

Form 33-D-300.

EXPLANATION—Matter in italics is new; matter in brackets () is old law to be omitted.

STATE OF NEW YORK

DEPARTMENT OF STATE

ALBANY, July 30, 1965.

PURSUANT to the provisions of section one of article nineteen of the Constitution of the State of New York, and section seventy-one of the Election Law, notice is hereby given that the following proposed amendments hereto be held by a two-inclusive to the Constitution of the State of New York is referred to the legislature to be chosen at the next general election of Members of the Senate and Assembly on the second day of November, nineteen hundred sixty-five.

JOHN P. LOMENZO, Secretary-of-State.

PROPOSED AMENDMENT NUMBER ONE CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY

Proposing an amendment to section eight of article seven of the constitution, in relation to increase in pensions of widows or retired members of teachers' retirement system of the state or of a subdivision of the state

Section 1. Resolved (if the Assembly concur), That section eight of article seven of the constitution be amended to read as follows:

§ 8. The money of the state shall not be given or loaned to or in aid of any private corporation or association, or private undertaking; nor shall the credit of the state be given or loaned to or in aid of any individual or public or private corporation or association, or private undertaking, but the foregoing provisions shall not apply to any fund of property now held or which may hereafter be held by the state for educational purposes. Subject to the limitations on indebtedness and taxation, nothing in this constitution shall prevent the legislature from providing for the aid, care and support of the needy directly or through subdivisions of the state; or for the blind, the deaf, the physically handicapped and juvenile delinquents as it may deem proper; or for health and welfare services for all children, either directly or through subdivisions of the state, including school districts; or for the aid and support of neglected and dependent children and of the needy

and aged persons; or for the aid of social welfare or other department having the power of inspection thereof, by payments made on a per capita basis directly or through subdivisions of the state; or for the increase in the amount of pensions of any widow of a retired member of a teachers' retirement system of the state or of a subdivision of the state; or for an increase in the amount of pensions of any widow of a retired member of a teachers' retirement system of the state or of a subdivision of the state; or for an optional settlement in connection with the pension of such member. The enumeration of legislative powers in this paragraph shall not be taken to diminish any power of the legislature hitherto existing.

Nothing in this constitution shall prevent the legislature from authorizing the loan of the money of the state to public corporations to be organized for the purpose of making loans to non-profit corporations to finance the construction of new industrial or manufacturing plants in this state or the acquisition, rehabilitation or improvement of former industrial or manufacturing plants in this state, including the acquisition of real property therefor, and the use of such money by such public corporation for such purposes, to provide additional employment in those areas of the state in which unemployment is or may hereafter become a critical problem, provided, however, that any loan by such public corporation shall not exceed thirty per centum of the cost of any such project and the repayment of which shall be secured by a mortgage thereon which shall not be a junior incumbrance thereon by more than fifty per centum of such cost.

§ 2. Resolved (if the Assembly concur), That the foregoing amendment be referred to the first regular legislative session convening after the next succeeding general election of members of the assembly, and, in conformity with section one of article nineteen of the constitution, be published for three months previous to the time of such election.

PROPOSED AMENDMENT NUMBER TWO CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY

Proposing an amendment to section five of article two of the constitution, in relation to authorizing absentee registration for voters unable to appear for personal registration because their duties, occupation or business require them to be outside the counties of their residence at the time or times for personal registration

Section 1. Resolved (if the Assembly concur), That section five of article two of the constitution be amended to read as follows:

§ 5. Laws shall be made for ascertaining by proper proofs, the citizens who shall be entitled to the right of suffrage hereby established, and for the registration of voters; which registration shall be completed at least ten days before each election. Such registration shall not be required for town and village elections except by express provisions of law; and in cities and villages having five thousand inhabitants or more, voters shall be registered upon personal application only; but voters not residing in such cities or villages shall not be required to apply in person for registration at the first meeting of the officers having charge of the registry of voters; however, voters who are in the actual military service of the state or of the United States, in the army, navy, air force or any branch thereof, or in the coast guard, or inmates of a veterans' bureau hospital and state, shall be registered personally for registration because of illness or physical disability or because their duties, occupation or business require them to be outside the county of their residence or, in the case of residents of the city of New York, their duties, occupation or business require them to be in a county other than such city; or the parent or child of such a voter in the actual military service or of such an inmate or of such a voter unable to appear personally for registration, accompanying or being with him or her, if a qualified voter and a resident of the same election district, and if outside the county of such election district, shall not be required to register personally. The number of such inhabitants shall be determined according to the latest census or enumeration, federal or state, showing the population of such city or village, except that the federal census shall be controlling unless such state enumeration, if any, shall have been taken and returned to the state by the first regular legislative session as follows: (a) § 2. Resolved (if the Assembly concur), That the foregoing amendment be referred to the first regular legislative session convening after the next succeeding general election of members of the assembly and, in conformity with section one of article nineteen of the constitution, be published for three months previous to the time of such election.

