



**STATE OF NEW YORK
STATE BOARD OF ELECTIONS**

Albany, New York

July 29, 2013

CERTIFICATION

To the Boards of Elections of the State of New York

Notice is hereby given, that at the General Election to be held in this State on Tuesday, November 5, 2013, the following proposal will be submitted to the people for approval:

Proposal, an Amendment.

**TEXT OF PROPOSAL NUMBER ONE, AN AMENDMENT
CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY**

proposing an amendment to subdivision 1 of section 9 of article 1 of the constitution, in relation to casino gambling in the state

Section 1. Resolved (if the Senate concur), That subdivision 1 of section 9 of article 1 of the constitution be amended to read as follows:

1. No law shall be passed abridging the rights of the people peaceably to assemble and to petition the government, or any department thereof; nor shall any divorce be granted otherwise than by due judicial proceedings; except as hereinafter provided, no lottery or the sale of lottery tickets, pool-selling, book-making, or any other kind of gambling, except lotteries operated by the state and the sale of lottery tickets in connection therewith as may be authorized and prescribed by the legislature, the net proceeds of which shall be applied exclusively to or in aid or support of education in this state as the legislature may prescribe, [and] except pari-mutuel betting on horse races as may be prescribed by the legislature and from which the state shall derive a reasonable revenue for the support of government, **and except casino gambling at no more than seven facilities as authorized and prescribed by the legislature** shall hereafter be authorized or allowed within this state; and the legislature shall pass appropriate laws to prevent offenses against any of the provisions of this section.

§ 2. Resolved (if the Senate concur), That the foregoing amendment be submitted to the people for approval at the general election to be held in the year 2013 in accordance with the provisions of the election law.

ABSTRACT OF PROPOSAL NUMBER ONE, AN AMENDMENT

The purpose of the proposed amendment to section 9 of article 1 of the Constitution is to allow the Legislature to authorize and regulate up to seven casinos for the legislated purposes of promoting job growth, increasing aid to schools, and permitting local governments to lower property taxes through revenues generated.

FORM OF SUBMISSION OF PROPOSAL NUMBER ONE, AN AMENDMENT

Authorizing Casino Gaming

The proposed amendment to section 9 of article 1 of the Constitution would allow the Legislature to authorize up to seven casinos in New York State for the legislated purposes of promoting job growth, increasing aid to schools, and permitting local governments to lower property taxes through revenues generated. Shall the amendment be approved?

I hereby certify that the foregoing text of the Ballot Proposal, an Amendment, is a correct copy of the original as certified to be on file in the Department of State.

GIVEN under our hands and seal of the office
of the State Board of Elections, at the
City of Albany, this 29th day of
July, in the year 2013.

JAMES A. WALSH, Co-Chair

DOUGLAS A. KELLNER, Co-Chair



**STATE OF NEW YORK
STATE BOARD OF ELECTIONS**

Albany, New York

July 29, 2013

CERTIFICATION

To the Boards of Elections of the State of New York

Notice is hereby given, that at the General Election to be held in this State on Tuesday, November 5, 2013, the following proposal will be submitted to the people for approval:

Proposal, and Amendment.

TEXT OF PROPOSAL NUMBER TWO, AN AMENDMENT

CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY

proposing an amendment to section 6 of article 5 of the constitution, in

relation to veterans' credits for civil service appointments and promotions

EXPLANATION--Matter in underscored is new; matter in brackets [] is old law to be omitted.

