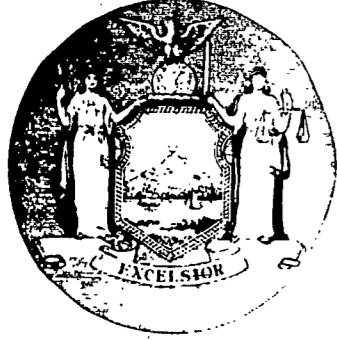


Highlights of Proposed Constitution of New York



The 1967 Constitutional Convention has determined that every voter of the State should have a short, simple guide to the highlights of each article of the Proposed Constitution. Following is that guide. It is presented to the voters of the State with the sincere hope that it will aid them in making an informed choice on Election Day.

FORM OF SUBMISSION OF QUESTION NUMBER ONE

YES NO

PROPOSED NEW CONSTITUTION

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

Article I BILL OF RIGHTS

- Adds substance of Federal constitutional language guaranteeing freedom of speech, press, assembly, petition and forbidding any law respecting an establishment of religion or prohibiting the free exercise thereof.
- Adds new provision giving any citizen the power to bring a legal action against the state or its subdivisions to restrain unconstitutional acts or expenditures.
- Inserts stricter controls over wiretapping and electronic eavesdropping.
- Adds sex, age, and physical and mental handicap as areas in which discrimination is forbidden.
- Requires compensation for damages to private property and "good will" of retail businesses taken for public purposes, as defined by law.
- Preserves trial by jury in all criminal and civil cases and extends right for certain misdemeanors to New York City, commencing in 1970.
- Requires records of the state, local governments and public authorities to be open to the public.
- Directs legislature to provide for protection and education of the public against unfair sales, marketing and financing practices.
- Declares the policy of the state to foster and promote the economic security of the people and to establish a firm basis therefor.

Article VI STATE DEPARTMENTS & OFFICERS & PUBLIC AUTHORITIES

- Continues powers and elective offices of Comptroller and Attorney General.
- Gives Governor greater flexibility to reorganize state government departments, subject to disapproval by either house of legislature.
- Requires legislature to set up independent review of rules, regulations and adjudications of state agencies.
- Increases membership of Public Service Commission from 5 to 7, 3 to be elected by legislature, instead of all being appointed by the Governor with advise and consent of the Senate.
- Adds requirement for public hearings before creation of any public authority and broadens audit power of Comptroller over authorities.

Article XI LOCAL GOVERNMENTS

- Retains existing powers of local governments and grants all legislative and administrative powers which legislature has power to confer subject to a Statute of Restrictions to be enacted.
- Adds permission for two or more counties — or New York City and adjoining county — to create a regional agency to handle specific governmental functions after adoption of local laws, followed by referendum.
- Retains existing arrangements for intergovernmental cooperation, annexation, eminent domain, and election of officials.
- Allows counties to adopt charters by referendum with additional approvals required therein if local governments within the county are affected.
- Requires local redistricting after every federal census and mandates equal population districts.
- Prohibits members of local legislative bodies from holding public office in any other local government or any other elective office.
- Permits legislature, by statute, to provide for counties to perform assessment or tax collection functions for units of government within their boundaries.

Article II SUFFRAGE

- Eliminates literacy requirements and forbids property qualifications for voting with certain exceptions.
- Mandates permanent personal registration.
- Adds 30-day domicile requirement in an election district to the existing requirements of three months in county, city or village for voting.
- Keeps minimum voting age at 21 but authorizes legislature to reduce the age to not less than 18 which it may not thereafter increase.

Article VII PUBLIC OFFICERS AND EMPLOYEES

- Retains oath of office for elected state officials and broadens ban against any other oath or "test of belief" for public employees.
- Requires a hearing before a public official can be removed from office after refusing to waive immunity before a grand jury.
- Requires that workmen and mechanics employed by contractors or subcontractors on public works receive no less than the wage prevailing in the area for their particular trade.
- Continues requirement that civil service appointments and promotions be on basis of merit and fitness; retains veterans preference.
- Continues membership in state or local retirement systems as a contract; allows increase but forbids decrease of benefits.

Article XII LOCAL FINANCES

- Continues most existing controls over local taxation, borrowing and debt limits.
- Consolidates debt limit for housing and urban renewal for cities and villages over 5,000 with their general debt limit.
- Removes debt and tax limits of city school districts other than New York, Buffalo, Rochester, Syracuse, Yonkers and Albany and requires the legislature to fix tax limits for towns.
- Permits local governments to request the legislature to change their debt or tax limits subject to a mandatory referendum.
- Permits legislature, at request of local government, to change real property tax base from 5-year average to 3-year average, subject to local referendum.

Article III LEGISLATURE

- Continues present powers of the Senate and Assembly.
- Increases the size of the Senate to 60 members from the present 57 but keeps the Assembly at 150, effective in 1972.
- Retains two-year terms for legislators in both houses.
- Provides for redistricting legislative seats by a 5-man commission after each federal census, subject to review by the Court of Appeals and replaces redistricting by statute.
- Mandates equal population districts and forbids gerrymandering and sets forth other districting standards.
- Adds new mid-December legislative meeting after each election for the Senate and Assembly to organize and elect officers.
- Requires both houses to keep transcripts of debates.

Article VIII NATURAL RESOURCES AND CONSERVATION

- Continues requirement that state forest preserves in the Adirondack and Catskill mountains be "forever kept as wild forest lands."
- Adds statement setting forth state policy to conserve and protect natural resources and scenic beauty, including abatement of air and water pollution and "excessive and unnecessary noise."
- Does not include any provision relating to the Barge Canal.