PROPOSED AMENDMENT NUMBER THREE CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY

Proposing an amendment to article eight of the constitution in relation to exceptions to the restrictions on contracting and paying local indebtedness pursuant to said article

Section 1. Resolved (if the Assembly concur), That section two of article eight of the constitution be amended to read as follows:

§ 2. No county, city, town, village or school district shall contract any indebtedness except for county, city, town, village or school district purposes, and the amount of such indebtedness shall be contracted for longer than the period of probable usefulness of the object or purpose for which such indebtedness is to be contracted, to be determined by or pursuant to general or special laws, which determination shall be conclusive, and in no event for longer than forty years. No indebtedness hereafter contracted or any portion thereof shall be refunded beyond such period computed from the date such indebtedness was contracted. Indebtedness heretofore contracted may be refunded only with the approval of and on terms and conditions prescribed by the state comptroller, but in no event for a period exceeding twenty years from the date of such refunding.

No indebtedness shall be contracted by any county, city, town, village or school district unless such county, city, town, village or school district has pledged its faith and credit for the payment of the principal thereof and the interest thereon. Except for indebtedness contracted in anticipation of the sale of real property to be levied for the year when such indebtedness is contracted and indebtedness contracted to be paid in one of the two fiscal years immediately preceding the fiscal year in which such indebtedness was contracted, all such indebtedness and each portion thereof from time to time contracted, including any refunding thereof, shall be paid in annual installments, the first of which, except in the case of refunding of indebtedness heretofore contracted, shall be paid not more than two years after such indebtedness or portion thereof shall have been contracted, and no installment, except in the case of refunding of indebtedness heretofore contracted, shall be more than fifty per centum in excess of the smallest prior installment. Notwithstanding the foregoing provisions, indebtedness hereafter contracted by the city of New York for Federal projects may be paid in such manner that the total annual charges required for the payment of principal and interest are approximately equal and constant for the entire period in which any of the bonds issued therefor are outstanding.

Notwithstanding the foregoing provisions, indebtedness contracted by the city of New York and each portion of any such indebtedness from time to time so contracted for the supply of water, including the acquisition of land in connection with such purpose, may be financed either by serial bonds with a maximum maturity of fifty years, in which case such indebtedness shall be paid in annual installments as hereinafter provided, or by sinking fund bonds with a maximum maturity of fifty years, which shall be redeemed through annual contribu-

tions to sinking funds established and maintained for the purpose of amortizing the indebtedness for which such bonds are issued. Notwithstanding the foregoing provisions, indebtedness hereafter contracted by the city of New York and each portion of any such indebtedness from time to time so contracted for (a) the acquisition, construction or equipment of rapid transit railroads, or (b) the construction of docks, including the acquisition of land in connection with any of such purposes, may be financed either by serial bonds with a maximum maturity of forty years, in which case such indebtedness shall be paid in annual installments as hereinafter provided, or by sinking fund bonds with a maximum maturity of forty years, which shall be redeemed through annual contributions to sinking funds established and maintained for the purpose of amortizing the indebtedness for which such bonds are issued.

Provisions shall be made annually by appropriation by every county, city, town, village and school district, or by the city of New York, on all indebtedness and for the amounts required for (a) the amortization and redemption of term bonds, sinking fund bonds and serial bonds, (b) the redemption of certificates or other evidence of indebtedness (except those issued in anticipation of the collection of taxes or other revenues, or renewals thereof, and which are described in paragraph A of section five of this article and those issued in anticipation of the receipt of the proceeds of the sale of bonds heretofore authorized) contracted to be paid in such year out of the tax levy or other revenues applicable to the reduction thereof, and (c) the redemption of certificates or other evidence of indebtedness issued in anticipation of the collection of taxes or other revenues, or renewals thereof, which are not retired apart from the redemption of the original issue. If at any time the respective appropriating authorities shall fail to make such appropriations, a sufficient sum shall be set apart and applied to such purposes after received and shall be applied to such purposes. The fiscal officer of any county, city, town, village or school district may be required to set apart and apply such sums as aforesaid at the suit of any holder of obligations issued for any such indebtedness.