-Page 1

Section 1. Resolved (if the Senate concur), That section 6 of article 5 of the constitution be amended to read as follows:

§ 6. Appointments and promotions in the civil service of the state and all of the civil divisions thereof, including cities and villages, shall be made according to merit and fitness to be ascertained, as far as practicable, by examination which, as far as practicable, shall be competitive; provided, however, that any member of the armed forces of the United States who served therein in time of war, and who, at the time of such member's appointment or promotion, is a citizen or an alien lawfully admitted for permanent residence in the United States and a resident of this state and is honorably discharged or released under honorable circumstances from such service, shall be entitled to receive five points additional credit in a competitive examination for original appointment and two and one-half points additional credit in an examination for promotion or, if such member was disabled in the actual performance of duty in any war and his or her disability is certified by the United States department of veterans affairs to be in existence at the time of application for appointment or promotion, he or she shall be entitled to receive ten points additional credit in a competitive examination for original appointment and five points additional credit in an examination for promotion. Such additional credit shall be added to the final earned rating of such member after he or she has qualified in an examination and shall be granted only at the time of establishment of an eligible list. No such member shall receive the additional credit granted by this section after he or she has received one appointment, either original entrance or promotion, from an eligible list on which he or she was allowed the additional credit granted by this section, **except where a member has been appointed or promoted from an eligible list on which he or she was allowed additional credit for military service and subsequent to such appointment he or she is disabled as provided in this section, such member shall be entitled to ten points additional credit less the number of points of additional credit allowed for the prior appointment.**

§ 2. Resolved (if the Senate concur), That the foregoing amendment be submitted to the people for approval at the general election to be held in the year 2013 in accordance with the provisions of the election law.

ABSTRACT OF PROPOSAL NUMBER TWO, AN AMENDMENT

The purpose of the proposed amendment to section 6 of article 5 of the Constitution is to grant additional civil service credit to veterans who are certified as disabled after they have been appointed or promoted to a civil service position.

The State Constitution currently grants veterans additional credit on civil service exams (5 points for an original appointment and 2½ points for a promotion). Disabled veterans are entitled to additional credit (10 points for an original appointment and 5 points for a promotion). Veterans are eligible for only one grant of additional credit, and so a veteran who is appointed or promoted before being certified as disabled currently is not eligible for the higher amount of credit he or she would have received if he or she had been certified as disabled before his or her appointment or promotion.

This amendment would create an exception to the one-time-only additional credit rule. It would permit veterans who are certified disabled after having already received credit at one appointment or promotion, because of their status as veterans, to receive additional credit one more time after certification of their disability. After being certified disabled, a veteran would be entitled to an additional grant of credit equal to the difference between 10 and the number of points received at the initial appointment or promotion. This would bring the total additional points of civil service credit such a veteran can receive to 10 for either an appointment or a promotion.

FORM OF SUBMISSION OF PROPOSAL NUMBER TWO, AN AMENDMENT

Additional Civil Service Credit for Veterans with Disabilities Certified Post-Appointment

The proposed amendment to section 6 of article 5 of the Constitution would entitle a veteran who has received civil service credit for a civil service appointment or promotion and subsequently is certified as disabled to additional civil service credit at a subsequent appointment or promotion. Shall the proposed amendment be approved?

I hereby certify that the foregoing text of the Ballot Proposal, an Amendment , is a correct copy of the original as certified to be on file in the Department of State.

GIVEN under our hands and seal of the office
of the State Board of Elections, at the
City of Albany, this 29th day of
July, in the year 2013.

JAMES A. WALSH, Co-Chair

DOUGLAS A. KELLNER, Co-Chair



**STATE OF NEW YORK
STATE BOARD OF ELECTIONS**

Albany, New York

July 29, 2013

CERTIFICATION

To the Boards of Elections of the State of New York

Notice is hereby given, that at the General Election to be held in this State on Tuesday, November 5, 2013, the following proposal will be submitted to the people for approval:

Proposal, an Amendment.

TEXT OF PROPOSAL NUMBER THREE, AN AMENDMENT

CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY

proposing an amendment to section 5 of article 8 of the constitution, in

relation to the exclusion of indebtedness contracted for sewage facilities

EXPLANATION--Matter in underscored is new; matter in brackets [] is old law to be omitted.

-Page 1

Section 1. Resolved (if the Assembly concur), That paragraph E of section 5 of article 8 of the constitution be amended to read as follows:

E. Indebtedness contracted on or after January first, nineteen hundred sixty-two and prior to January first, two thousand [fourteen] **twenty-four**, for the construction or reconstruction of facilities for the conveyance, treatment and disposal of sewage. The legislature shall prescribe the method by which and the terms and conditions under 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.