Article XIII DEFENSE AND THE ORGANIZED MILITIA

- Provides that defense of the state and of the United States is an obligation of all persons within the state.
- Continues authorization for the militia.
- Adds requirement that legislature provide for continuity of government in case of disaster or enemy attack.

Article IV EXECUTIVE

- Continues powers and qualifications of Governor and Lieutenant Governor.
- Retains Governor's veto power over bills passed by the legislature.
- Provides for succession in cases of death, resignation and temporary disability.

Article IX EDUCATION

- Continues requirement that legislature maintain and support free public schools below the college level.
- Eliminates the prohibition against direct or indirect aid to denominational schools, but such aid is subject to the restrictions of the First Amendment of the United States Constitution which are incorporated in Article I of this constitution.
- Requires legislature to establish and define a system of higher education encompassing public and private schools by programs which may include free tuition, grants, fellowships and scholarships.
- Forbids discrimination because of race, religion or national origin, in admission to any school supported in whole or part by public funds.
- Continues role of Board of Regents as head of state educational system.
- Apportions state aid to school districts on basis of registration.
- Grants constitutional recognition to the State University and City University of New York.

Article XIV AMENDMENTS TO THE CONSTITUTION

- Continuing present system of amending the Constitution by two successively elected legislatures and approval by the people.
- Requires question of whether another Constitutional Convention should be called to be submitted to the people in 1992, and every 20th year thereafter, or whenever else the legislature determines.
- Prohibits Court of Appeals judges from serving as delegates to future conventions.
- Continues power of future conventions to make their own rules.

Article V JUDICIARY

- Permits the Court of Appeals to create new judges subject to disapproval only by concurrent resolution of the legislature; continues power to create by statute.
- Requires submission to county voters as to whether a District Court shall be established.
- Establishes a permanent court on the judiciary with jurisdiction over removal and discipline of judges except judges of the Court of Appeals.
- Grants authority to the Court of Appeals to administer the court system.
- Continues concurrent jurisdiction of the Surrogate's and Family Courts in adoption proceedings.
- Permits establishment of an administrative court to determine violations other than felonies.
- Requires the state to assume, over a 10-year period, the cost of operating the unified statewide court system.
- Requires 5 but not more than 7 Appellate Divisions in place of the existing 4.
- Permits most judges to continue on the bench until age 76 on certification of need and capability.
- Increases jurisdiction of Court of Claims.

Article X STATE TAXATION AND FINANCE

- Retains power of legislature to authorize local taxes.
- Continues powers of legislature over appropriations and state budget procedures.
- Requires bond issues to be approved by two successively elected legislatures, eliminating present referendum requirements, except as hereafter stated.
- Imposes debt ceiling on the state and certain public authorities by requiring that their total payment for debt service shall not exceed 12 per cent of the average total revenues in the two preceding fiscal years.
- Permits debt limit to be raised up to 15 per cent after a referendum.
- Provides broad authorization for economic and community development programs, incorporating the present housing article.
- Permits the state and local governments to grant or lend money to persons, associations or private corporations for public purposes.
- Requires the legislature to provide by January 1, 1970, for the transfer of the administration and cost of local welfare programs to the state over a 10-year period.

Article XV MISCELLANEOUS

- Provides that the state government shall have all the powers not denied it by the State or Federal Constitution.
- Prohibits trustee of savings bank from having any interest in profits of the bank.
- Permits local governments to make deposits in savings institutions.
- Retains the prohibition against gambling, except for bingo, the state lottery and pari-mutuel betting.
- Fixes the operative date of the new constitution on January 1, 1969, except for certain economic and community development purposes and for first-time passage of debt authorization.

Pros, Cons

This

Six panelists on a on "Pacifism" at St. J. College last Thursday night, aired most of the pros and cons on the

"The Christian pacifist, healer, reconciler and er," asserted Donald Fisher Mathematics. He argued that since demands that someone serve in the cause might well demand serve in the cause. "Why is the virtue of reserved for those war?" he queried.

Total rejection of armed force is "unlogical and naive," Daves, who hold a M in the Air Force Res



LEO FLYNN

"... if a state can itself, it really does as a state."

The Cat



THE NEWSPAPER

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World Con

Lay

The recent Th Congress of the tolerate held in R a working meeti zeroed in on the problems of toda

This was the of two men who the Congress, and ed Rochester du past week.

Racism, family pla freedom of the press, oment of new na some of the areas the Rome meeting o representatives of the olic laity.

The First and T Congresses (1951) were "mostly spee Gerald McGuire, one

nadian delegates to meeting. The '67 sess five of its eight da shops, he pointed o the delegates from could harter viewa contemporary proble

McGuire, who dire lic Information Cent sor, Ontario, spok Fisher College last ning.

The Lay Congres electrifying effect" according to Douglas edits the Western C porter of Edmonton.

Roche was in Rom the Congress and th Synod. He spent a Rochester last week back to Canada.

Most publicized st the Lay Congress wa tion on family plan urged that the choic tific and technol achieving responsib hood, be left up to Roche commented.

The statement, cor lengthy resolution o velopment, noted th gress recognized:

"The very stron among Christian lay there is need for a by the teaching au the Church which fo damental moral an values, while leavin of scientific and tech for achieving resp onthod to parents accordance with the faith and on the bas cal and scientific co

Two P
Perspec

Father Paul will discuss "Ch spectives" at a Wednesday, Nov

The two pri their thoughts or and possible con

Father Cud Clyde, writes a Father Atwell is