

Legal Notice

STATE OF NEW YORK STATE BOARD OF ELECTIONS

Albany, September 15, 1975

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 through Seven, inclusive, will be submitted to the voters of the State for approval or disapproval, at the General Election on November fourth, nineteen hundred seventy-five.

THOMAS W. WALLACE
Executive Director

Abstract of Proposition Number One

The purpose and effect of this chapter is to authorize the creation of an additional state debt in the aggregate amount of \$250,000,000 for low rent housing purposes under and pursuant to article eighteen of the constitution by the issuance by the State Comptroller of state bonds and to authorize loans to be made from the proceeds thereof pursuant to such article and to make an appropriation to the State Division of Housing and Community Renewal for loans to limited profit housing companies established to provide housing for the aged.

The Act provides for the submission to the voters at the 1975 general election of the proposition whether the provisions of the Act authorizing the creation of such State debt in the amount of two hundred fifty million dollars (\$250,000,000) shall be approved.

Form of Submission of Proposition Number One Housing Bond Issue

Shall chapter 554 of the laws of nineteen hundred seventy-five entitled "An act authorizing the creation of an additional state debt in the aggregate amount of two hundred fifty million dollars for low rent housing purposes under and pursuant to article eighteen of the constitution, authorizing the issuance and sale of bonds to said amount, authorizing loans to be made from the proceeds thereof pursuant to such article, making an appropriation to the state division of housing and community renewal for loans to limited profit housing companies established to provide housing for the aged, and providing for the submission to the people of a proposition or question therefor to be voted upon at the general election to be held in November, nineteen hundred seventy-five" be approved?

Abstract of Proposed Amendment Number One

The purpose and effect of this proposed amendment is to provide that equality of rights under the law shall not be denied or abridged by the State or any subdivision thereof on account of sex. It would assure all citizens equal protection under the law.

Form of Submission of Proposed Amendment Number One Equal Rights Amendment

Shall the proposed amendment to Article I of the Constitution inserting a new Section 13 therein in relation to providing that equality of rights under the law shall not be denied or abridged by the State or any subdivision thereof on account of sex, be approved?

Abstract of Proposed Amendment Number Two

The purpose and effect of this proposed amendment, which would become effective September 1, 1976, is to expand the procedures now contained in the Constitution whereby a judge or justice may be censured, suspended, removed from office for cause or retired for mental or physical disability. The Court on the Judiciary, to consist of five justices of the Appellate Division, would be retained with power to remove, retire, suspend or censure a judge or justice of any court in the Unified Court System of the State. Additionally an eight-member commission on judicial conduct would be established with power, on its own motion or upon receipt of complaints from the public, to investigate the qualifications, conduct or fitness to perform or the performance of the official duties of any such judge or justice. The commission may either recommend to the Chief Judge of the Court of Appeals the convening of the Court on the Judiciary or it may determine that a judge or justice be censured, suspended or retired as provided by law. In the latter

case, a judge or justice affected by such determination may request the convening of the Court on the Judiciary. Determinations of the Court on the Judiciary would be appealable to the Court of Appeals by permission of the Court of Appeals.

Form of Submission of Proposed Amendment Number Two Removal, Censure, Suspension or Retirement of Judges or Justices

Shall the proposed amendment to Article VI of the Constitution, adding a new Section 36-c thereto and amending Section 22 thereof, in relation to the powers of and reconstituting the Court on the Judiciary and creating a commission on judicial conduct, be approved?

Abstract of Proposed Amendment Number Three

The purpose and effect of these proposed amendments, which would become effective September 1, 1976, is to vest in the chief administrator of the courts, who shall be appointed or reappointed by the Chief Judge of the Court of Appeals with the advice and consent of the Senate and will serve at the pleasure of the Chief Judge for a term not to exceed four years, the authority and responsibility for the supervision and operation of the Unified Court System. Such authority shall include (1) temporary assignment of judges and justices among the courts; (2) certifying to the Governor the need for an additional justice or additional justices for any Appellate Division for the disposition of its business; (3) whenever any Appellate Division shall be unable to dispose of its business within a reasonable time, transfer of any pending appeals to any other Appellate Division; (4) preparation of itemized estimates of the annual financial needs of the courts for approval and certification by the Chief Judge of the Court of Appeals, and (5) subject to authorization and control by the Legislature, the regulation of practice and procedures in the courts.