§ 2. Resolved (if the Assembly concur), That the foregoing amendment be submitted to the people for approval at the general election to be held in the year 2013 in accordance with the provisions of the election law.

ABSTRACT OF PROPOSAL NUMBER THREE, AN AMENDMENT

The purpose of the proposed amendment to section 5 of article 8 of the Constitution is to continue to allow counties, cities, towns, and villages to exclude from their constitutional debt limits indebtedness incurred for the construction or reconstruction of sewage facilities.

The State Constitution currently provides that indebtedness contracted on or after January 1, 1962 and before January 1, 2014, for the construction or reconstruction of facilities for the conveyance, treatment, and disposal of sewage shall be excluded from the constitutional debt limits of counties, cities, towns, and villages. The effect of the proposed amendment would be to extend for ten years, until January 1, 2024, the period during which sewer debt will be excluded from the constitutional debt limits of counties, cities, towns, and villages.

FORM OF SUBMISSION OF PROPOSAL NUMBER THREE, AN AMENDMENT

Exclusion of Indebtedness Contracted for Sewage Facilities

The proposed amendment to Article 8, section 5 of the Constitution would extend for ten years, until January 1, 2024, the authority of counties, cities, towns, and villages to exclude from their constitutional debt limits indebtedness contracted for the construction or reconstruction of sewage facilities. Shall the proposed amendment be approved?

I hereby certify that the foregoing text of the Ballot Proposal, an Amendment, is a correct copy of the original as certified to be on file in the Department of State.

GIVEN under our hands and seal of the office
of the State Board of Elections, at the
City of Albany, this 29th day of
July, in the year 2013.

JAMES A. WALSH, Co-Chair

DOUGLAS A. KELLNER, Co-Chair



**STATE OF NEW YORK
STATE BOARD OF ELECTIONS**

Albany, New York

August 5, 2013

CERTIFICATION

To the Boards of Elections of the State of New York

Notice is hereby given, that at the General Election to be held in this State on Tuesday, November 5, 2013, the following proposal will be submitted to the people for approval:

Proposal, an Amendment.

TEXT OF PROPOSAL NUMBER FOUR, AN AMENDMENT

CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY

proposing an amendment to section 1 of article 14 of the constitution, in relation to disputed title in township 40, Totten and Crossfield Purchase, in the town of Long Lake, Hamilton county

Section 1. Resolved (if the Assembly concur), That section 1 of article 14 of the constitution be amended to read as follows:

Section 1. The lands of the state, now owned or hereafter acquired, constituting the forest preserve as now fixed by law, shall be forever kept as wild forest lands. They shall not be leased,

