

made on a per capita basis directly through the subdivisions of the state; or for the increase of the amount of pensions of any member of a retirement system of the state, or of a subdivision of the state. This enumeration of legislative powers in this paragraph shall not be taken to diminish any power of the legislature heretofore existing.

Nothing in this constitution contained shall prevent the legislature from authorizing the loan of the money of the state to a public corporation 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; or the acquisition of such property therefor; and the use of such money by such public corporation for such payment in those areas of the state in which employment 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 be a junior incumbrance thereon by more than fifty per centum of such cost.

Resolved (if the Assembly concur) That the foregoing amendments be referred to the next regular legislative session convening after the next succeeding regular 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 EIGHT CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY

Proposing an amendment to section one of article eight of the constitution in relation to length of residence in state as qualification to vote

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

Section 1. Every citizen of the age of twenty-one years who shall have been a resident of this state for one year next preceding the date of an election, and for the last ninety days a resident of such city, village or school district, shall be eligible to vote in the election district in which he is entitled to vote at such election, or she shall at the time be a resident, and not elsewhere, for or of which such city, village or school district at such election.

Notwithstanding the foregoing provisions, after January first, one thousand nine hundred twenty-two, no person shall become entitled to vote for or of which such city, village or school district, or by naturalization or otherwise, unless such person is also able, except for physical disability, to read and write English.

Resolved (if the Assembly concur) That the foregoing amendments be referred to the next 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 NINE CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY

Proposing amendments to article eight of the constitution, in relation to the power of the Buffalo city school district to contract indebtedness and to raise taxes upon real estate

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

§ 4. Except as otherwise provided in this constitution, no county, city, town, village or school district shall be allowed to contract indebtedness for any purpose or in any manner which, including existing indebtedness, shall exceed an amount equal to the average full valuation of taxable real estate of such county, city, town, village or school district.

county purposes, ten per centum; (b) any county, other than the county of Nassau, for county purposes, seven per centum; (c) the city of New York, for city purposes, ten per centum; (d) any city other than the city of New York, having one hundred or more inhabitants according to the latest federal census, for city purposes and school district purposes, nine per centum; provided, however, that if a proposition in relation to taxing and debt contracting powers, pursuant to subdivision one of section eleven-a of this article, is approved, and until a debt contracting proposition in relation to taxing and debt contracting powers, pursuant to subdivision two of section eleven-a of this article, is approved, such percentage shall be divided between city and school district purposes as provided by law; provided, however, that in computing such percentage there may be excluded, standing indebtedness contracted and incurred by the school district for school construction purposes, to the extent that the legislature shall authorize the commissioner of education to estimate the amount of such indebtedness and the amount of such school construction purposes shall be apportioned from the state as provided in this article; and the annual requirements for the payment of such indebtedness;

(e) any city having less than one hundred twenty-five thousand inhabitants according to the latest federal census, for city purposes, [excluding education purposes], seven per centum; (f) any town, for town purposes, seven per centum; (g) any village or village purposes, seven per centum; and (h) any school district which is coterminous with, or partly within or wholly within, a city having less than one hundred twenty-five thousand inhabitants according to the latest federal census, for [education] school district purposes, per centum; provided, however, that such limitation may be increased in relation to indebtedness for specified objects or purposes with (1) the approving vote of sixty per centum of such school district voters on a proposition submitted at a general or special election, (2) the consent of the University of the State of New York and (3) the consent of the state comptroller. The legislature shall prescribe at law the qualifications for voting at any such election. Except as otherwise provided in this constitution, any indebtedness contracted in excess of the respective limits shall be void.

In ascertaining the power of any city having less than one hundred twenty-five thousand inhabitants according to the latest federal census to contract indebtedness, in such city prior to January first, one thousand nine hundred twenty-two, such indebtedness shall be excluded in ascertaining the power of a school district which is coterminous with, or partly within or wholly within, such city to contract indebtedness; and the power of such district shall be determined by law the manner by which the amount of such indebtedness shall be allocated. Such law may provide that such determinations and allocations shall be conclusive if made or approved by the state comptroller. If, in the city of Buffalo, a proposition in relation to taxing and debt contracting powers, pursuant to subdivision one of section eleven-a of this article is approved, and after separate limitations on debt contracting powers become effective, indebtedness contracted by the city for school purposes shall be included in ascertaining the power of the school district in the city to contract indebtedness. The legislature shall prescribe by law the manner by which the amount of such indebtedness shall be determined and allocated to the school district. Such law may provide that such determinations and allocations shall be conclusive if made or approved by the state comptroller. If, in the city of Buffalo, a proposition in relation to taxing and debt contracting powers, pursuant to subdivision two of section eleven-a of this article is approved, all indebtedness contracted during the effective period of separate limitations on debt contracting powers by the city and the school district in the city, respectively, shall be included in this sub-paragraph (e) to contract indebtedness.

