

# Transportation bond major ballot issue in Nov.

ALBANY, N.Y. (AP) — New York voters decide two major statewide questions in November and 10 little-publicized constitutional amendments dealing with topics ranging from sewers to trees to judges.

The two main issues are selection of a new chief judge of the Court of Appeals and a proposition calling for issuance of \$3.5 billion in state bonds to finance mass transportation and highway construction and help subsidize mass transit systems.

The last proposed statewide transportation bond issue, a \$2.5-billion version, was overwhelmingly defeated at the 1971 general election.

Accompanying that proposition to defeat two years ago was a constitutional amendment that has now been resurrected by the legislature for presentation to the voters again.

Before it can be the subject of a public referendum, each proposed constitutional amendment must be approved by two separately elected legislatures. Those on this year's ballot were first passed in either 1971 or 1972 and then received second passage during the 1973 session.

The once-defeated proposal, which will be listed as Amendment No. 1 in the voting booth, would permit local governments to finance sewage treatment facilities outside their legal debt limit until 1983.

When the voters approved the \$1-billion pure waters bond issue in 1965, they also approved an exclusion of such debt from the legal limitation until 1973. The state presumed that the municipalities could conduct all of their planning and financing within that eight-year period. For many reasons, however, dozens of sewage treatment plants remain to be financed and built.

Supporters of this measure turned down narrowly at the polls in 1971, believe that it may have

suffered from the effect of strong public sentiment against the spending represented by the bond issue.

State Comptroller Arthur Levitt, a backer of the amendment, has blamed the public's "lack of information as to what it really meant."

Five of the nine other amendments concern the courts: speeding up the judicial process, expanding jurisdiction and streamlining operations.

One amendment would accelerate the criminal justice process by permitting a person arrested for any but the most serious crimes to waive indictment by a grand jury. The defendant could consent to be tried solely on the basis of a charge filed by the district attorney.

"This would be one means of speeding up the justice system," says the amendment's sponsor, Assemblyman Edward F. Crawford, R-Oswego. "These guys won't be languishing in jail after they're arrested and before the grand jury indicts."

The waiver could not be used in cases that could lead to life imprisonment or the death penalty.

Crawford also sponsored an amendment on the November ballot that would give retired judges of the higher courts in the state the right to resume their duties for not more than six years beyond the mandatory retirement age of 70.

Such judges who go back to the bench would receive full pay, but their pensions would be suspended.

Another amendment submitted by Crawford, who is chairman of the Assembly Judiciary Committee, would give Family Court jurisdiction over the custody of children involved in habeas corpus proceedings. Presently all habeas corpus proceedings, which are essentially custody cases often involving children, must originate in state Supreme Court.

Crawford said "99 per cent" of the children's custody cases are then referred to Family Court. His amendment would bring these cases immediately before Family Court.

A pair of amendments sought by Nassau County officials would merge Nassau's county court system with the state Supreme Court system, the arrangement already in effect in New York City's five counties.

The amendments would also extend the jurisdiction of the district courts—civil courts unique to Nassau and Suffolk counties—to take over some civil cases that otherwise would be heard in the

combined county—Supreme Court. The district courts now hear cases involving sums of up to \$6,000. The amendments would raise that figure to \$10,000.

A constitutional change proposed by Assembly Speaker Perry B. Duryea, R-Montauk, would clear the way for the possible establishment of a new county at the eastern tip of Long Island.

The amendment would eliminate the constitutional prohibition against the establishment of a county without a population large enough for an Assembly district,

currently about 130,000 persons.

Several townships in eastern Suffolk County have expressed a desire to secede from Suffolk and set up their own Peconic County. Such a move would require the approval of the electorate in a countywide referendum.

The state would be able to divest itself of some of its forest lands more quickly under terms of another proposed amendment.

That amendment would increase from 10 acres to 100 acres the size of plots of forest preserve land outside the Adirondack and Cat-

skill parks that could be sold by the state to finance purchase of forest lands within the parks.

Another amendment would increase the amount of aid that a public corporation could offer to build manufacturing and industrial projects. Local industrial development agencies currently can lend up to 30 per cent of the cost for such plants. The amendment would raise that to 40 per cent.

It would also extend the agencies' authorization to include research and development projects and the purchase of machinery and

equipment for new plants.

Finally, an amendment will be placed before the voters to delete the constitutional provision requiring the state correctional services commissioner to serve as chairman of the state Correction Commission.

The Correction Commission is the agency principally responsible for inspecting the state prison system. Supporters of the amendment have argued that the chairman of that commission should not also serve as the head of the department that it inspects.

## State oat harvest almost complete

ALBANY, N.Y. (AP) — The state's oat harvest is about 60 per cent complete, far ahead of last year at this time, the New York Reporting Service says. Last year at this time, 20 per cent of the crop had been harvested.

The service also said: —Corn remains in good condition, although some damage from insects has been reported; —Second cutting of alfalfa hay is 75 per cent complete while third cutting is nearly 15 per cent done; —the wheat harvest is virtually complete;

—Growth of dry beans has been slowed by lack of rain in some areas; —Warm, dry weather is advancing harvest schedules of many vegetable crops.

## State mortgage survey initiated

NEW YORK — A reporting system has been established that will enable the State Banking Department the opportunity to monitor the availability of mortgage credit to home buyers across New York State.

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