sold or exchanged, or be taken by any corporation, public or private, nor shall the timber thereon be sold, removed or destroyed. Nothing herein contained shall prevent the state from constructing, completing and maintaining any highway heretofore specifically authorized by constitutional amendment, nor from constructing and maintaining to federal standards federal aid interstate highway route five hundred two from a point in the vicinity of the city of Glens Falls, thence northerly to the vicinity of the villages of Lake George and Warrensburg, the hamlets of South Horicon and Pottersville and thence northerly in a generally straight line on the west side of Schroon Lake to the vicinity of the hamlet of Schroon, then continuing northerly to the vicinity of Schroon Falls, Schroon River and North Hudson, and to the east of Makomis Mountain, east of the hamlet of New Russia, east of the village of Elizabethtown and continuing northerly in the vicinity of the hamlet of Towers Forge, and east of Poke-O-Moonshine Mountain and continuing northerly to the vicinity of the village of Keeseville and the city of Plattsburgh, all of the aforesaid taking not to exceed a total of three hundred acres of state forest preserve land, nor from constructing and maintaining not more than twenty-five miles of ski trails thirty to two hundred feet wide, together with appurtenances thereto, provided that no more than five miles of such trails shall be in excess of one hundred twenty feet wide, on the north, east and northwest slopes of Whiteface Mountain in Essex county, nor from constructing and maintaining not more than twenty-five miles of ski trails thirty to two hundred feet wide, together with appurtenances thereto, provided that no more than two miles of such trails shall be in excess of one hundred twenty feet wide, on the slopes of Belleayre Mountain in Ulster and Delaware counties and not more than forty miles of ski trails thirty to two hundred feet wide, together with appurtenances thereto, provided that no more than eight miles of such trails shall be in excess of one hundred twenty feet wide, on the slopes of Gore and Pete Gay mountains in Warren county, nor from relocating, reconstructing and maintaining a total of not more than fifty miles of existing state highways for the purpose of eliminating the hazards of dangerous curves and grades, provided a total of no more than four hundred acres of forest preserve land shall be used for such purpose and that no single relocated portion of any highway shall exceed one mile in length. Notwithstanding the foregoing provisions, the state may convey to the village of Saranac Lake ten acres of forest preserve land adjacent to the boundaries of such village for public use in providing for refuse disposal and in exchange therefore the village of Saranac Lake shall convey to the state thirty acres of certain true forest land owned by such village on Roaring Brook in the northern half of Lot 113, Township 11, Richards Survey. Notwithstanding the foregoing provisions, the state may convey to the town of Arietta twenty-eight acres of forest preserve land within such town for public use in providing for the extension of the runway and landing strip of the Piseco airport and in exchange therefor the town of Arietta shall convey to the state thirty acres of certain land owned by such town in the town of Arietta. Notwithstanding the foregoing provisions and subject to legislative approval of the tracts to be exchanged prior to the actual transfer of title, the state, in order to consolidate its land holdings for better management, may convey to International Paper Company approximately eight thousand five hundred acres of forest preserve land located in townships two and three of Totten and [Crossfield's] **Crossfield** Purchase and township nine of the Moose River Tract, Hamilton county, and in exchange therefore International Paper Company shall convey to the state for incorporation into the forest preserve approximately the same number of acres of land located within such townships and such County on condition that the legislature shall determine that the lands to be received by the state are at least equal in value to the lands to be conveyed by the state. Notwithstanding the foregoing provisions and subject to legislative approval of the tracts to

be exchanged prior to the actual transfer of title and the conditions herein set forth, the state, in order to facilitate the preservation of historic buildings listed on the national register of historic places by rejoining an historic grouping of buildings under unitary ownership and stewardship, may convey to Sagamore Institute Inc., a not-for-profit educational organization, approximately ten acres of land and buildings thereon adjoining the real property of the Sagamore Institute, Inc. and located on Sagamore Road, near Raquette Lake Village, in the Town of Long Lake, county of Hamilton, and in exchange therefor; Sagamore Institute, Inc. shall convey to the state for incorporation into the forest preserve approximately two hundred acres of wild forest land located within the Adirondack Park on condition that the legislature shall determine that the lands to be received by the state are at least equal in value to the lands and buildings to be conveyed by the state and that the natural and historic character of the lands and buildings conveyed by the state will be secured by appropriate covenants and restrictions and that the lands and buildings conveyed by the state will reasonably be available for public visits according to agreement between Sagamore Institute, Inc. and the state. Notwithstanding the foregoing provisions the state may convey to the town of Arietta fifty acres of forest preserve land within such town for public use in providing for the extension of the runway and landing strip of the Piseco airport and providing for the maintenance of a clear zone around such runway, and in exchange therefor, the town of Arietta shall convey to the state fifty-three acres of true forest land located in lot 2 township 2 Totten and Crossfield's Purchase in the town of Lake Pleasant.

Notwithstanding the foregoing provisions and subject to legislative approval prior to actual transfer of title, the state may convey to the town of Keene, Essex county, for public use as a cemetery owned by such town, approximately twelve acres of forest preserve land within such town and, in exchange therefor, the town of Keene shall convey to the state for incorporation into the forest preserve approximately one hundred forty-four acres of land, together with an easement over land owned by such town including the riverbed adjacent to the land to be conveyed to the state that will restrict further development of such land, on condition that the legislature shall determine that the property to be received by the state is at least equal in value to the land to be conveyed by the state.