Also included among the proposed amendments are provisions which will (a) remove from the Appellate Divisions their existing constitutional power to appoint their clerks; (b) provide that the prohibitions contained in the constitution against a judge or justice holding or seeking other public office shall not disqualify him from holding the office of chief administrator of the courts; and (c) provide that the State shall pay the cost of operating and maintaining such courts of the Unified Court System as may be provided by law, with the proviso that political subdivisions shall reimburse the State for a portion of such costs as may be provided by law.

Form of Submission of Proposed Amendment Number Three Administration and Financing of the Courts

Shall the proposed amendments to Article VI and VII of the Constitution in relation to the administration and financing of the Unified Court System of the State be approved?

Abstract of Proposed Amendment Number Four

The purpose and effect of this proposed amendment is to empower the Legislature upon petition signed by two-thirds of the members elected to each house to convene itself on extraordinary occasions to act upon subjects enumerated in such petition. An extraordinary session of the Legislature convened by the Governor would, as at present, be restricted to subjects recommended by the Governor for its consideration.

Form of Submission of Proposed Amendment Number Four Extraordinary Sessions of The Legislature

Shall the proposed amendment to Article III of the Constitution inserting a new Section 18 therein in relation to the convening of extraordinary sessions of the Legislature upon petition of the members of the Legislature, and the proposed amendment to Article IV, Section 3 of the Constitution in relation to extraordinary sessions of the Legislature convened by the Governor, be approved?

Abstract of Proposed Amendment Number Five

The purpose and effect of this proposed amendment of Article VIII, Section 2-a of the Constitution is (1) to provide that the existing provisions of subdivision C thereof that any county, city, town or village or any county or

town on behalf of an improvement district, may, subject to legislative authorization and conditions, contract indebtedness to provide facilities, in excess of its own needs for the conveyance, treatment and disposal of sewage from any other public corporation or improvement district, shall include the contracting of such indebtedness for storm water facilities for the conveyance, treatment and disposal of surface water from streets, highways and roadways from any other public corporation or improvement district and (2) to provide that the existing provisions of subdivision D thereof that two or more public corporations and improvement districts may, subject to legislative authorization and control, provide for the common conveyance, treatment and disposal of sewage, shall include surface water from streets, highways and roadways and storm water facilities. In the latter case, any such corporation, or any county or town on behalf of an improvement district, may be authorized by the legislature to contract joint indebtedness for such purpose or to contract indebtedness for specific proportions of the cost.

Form of Submission of Proposed Amendment Number Five Certain Storm Water Sewer Systems

and Indebtedness Therefor

Shall the proposed amendment to Article VIII, Section 2-a, subdivision C to provide that the provisions thereof that any county, city, town or village or any county or town on behalf of an improvement district may be authorized to provide for the common conveyance, treatment and disposal of sewage, shall include surface water and storm water facilities and that indebtedness may be authorized to be contracted by any such corporation or by a county or town on behalf of an improvement district therefor, be approved?

Abstract of Proposed Amendment Number Six

The purpose and effect of this proposed amendment is to permit any county, city (other than the city of New York), village or school district, which is coterminous with, or partly within, or wholly within a city having less than 125,000 inhabitants, to exclude taxes covering the cost of employer's contribution for pension, retirement and social security liabilities, from the tax limitations prescribed by Article VIII, Section 10, unless the Legislature otherwise provides.

Form of Submission of Proposed Amendment Number Six Exclusions from Local Tax Limitations

Shall the proposed amendments to Article VIII, Section 11, subdivision (b) of the Constitution, in relation to excluding taxes required for the cost of employer's contribution for pension, retirement and social security liabilities from the Article VIII, Section 10 tax limitations of any county, city (other than the city of New York), village or certain school districts, be approved?

Abstract of Proposed Amendment Number Seven

The purpose and effect of this proposed amendment is to authorize, subject to legislative supervision and control and to local option, the limited conduct of games of chance by bona fide religious, charitable or non-profit organizations of veterans, volunteer firemen and similar non-profit organizations in which prizes are awarded on the basis of a winning number or numbers, color or colors, or symbol or symbols determined by chance from among those previously selected or played, whether determined as the result of the spinning of a wheel, a drawing or otherwise by chance. At present only "bingo" or "lotto" are permitted.

Form of Submission of Proposed Amendment Number Seven Limited Conduct of Certain Games of Chance

Shall the proposed amendment to Article I, Section 9, subdivision 2 of the Constitution in relation

to authorizing the limited conduct of certain games of chance by religious, charitable or non-profit organizations of veterans, volunteer firemen and similar non-profit organizations, be approved?

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