In ascertaining the power of a school district described in this section to contract indebtedness, certificates or other evidences of indebtedness described in paragraph A of section five of this article shall be excluded. The average full valuation of taxable real estate of any such county, city, town, village or school district shall be determined in the manner prescribed in section ten of this article. Nothing contained in this section shall be deemed to restrict the powers granted to the legislature by other provisions of this constitution to further restrict the powers of any county, city, town, village or school district to contract indebtedness.

Resolved (if the Assembly concur) That section ten of article eight of the constitution be amended to read as follows: § 10. Hereafter, in any county, city, village or school district described in this section, the amount to be raised by tax on real estate in any fiscal year, in addition to providing for the interest on and

the principal of all indebtedness, shall not exceed an amount equal to the following percentages of the average full valuation of taxable real estate of such county, city, village or school district, less the amount to be raised by tax on real estate in such year for the payment of the interest on and redemption of certificates or other evidences of indebtedness within, in paragraphs A and D of section five of this article, or renewals thereof:

(a) any county, for county purposes, one and one-half per centum; provided, however, that the legislature may prescribe a method by which such limitations may be increased to not to exceed two per centum; (b) any city of one hundred twenty-five thousand or more inhabitants according to the latest federal census, for city purposes, district purposes, two per centum; provided, however, that if a proposition in relation to taxing and debt contracting powers pursuant to subdivision one of section eleven-a of this article is approved, such percentage shall be divided between city and school district purposes as provided by law; provided, however, that in computing such percentage there may be excluded, standing indebtedness contracted and incurred by the school district for school construction purposes, to the extent that the legislature shall authorize the commissioner of education to estimate the amount of such indebtedness and the amount of such school construction purposes shall be apportioned from the state as provided in this article; and the annual requirements for the payment of such indebtedness;

(c) any city having less than one hundred twenty-five thousand inhabitants according to the latest federal census, for city purposes, two per centum; (d) any town, for village purposes, two per centum; (e) any school district which is coterminous with, or partly within or wholly within, a city having less than one hundred twenty-five thousand inhabitants according to the latest federal census, for school district purposes; provided, however, that if the taxes subject to this limitation levied for any such school district for its first fiscal year beginning on or after July first, nine hundred forty-seven, were in excess of one and one-quarter per centum but not greater than one and one-half per centum (or if such taxes were in excess of one and one-half per centum but not greater than one and three-quarters per centum for such school district, then for such school district the limitation shall be one and three-quarters per centum); and if such taxes were in excess of one and three-quarters per centum for such school district, then for such school district the limitation shall be two per centum. The limit herein imposed for any school district may be increased by the approving vote of sixty per centum or more of the duly qualified voters of such school district voting at a proposition therefor submitted at a general or special election. Any general or special election provided for by this section shall provide only for an additional one-quarter of one per centum in excess of such limitation applicable to such school district. When such a proposition has been submitted and approved by the voters providing that such proposition shall be in effect in such school district, no proposition thereafter submitted in such school district shall be in effect for a period of one year computed from the date of submission of the approved proposition for an increase in such limitation. If such proposition is submitted and approved at a general election or an annual school election, a proposition for a further increase shall be submitted at the following year. The legislature shall prescribe by law the qualifications for voting at any such election. In voting at any such election, the limit shall be consolidated with any one or more school districts, the legislature shall prescribe a limitation, not exceeding two per centum, for such consolidated district. Thereafter, such limitation may be increased as provided in this sub-paragraph (e). In no event shall the limitation for any school district or consolidated school district described in this sub-paragraph (e) exceed two per centum.

(f) Notwithstanding the provisions of sub-paragraphs (a) and (b) of this section, the city of New York and the counties therein, for city and county purposes, a combined total of two and one-half per centum.

The average full valuation of taxable real estate of such county, city, village or school district shall be determined by taking the assessed valuations of taxable real estate on the last completed assessment rolls and the four preceding rolls of such county, city, village or school district, and applying thereto the ratio which such assessed valuation on each of such rolls bears to the full valuation, as determined by the state tax commission or by such other state officer as may be prescribed by law. The legislature shall prescribe the manner by which such ratio shall be determined by such state tax commission or by such other state officer or agency.

Nothing contained in this section shall be deemed to restrict the powers granted to the legislature by other provisions of this constitution to further restrict the powers of any county, city, town, village or school district to levy taxes on real estate.