Notwithstanding the foregoing provisions and subject to legislative approval prior to actual transfer of title, because there is no viable alternative to using forest preserve lands for the siting of drinking water wells and necessary appurtenances and because such wells are necessary to meet drinking water quality standards, the state may convey to the town of Long Lake, Hamilton county, one acre of forest preserve land within such town for public use as the site of such drinking water wells and necessary appurtenances for the municipal water supply for the hamlet of Raquette Lake. In exchange therefor, the town of Long Lake shall convey to the state at least twelve acres of land located in Hamilton county for incorporation into the forest preserve that the legislature shall determine is at least equal in value to the land to be conveyed by the state. The Raquette Lake surface reservoir shall be abandoned as a drinking water supply source.

Notwithstanding the foregoing provisions and subject to legislative approval prior to actual transfer of title, the state may convey to National Grid up to six acres adjoining State Route 56 in St. Lawrence County where it passes through Forest Preserve in Township 5, Lots 1, 2, 5 and 6 that is necessary and appropriate for National Grid to construct a new 46kV power line and in exchange therefore National Grid shall convey to the state for incorporation into the forest

preserve at least 10 acres of forest land owned by National Grid in St. Lawrence county, on condition that the legislature shall determine that the property to be received by the state is at least equal in value to the land conveyed by the state.

Notwithstanding the foregoing provisions, the legislature may authorize the settlement, according to terms determined by the legislature, of title disputes in township forty, Totten and Crossfield purchase in the town of Long Lake, Hamilton county, to resolve longstanding and competing claims of title between the state and private parties in said township, provided that prior to, and as a condition of such settlement, land purchased without the use of state-appropriated funds, and suitable for incorporation in the forest preserve within the Adirondack park, shall be conveyed to the state on the condition that the legislature shall determine that the property to be conveyed to the state shall provide a net benefit to the forest preserve as compared to the township forty lands subject to such settlement.

§ 2. RESOLVED (if the Assembly concur), That the foregoing amendment be submitted to the people for approval at the general election to be held in the year 2013 in accordance with the provisions of the election law.

ABSTRACT OF PROPOSAL NUMBER FOUR, AN AMENDMENT

The purpose of the proposed amendment to section 1 of article 14 of the Constitution is to resolve competing claims of title between the State and private parties to land located in the forest preserve, in the town of Long Lake, Hamilton County.

The State Constitution generally forbids the lease, sale, exchange, or taking of any forest preserve land. The proposed amendment would allow the Legislature to settle 100-year-old disputes between the State and private parties over ownership of certain parcels of land in the forest preserve by giving up the State's claim to disputed parcels. In exchange, the State would get land to be incorporated into the forest preserve. The land exchange would occur only if the Legislature determines that the land to be conveyed to the State would benefit the forest preserve more than the disputed parcels do.

FORM OF SUBMISSION OF PROPOSAL NUMBER FOUR, AN AMENDMENT

Settling Disputed Title in the Forest Preserve

The proposed amendment to section 1 of article 14 of the Constitution would authorize the Legislature to settle longstanding disputes between the State and private entities over ownership of certain parcels of land in the town of Long Lake, Hamilton County. In exchange for giving up its claim to disputed parcels, the State would get land to be incorporated into the forest preserve that would benefit the forest preserve more than the disputed parcels currently do. Shall the proposed amendment be approved?

I hereby certify that the foregoing text of the Ballot Proposal, an Amendment , is a correct copy of the original as certified to be on file in the Department of State.

GIVEN under our hands and seal of the office
of the State Board of Elections, at the
City of Albany, this 5th day of
August, in the year 2013.

