvement of certain highway, mass transportation, airport and aviation facilities and equipment, be approved?"

Form of Submission of Proposition Number One

Transportation Bond Issue

Shall chapter 715 of the laws of nineteen hundred sixty-seven, known as the transportation capital facilities bond act, authorizing the creation of a state debt in the amount of two billion five hundred million dollars to provide monies for the acquisition, construction, reconstruction and improvement of certain highway, mass transportation, airport and aviation facilities and equipment, be approved?

Abstract of Proposed Amendment Number One

The purpose and effect of this proposed amendment is to permit the Legislature to make or authorize making the State liable for the payment of the principal and interest on bonds of a public corporation (The New York Job Development Authority) created pursuant to and for the purposes specified in Article VII, Section 8 of the Constitution, in a principal amount not to exceed two hundred million dollars rather than fifty million dollars as now provided Article VII, Section 8 provides for the organization of such public corporation for the purpose of making loans to non-profit corporations in aid of industrial development to improve employment opportunities in any area of the State.

Form of Submission of Proposed Amendment Number One

Job Development Authority

Shall the proposed amendment to Article ten, Section seven (renumbered eight) of the Constitution, increasing from fifty million dollars to two hundred million dollars the maximum principal amount of bonds, for which the State may be made liable, issued by a public corporation created for the purpose of making loans to non-profit corporations in aid of industrial development to improve employment opportunities in any area of the State, be approved?

Abstract of Proposed Amendment Number Two

The purpose and effect of this proposed amendment is to permit

the State to construct and maintain not more than thirty miles of ski trails, thirty to eighty feet wide, together with appurtenances thereto, on forest preserve land on the north and east slopes of Hoffman Blue Ridge and Peaked Hill Mountains in Essex County

**Form of Submission of Proposed
Amendment Number Two**
Blue Ridge Ski Center
Shall the proposed amendment to Article fourteen, Section one, of the Constitution, permitting the State to construct and maintain not more than thirty miles of ski slopes, thirty to eighty feet wide, together with appurtenances thereto, on forest preserve land on the north and east slopes of Hoffman Blue Ridge and Peaked Hill Mountains in Essex County, be approved?

Legal Notice

ARTICLE III NOTICE OF VILLAGE CURFEW ORDINANCE

The Board of Trustees of the Village of Andover, County of Allegany and State of New York does on the 10th day of October 1967, hereby propose the following Ordinance to establish a curfew within the corporate limits of the Village of Andover, and a public hearing will be held on the said Ordinance on the 14th day of November 1967, at 8:00 P. M., at the Village Office, Andover, N. Y.

CURFEW ORDINANCE

Sec. 1. — It shall be unlawful for any child under the age of 16 years to be or remain upon any of the streets, avenues or alleys of the Village of Andover, N. Y., at any time after nine o'clock P. M., unless such child is accompanied by its parent or guardian or by some adult person.

Sec. 2. — A Police Officer or Constable of said Village designated by the Board of Trustees of said village at and on each and every day at 9:00 P. M., shall sound or cause to be sounded an alarm in said village which shall be known as the Curfew Alarm.

Sec. 3. — This ordinance shall not apply to any child or children in search of a physician provided such child or children at the time of being found upon the street is actually executing such errand, or to any child or children who may be upon the streets of said Village who shall have in his possession a written of printed permit signed and dated by the parent or guardian or person having legal custody of such minor person dated in ink for the day it is to be used, which said permit shall state that the said minor person is absent from home for some necessary purpose. But, in order that the said permit shall exempt such minor person from arrest on the evening for which it is dated, the said minor person shall not be found unnecessarily loitering or playing upon any of the streets, avenues or alleys or public premises of the Village.

Sec. 4. — Any person violating any of the provisions of this ordinance shall be subject to the penalty of a fine of Ten Dollars (\$10.00), for each and every violation and in addition to such penalty a violation thereof shall constitute disorderly conduct and such person shall be a disorderly person and such offender may be arrested without a warrant by any police officer or constable of said village. But no child or minor person arrested under the provisions of this ordinance shall be placed in confinement until the parents or guardian of such minor person shall have been notified of such arrest and shall have refused to be held responsible for the observance of the provisions of this ordinance by such minor person.

BOARD OF TRUSTEES

Village of Andover, N. Y.

This proposed Ordinance and public hearing is called under a certain resolution passed by the Village Board of the Village of Andover on October 10th, 1967. Dated at Andover, N. Y., this 10th day of October 1967.

LANDIS C. KIRBE
Village Clerk.

Grades of potatoes do not relate to cooking or nutritive value, but to size, shape, and number of defects. United States No. 1 potatoes must be one and seven-eighths inches in diameter.