Resolved (if the Assembly concur) That section eleven of article eight of the constitution be amended to read as follows: § 11. (a) Whenever the city of New York is required by law to pay for all or any part of the cost of capital improvements by direct appropriation, in any fiscal year or by issuance of certificates or other evidence of in-

debtedness (except serial bonds of an issue having a maximum maturity of more than two years) to be redeemed in one of the two immediately succeeding fiscal years, taxes required for such certificates or other evidence of indebtedness may be excluded in whole or in part by such city from the tax limitation prescribed by section ten of this article, in which event the total amount so required for such appropriation and for the redemption of such certificates or other evidence of indebtedness shall be deemed to be indebtedness to the same extent and in the same manner as if such amount had been financed through annual installments over the period of the probable usefulness of such capital improvement, as determined by law, and the fiscal officer of such city shall determine the amount to be deemed indebtedness pursuant to this section, and the legislature, in its discretion, may provide for the termination of this section, if approved by the state comptroller, shall be effective. Any amounts determined to be deemed indebtedness of such county, city, other than the city of New York, village or school district, provided in accordance with the provisions of this section as in force and effect prior to January first, one thousand nine hundred and forty-seven shall not be deemed to be indebtedness on and after such date.

(b) Whenever any county, city, village or school district which is wholly within, or partly within, a city having less than one hundred twenty-five thousand inhabitants according to the latest federal census, in the city of Buffalo, where a proposition in relation to taxing and debt contracting powers, pursuant to subdivision one of section eleven-a of this article, is approved, and until a proposition in relation to taxing and debt contracting powers, pursuant to subdivision two of section eleven-a of this article is approved, such percentage shall be divided between city and school district purposes as provided by law; provided, however, that in computing such percentage there may be excluded, standing indebtedness contracted and incurred by the school district for school construction purposes, to the extent that the legislature shall authorize the commissioner of education to estimate the amount of such indebtedness and the amount of such school construction purposes shall be apportioned from the state as provided in this article; and the annual requirements for the payment of such indebtedness;

Resolved (if the Assembly concur) That a new section be added to article eight of the constitution, to follow section eleven, to read as follows:

§ 10. Hereafter, in any county, city, village or school district described in this section, the amount to be raised by tax on real estate in any fiscal year, in addition to providing for the interest on and redemption of certificates or other evidence of indebtedness described in paragraphs A and D of section five of this article, or renewals thereof:

(a) any county, for county purposes, one and one-half per centum; provided, however, that the legislature may prescribe a method by which such limitation may be increased to not to exceed two per centum; (b) any city of one hundred twenty-five thousand or more inhabitants according to the latest federal census, for city purposes, two per centum; (c) any city having less than one hundred twenty-five thousand inhabitants according to the latest federal census, for city purposes, two per centum; (d) any town, for village purposes, two per centum; (e) any school district which is coterminous with, or partly within or wholly within, a city having less than one hundred twenty-five thousand inhabitants according to the latest federal census, for school district purposes; provided, however, that if the taxes subject to this limitation levied for any such school district for its first fiscal year beginning on or after July first, nine hundred forty-seven, were in excess of one and one-quarter per centum but not greater than one and one-half per centum (or if such taxes were in excess of one and one-half per centum but not greater than one and three-quarters per centum for such school district, then for such school district the limitation shall be one and three-quarters per centum); and if such taxes were in excess of one and three-quarters per centum for such school district, then for such school district the limitation shall be two per centum. The limit herein imposed for any school district may be increased by the approving vote of sixty per centum or more of the duly qualified voters of such school district voting on a proposition therefor submitted at a general or special election. Any general or special election provided for by this section shall provide only for an additional one-quarter of one per centum in excess of such limitation applicable to such school district. When such a proposition has been submitted and approved by the voters providing that such proposition shall be in effect in such school district, no proposition thereafter submitted in such school district shall be in effect for a period of one year computed from the date of submission of the approved proposition for an increase in such limitation. If such proposition is submitted and approved at a general election or an annual school election, a proposition for a further increase shall be submitted at the following year. The legislature shall prescribe by law the qualifications for voting at any such election. In voting at any such election, the limit shall be consolidated with any one or more school districts, the legislature shall prescribe a limitation, not exceeding two per centum, for such consolidated district. Thereafter, such limitation may be increased as provided in this sub-paragraph (e). In no event shall the limitation for any school dis-

trict be in excess of two per centum.

The legislature shall enact laws appropriate for carrying into effect the provisions of this section, provided, however, that in a city where the proposition provided for in this subdivision shall have been submitted and shall not have been adopted, no such proposition shall be submitted for a period of three years computed from the date of the last previous submission thereof.

2. If in the city of Buffalo, a proposition in relation to taxing and debt contracting powers, pursuant to subdivision one of this section shall have been submitted and approved, a proposition may thereafter be submitted to the voters providing that the city shall no longer, independently of each other, impose taxes and contract indebtedness and that such proposition shall be submitted to the taxing and debt contracting powers for city and school district purposes for the approval of the proposition provided for in subdivision one of this section.