Todd D. Valentine
Co-Executive Director

Robert A. Brehm
Co-Executive Director



**STATE OF NEW YORK
STATE BOARD OF ELECTIONS**

Albany, New York

August 5, 2013

CERTIFICATION

To the Boards of Elections of the State of New York

Notice is hereby given, that at the General Election to be held in this State on Tuesday, November 5, 2013, the following proposal will be submitted to the people for approval:

Proposal, an Amendment.

TEXT OF PROPOSAL NUMBER FIVE, AN AMENDMENT

CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY

proposing an amendment to section 1 of article 14 of the constitution, in relation to a land exchange, in the state forest preserve with NYCO Minerals, Inc.

Section 1. Resolved (if the Assembly concur), That section 1 of article 14 of the constitution be amended to read as follows:

Section 1. The lands of the state, now owned or hereafter acquired, constituting the forest preserve as now fixed by law, shall be forever kept as wild forest lands. They shall not be leased, sold or exchanged, or be taken by any corporation, public or private, nor shall the timber thereon be sold, removed or destroyed. Nothing herein contained shall prevent the state from constructing, completing and maintaining any highway heretofore specifically authorized by constitutional amendment, nor from constructing and maintaining to federal standards federal aid interstate highway route five hundred two from a point in the vicinity of the city of Glens Falls, thence northerly to the vicinity of the villages of Lake George and Warrensburg, the hamlets of South Horicon and Pottersville and thence northerly in a generally straight line on the west side of Schroon Lake to the vicinity of the hamlet of Schroon, then continuing northerly to the vicinity of Schroon Falls, Schroon River and North Hudson, and to the east of Makomis Mountain, east of the hamlet of New Russia, east of the village of Elizabethtown and continuing northerly in the vicinity of the hamlet of Towers Forge, and east of Poke-O-Moonshine Mountain and continuing northerly to the vicinity of the village of Keeseville and the city of Plattsburgh, all of the aforesaid taking not to exceed a total of three hundred acres of state forest preserve land, nor from constructing and maintaining not more than twenty-five miles of ski trails thirty to two hundred feet wide, together with appurtenances thereto, provided that no more than five miles of such trails shall be in excess of one hundred twenty feet wide, on the north, east and northwest slopes of Whiteface Mountain in Essex county, nor from constructing and maintaining not more than twenty-five miles of ski trails thirty to two hundred feet wide, together with appurtenances thereto, provided that no more than two miles of such trails shall be in excess of one hundred twenty feet wide, on the slopes of Belleayre Mountain in Ulster and Delaware counties and not more than forty miles of ski trails thirty to two hundred feet wide, together with appurtenances thereto, provided that no more than eight miles of such trails shall be in excess of one hundred twenty feet wide, on the slopes of Gore and Pete Gay mountains in Warren county, nor from relocating, reconstructing and maintaining a total of not more than fifty miles of existing state highways for the purpose of eliminating the hazards of dangerous curves and grades, provided a total of no more than four hundred acres of forest preserve land shall be used for such purpose and that no single relocated portion of any highway shall exceed one mile in length. Notwithstanding the foregoing provisions, the state may convey to the village of Saranac Lake ten acres of forest preserve land adjacent to the boundaries of such village for public use in providing for refuse disposal and in exchange therefore the village of Saranac Lake shall convey to the state thirty acres of certain true forest land owned by such village on Roaring Brook in the northern half of Lot 113, Township 11, Richards Survey. Notwithstanding the foregoing provisions, the state may convey to the town of Arietta twenty-eight acres of forest preserve land within such town for public use in providing for the extension of the runway and landing strip of the Piseco airport and in exchange therefor the town of Arietta shall convey to the state thirty acres of certain land owned by such town in the town of Arietta. Notwithstanding the foregoing provisions and subject to legislative approval of the tracts to be exchanged prior to the actual transfer of title, the state, in order to consolidate its land holdings for better management, may convey to International Paper Company approximately eight thousand five hundred acres of forest preserve land located in townships two and three of Totten and Crossfield's Purchase and township nine of the Moose River Tract, Hamilton county, and in