PROPOSED AMENDMENT NUMBER FOUR CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY

Proposing an amendment to article nineteen of the constitution, in relation to amendments to the constitution by petition and vote of the people

Section 1. Resolved (if the Assembly concur), That article nineteen of the constitution be amended by adding thereto a new section, to be section four, to read as follows:

§ 4. a. In addition to the methods provided in the preceding sections of this article for the amendment of the constitution, the people themselves may by petition propose any amendments thereto. b. The wording of any such proposed amendment shall first be submitted to the attorney-general. Within thirty days after such submission the attorney-general shall render to the person submitting it his advice as to the form of the proposed amendment and its suitability to accomplish its purpose. c. Within two years after any proposed amendment has been submitted to the attorney-general and his advice has been received thereon, or after thirty days from the time of such submission if the advice of the attorney-general has not been received, a petition for such amendment shall be filed with the secretary of state under the conditions hereinafter set forth. If a petition meeting the required conditions is so filed, the secretary of state shall cause the amendment proposed therein to be printed and distributed to the legislature at the opening of its regular session in the calendar year following.

d. If both houses agree to the amendment without change at the same session and agree to it a second time at the first regular session of the legislature thereafter following an election of the members of the assembly, the secretary of state shall submit it to the voters as an amendment proposed by the legislature as provided in section one of this article.

e. If, however, the legislature shall fail to agree to the proposed amendment a first time before the conclusion of the first regular session after the session to which it is first transmitted or if, having agreed to it a first time, the legislature shall fail to agree to it a second time at its first regular session thereafter at which it is authorized to act thereon, a supplementary petition for the proposed amendment may be filed with the secretary of state under the conditions hereinafter set forth, and thereupon the secretary of state shall submit the proposed amendment to the people for their approval or rejection at the first general election which occurs after the calendar year in which the supplementary petition is filed and at which the legislature could have submitted it to the people as its own proposal after the transmittal of the proposed amendment to it as a re-

sult of the original petition. f. Any such proposed amendment shall be submitted to the people in the same manner prescribed by law for the submission of amendments originating in the legislature, except that it shall be described as "A proposed amendment of the constitution initiated by petition."

g. If a majority of the electors voting thereon shall approve any such amendment, it shall become a part of the constitution from and after the first day of January next after such approval or at such later time as may be prescribed in the amendment.

h. If provisions of two or more constitutional amendments approved by the people at the same election are in conflict, the provisions of the measure receiving the largest number of affirmative votes at such election shall prevail to the extent of such conflict, except as provided in section three of this article. i. An original petition as provided for in this section must be signed by at least one hundred thousand qualified electors of the state and a supplementary petition must contain two hundred thousand such electors. All such electors must be persons registered to vote within the state at the general election next preceding the signing of their signatures to the petition. Not more than one-third of the signatures required for an original or supplementary petition shall be counted from the signatures of residents of any one county and not more than one-half from the signatures of residents of any one city. Every original petition must contain the signatures of at least two hundred qualified electors from each of three-fourths of the counties of the state and every supplementary petition the signatures of at least two hundred qualified electors from each of such number of counties. No supplementary petition shall be filed with the secretary of state more than five years after the date of the general election at which the original or supplementary petition may be filed together or separately.

j. This section shall be self-executing, but the legislature may pass laws not inconsistent therewith for proper enforcement and regulation in the manner in which it shall be applied. k. Resolved (if the Assembly concur), That the foregoing amendments be referred to the first regular legislative session convening after the next succeeding general election of members of the assembly and, in conformity with section one of article nineteen of the constitution, be published for three months previous to the time of such election.

PROPOSED AMENDMENT NUMBER FIVE CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY

Proposing an amendment to and renumbering of section seven of article ten of the constitution, in relation to authorizing the legislature to make the state liable for the payment of the principal of secured loans to non-profit corporations to finance the construction of new industrial or manufacturing plants in this state or the acquisition, rehabilitation or improvement of former industrial or manufacturing plants in this state

Section 1. Resolved (if the Assembly concur), That section seven of article ten of the constitution be renumbered and amended to read as follows: § 7. § 8. Notwithstanding any provision of this or any other article of this constitution, the legislature may by law which shall take effect without submission to the people, make or authorize making the state liable for the payment of the principal of and interest on bonds of a public corporation to be created pursuant to and for the purposes specified in the last paragraph of section eight of article seven of this constitution, in a principal amount not to exceed (fifty) seventy-five million dollars, maturing in not to exceed thirty years after their respective dates, and for the principal of an interest on notes of such corporation issued in anticipation of such bonds, which notes and any renewals thereof shall mature within five years after the respective dates of such notes.