The proposition may be submitted at an election held on any day, other than the day of a general election in an even-numbered year, upon the adoption of a resolution providing therefor by the governing body of the school district in the city, or pursuant to the petition of the people in the manner provided by law; provided, however, that where a proposition is submitted pursuant to the petition of the people in the manner provided by law, the proposition shall be signed and authenticated by qualified electors of the school district.

of the city, registered to vote therein at the last preceding general election, in number equal to at least fifty per centum of the total number of votes cast for governor at the last gubernatorial election in the city.

If the proposition, pursuant to this subdivision, is approved, the simple limitation on taxing and debt contracting powers, respectively, shall again become effective at the time prescribed by or pursuant to law.

The legislature shall enact laws appropriate for carrying into effect the provisions of this section, provided, however, that in a city where the proposition provided for in this subdivision shall have been submitted and approved, a proposition may thereafter be submitted for a period of five years computed from the date of the approval of the proposition provided for in subdivision one of this section.

Resolved (if the Assembly concur) That the foregoing amendments be referred to the next regular legislative session convening after the next succeeding general election of the 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 TEN CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY

Proposing an amendment to section eight of article eight of the constitution in relation to limitations on the amount to be raised by real estate taxes in the city of New York and the counties thereof, for city and county purposes, and on power of such city to contract indebtedness

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

§ 10. Hereafter, in any county, city, village or school district described in this section, the amount to be raised by tax on real estate in any fiscal year, in addition to providing for the interest on and redemption of certificates or other evidence of indebtedness described in paragraphs A and D of section five of this article, or renewals thereof:

(a) any county, for county purposes, one and one-half per centum; provided, however, that the legislature may prescribe a method by which such limitation may be increased to not to exceed two per centum; (b) any city of one hundred twenty-five thousand or more inhabitants according to the latest federal census, for city purposes, two per centum; (c) any city having less than one hundred twenty-five thousand inhabitants according to the latest federal census, for city purposes, two per centum; (d) any town, for village purposes, two per centum; (e) any school district which is coterminous with, or partly within or wholly within, a city having less than one hundred twenty-five thousand inhabitants according to the latest federal census, for school district purposes; provided, however, that if the taxes subject to this limitation levied for any such school district for its first fiscal year beginning on or after July first, nine hundred forty-seven, were in excess of one and one-quarter per centum but not greater than one and one-half per centum (or if such taxes were in excess of one and one-half per centum but not greater than one and three-quarters per centum for such school district, then for such school district the limitation shall be one and three-quarters per centum); and if such taxes were in excess of one and three-quarters per centum for such school district, then for such school district the limitation shall be two per centum. The limit herein imposed for any school district may be increased by the approving vote of sixty per centum or more of the duly qualified voters of such school district voting on a proposition therefor submitted at a general or special election. Any general or special election provided for by this section shall provide only for an additional one-quarter of one per centum in excess of such limitation applicable to such school district. When such a proposition has been submitted and approved by the voters providing that such proposition shall be in effect in such school district, no proposition thereafter submitted in such school district shall be in effect for a period of one year computed from the date of submission of the approved proposition, provided that where a proposition for an increase in such limitation shall be submitted and approved at a general election or an annual school election, a proposition for a further increase shall be submitted at the following year. The legislature shall prescribe by law the qualifications for voting at any such election. In the event any such school district shall be consolidated with any one or more school districts, the legislature shall prescribe a limitation, not exceeding two per centum, for such consolidated district. Thereafter, such limitation may be increased as provided in this paragraph (e). In no event shall the limitation for any school dis-

trict be in excess of two per centum.

The legislature shall enact laws appropriate for carrying into effect the provisions of this section, provided, however, that in a city where the proposition provided for in this subdivision shall have been submitted and shall not have been adopted, no such proposition shall be submitted for a period of three years computed from the date of the last previous submission thereof.

2. If in the city of Buffalo, a proposition in relation to taxing and debt contracting powers, pursuant to subdivision one of this section shall have been submitted and approved, a proposition may thereafter be submitted to the voters providing that the city shall no longer, independently of each other, impose taxes and contract indebtedness and that such proposition shall be submitted to the taxing and debt contracting powers for city and school district purposes for the approval of the proposition provided for in subdivision one of this section.

The proposition may be submitted at an election held on any day, other than the day of a general election in an even-numbered year, upon the adoption of a resolution providing therefor by the governing body of the school district in the city, or pursuant to the petition of the people in the manner provided by law; provided, however, that where a proposition is submitted pursuant to the petition of the people in the manner provided by law, the proposition shall be signed and authenticated by qualified electors of the school district.