exchange therefore International Paper Company shall convey to the state for incorporation into the forest preserve approximately the same number of acres of land located within such townships and such County on condition that the legislature shall determine that the lands to be received by the state are at least equal in value to the lands to be conveyed by the state. Notwithstanding the foregoing provisions and subject to legislative approval of the tracts to be exchanged prior to the actual transfer of title and the conditions herein set forth, the state, in order to facilitate the preservation of historic buildings listed on the national register of historic places by rejoining an historic grouping of buildings under unitary ownership and stewardship, may convey to Sagamore Institute Inc., a not-for-profit educational organization, approximately ten acres of land and buildings thereon adjoining the real property of the Sagamore Institute, Inc. and located on Sagamore Road, near Raquette Lake Village, in the Town of Long Lake, county of Hamilton, and in exchange therefor; Sagamore Institute, Inc. shall convey to the state for incorporation into the forest preserve approximately two hundred acres of wild forest land located within the Adirondack Park on condition that the legislature shall determine that the lands to be received by the state are at least equal in value to the lands and buildings to be conveyed by the state and that the natural and historic character of the lands and buildings conveyed by the state will be secured by appropriate covenants and restrictions and that the lands and buildings conveyed by the state will reasonably be available for public visits according to agreement between Sagamore Institute, Inc. and the state. Notwithstanding the foregoing provisions the state may convey to the town of Arietta fifty acres of forest preserve land within such town for public use in providing for the extension of the runway and landing strip of the Piseco airport and providing for the maintenance of a clear zone around such runway, and in exchange therefor, the town of Arietta shall convey to the state fifty-three acres of true forest land located in lot 2 township 2 Totten and Crossfield's Purchase in the town of Lake Pleasant.

Notwithstanding the foregoing provisions and subject to legislative approval prior to actual transfer of title, the state may convey to the town of Keene, Essex county, for public use as a cemetery owned by such town, approximately twelve acres of forest preserve land within such town and, in exchange therefor, the town of Keene shall convey to the state for incorporation into the forest preserve approximately one hundred forty-four acres of land, together with an easement over land owned by such town including the riverbed adjacent to the land to be conveyed to the state that will restrict further development of such land, on condition that the legislature shall determine that the property to be received by the state is at least equal in value to the land to be conveyed by the state.

Notwithstanding the foregoing provisions and subject to legislative approval prior to actual transfer of title, because there is no viable alternative to using forest preserve lands for the siting of drinking water wells and necessary appurtenances and because such wells are necessary to meet drinking water quality standards, the state may convey to the town of Long Lake, Hamilton county, one acre of forest preserve land within such town for public use as the site of such drinking water wells and necessary appurtenances for the municipal water supply for the hamlet of Raquette Lake. In exchange therefor, the town of Long Lake shall convey to the state at least twelve acres of land located in Hamilton county for incorporation into the forest preserve that the legislature shall determine is at least equal in value to the land to be conveyed by the state. The Raquette Lake surface reservoir shall be abandoned as a drinking water supply source.

Notwithstanding the foregoing provisions and subject to legislative approval prior to actual transfer of title, the state may convey to National Grid up to six acres adjoining State Route 56 in St. Lawrence County where it passes through Forest Preserve in Township 5, Lots 1, 2, 5 and 6 that is necessary and appropriate for National Grid to construct a new 46kV power line and in exchange therefore National Grid shall convey to the state for incorporation into the forest preserve at least 10 acres of forest land owned by National Grid in St. Lawrence county, on condition that the legislature shall determine that the property to be received by the state is at least equal in value to the land conveyed by the state.