§ 8. Resolved (if the Assembly concur), That the foregoing amendment be referred to the first regular legislative session convening after the next succeeding general election of members of the assembly and, in conformity with section one of article nineteen of the constitution, be published for three months previous to the time of such election.

PROPOSED AMENDMENT NUMBER SIX CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY

Proposing an amendment to section four of article eight of the constitution, in relation to maximum indebtedness legislature may authorize cities, town and villages to contract under such article

Section 1. Resolved (if the Assembly concur), That section four of article eight of the constitution be amended to read as follows: § 4. To effectuate any of the purposes of this article, the legislature may authorize any city, town or village to contract indebtedness to an amount which shall not exceed two and one-half per centum of the average assessed valuation of the real estate of such city, town or village subject to taxation, as determined by the last completed assessment roll and the four preceding as-

essment rolls of such city, town or village, for city, town or village taxes prior to the contracting of such indebtedness. In ascertaining the power of a city, or village having a population of five thousand or more as determined by the last federal census, to contract indebtedness, pursuant to this article there may be excluded any such indebtedness if the project or projects aided by guarantees representing such indebtedness or by loans for which such indebtedness was contracted shall have yielded during the preceding year net revenue to be determined annually by deducting from the gross revenues, including periodic subsidies therefor, received from such project or projects, all costs of operation, maintenance, repairs and replacements, and the interest on such indebtedness and the amounts required in such year for the payment of such indebtedness, except for the purposes of the case of guarantees such interest and such amounts shall have been paid, and in the case of loans an amount equal to such interest and such amounts shall have been paid to such city or village. The legislature shall prescribe the method by which the amount of any such indebtedness to be excluded shall be determined and no such indebtedness shall be excluded except in accordance with such determination. The legislature may confer appropriate jurisdiction on the appellate division of the supreme court in the judicial departments in which such cities or villages are located for the purpose of determining the amount of any such indebtedness to be so excluded. The liability of a city, town or village on account of any contract for capital or periodic subsidies to be paid subsequent to the then current year for the purpose of ascertaining the power of such city, town or village to contract indebtedness, be deemed indebtedness in the amount of the committed value of such contract for the purpose of periodic subsidies remaining unpaid, calculated on the basis of an annual interest rate of four per centum. Such periodic subsidies shall not be contract for period longer than the life of the projects assisted thereby, and in no event for more than sixty years. Indebtedness contracted pursuant to this article shall be excluded from the calculation of the power of a city or such village otherwise to create indebtedness under any other section of this constitution. Notwithstanding the foregoing, the legislature shall not authorize any city or village having a population of five thousand or

more to contract indebtedness hereunder in excess of the limitations prescribed by any other article of this constitution unless at the same time it shall by law require such city or village to levy annually a tax or taxes other than an ad valorem tax on real estate to an extent sufficient to provide for the payment of the principal of and interest on such indebtedness.

PROPOSED AMENDMENT NUMBER SEVEN CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY

Proposing an amendment to section eight of article seven of the constitution, in relation to empowering the legislature to provide for the education and support of the mentally ill, the emotionally disturbed and the mentally retarded

Section 1. Resolved (if the Assembly concur), That section eight of article seven of the constitution be amended to read as follows: § 8. The money of the state shall not be given or loaned to or in aid of any private corporation or association, or private undertaking; nor shall the credit of the state be given or loaned to or in aid of any individual, or public or private corporation, or association, or private undertaking, but the foregoing provisions shall not apply to any fund or property now held or which may hereafter be held by the state for educational, mental health or mental retardation purposes. § 2. Subject to the limitations on indebtedness and taxation, nothing in this constitution shall prevent the legislature from providing for the aid, care and support of the needy directly or through subdivisions of the state; or for the blind, the deaf, the dumb, the physically handicapped, the mentally ill, the emotionally disturbed, the mentally retarded and juvenile delinquents as it may deem proper; or for health and welfare services for all children, either directly or through subdivisions of the state, including school districts; or for the aid, care and support of neglected and dependent children and of the needy, sick, through agencies and institutions authorized by the state board of social welfare or other state department having the power of inspection thereof, by payments

Nothing here contained shall be construed to prevent such city or village from pledging its faith and credit for the payment of such principal and interest nor shall such law prevent recording an ad valorem tax on real estate to the extent that revenue derived from such other tax or taxes in any year, together with revenues from the project or projects aided by the proceeds of such indebtedness, shall become insufficient to provide fully for payment of such principal and interest in that year. § 2. Resolved (if the Assembly concur), That the foregoing amendment be referred to the first regular legislative session convening after the next succeeding general election of members of the assembly and, in conformity with section one of article nineteen of the constitution, be published for three months previous to the time of such election.