Notwithstanding the foregoing provisions, the state may authorize NYCO Minerals, Inc. to engage in mineral sampling operations, solely at its expense, to determine the quantity and quality of wollastonite on approximately 200 acres of forest preserve land contained in lot 8, Stowers survey, town of Lewis, Essex county provided that NYCO Minerals, Inc. shall provide the data and information derived from such drilling to the state for appraisal purposes. Subject to legislative approval of the tracts to be exchanged prior to the actual transfer of title, the state may subsequently convey said lot 8 to NYCO Minerals, Inc., and, in exchange therefor, NYCO Minerals, Inc. shall convey to the state for incorporation into the forest preserve not less than the same number of acres of land, on condition that the legislature shall determine that the lands to be received by the state are equal to or greater than the value of the land to be conveyed by the state and on condition that the assessed value of the land to be conveyed to the state shall total not less than one million dollars. When NYCO Minerals, Inc. terminates all mining operations on such lot 8 it shall remediate the site and convey title to such lot back to the state of New York for inclusion in the forest preserve. In the event that lot 8 is not conveyed to NYCO Minerals, Inc. pursuant to this paragraph, NYCO Minerals, Inc. nevertheless shall convey to the state for incorporation into the forest preserve not less than the same number of acres of land that is disturbed by any mineral sampling operations conducted on said lot 8 pursuant to this paragraph on condition that the legislature shall determine that the lands to be received by the state are equal to or greater than the value of the lands disturbed by the mineral sampling operations.

§ 2. RESOLVED (if the Assembly concur), That the foregoing amendment be submitted to the people for approval at the general election to be held in the year 2013 in accordance with the provisions of the election law.

ABSTRACT OF PROPOSAL NUMBER FIVE, AN AMENDMENT

The purpose of the proposed amendment to section 1 of article 14 of the Constitution is to allow NYCO Minerals, Inc., a private company, to continue its mining operations in the town of Lewis, Essex County.

The State Constitution generally forbids the lease, sale, exchange, or taking of any forest preserve land. The proposed amendment would allow the State to convey approximately 200 forest preserve acres to NYCO Minerals for mining. In exchange, NYCO Minerals would give the State at least the same amount of land of at least the same value, with a minimum assessed value of \$1 million. This land would be added to the forest preserve. When NYCO Minerals finishes mining, the company would restore the condition of the land it received in the exchange and return it to the forest preserve.

The proposed amendment also would allow NYCO Minerals to test to determine the quantity and quality of the mineral to be mined on the land to be exchanged before the exchange occurs. It would require NYCO Minerals to give the State its test results so that the State can use them to determine the value of the land to be conveyed to NYCO Minerals. The proposed amendment also would require that if, after testing, NYCO Minerals does not want the forest preserve land, NYCO Minerals still must give the State at least the same amount of land of at least the same value of the land that was disturbed by the testing. This land would be incorporated into the forest preserve.

FORM OF SUBMISSION OF PROPOSAL NUMBER FIVE, AN AMENDMENT

In Relation to a Land Exchange in the State Forest Preserve with NYCO Minerals, Inc.

The proposed amendment to section 1 of article 14 of the Constitution would authorize the Legislature to convey forest preserve land located in the town of Lewis, Essex County, to NYCO Minerals, a private company that plans on expanding an existing mine that adjoins the forest preserve land. In exchange, NYCO Minerals would give the State at least the same amount of land of at least the same value, with a minimum assessed value of \$1 million, to be added to the forest preserve. When NYCO Minerals finishes mining, it would restore the condition of the land and return it to the forest preserve. Shall the proposed amendment be approved?

I hereby certify that the foregoing text of the Ballot Proposal, an Amendment , is a correct copy of the original as certified to be on file in the Department of State.

GIVEN under our hands and seal of the office
of the State Board of Elections, at the
City of Albany, this 5th day of
August, in the year 2013.

Todd D. Valentine
Co-Executive Director

Robert A. Brehm
Co-Executive Director



**STATE OF NEW YORK
STATE BOARD OF ELECTIONS**

Albany, New York

July 29, 2013

CERTIFICATION

To the Boards of Elections of the State of New York

Notice is hereby given, that at the General Election to be held in this State on Tuesday, November 5, 2013, the following proposal will be submitted to the people for approval:

Proposal, an Amendment.

TEXT OF PROPOSAL NUMBER SIX, AN AMENDMENT

CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY

proposing an amendment to section 2 of article 6 of the constitution, in relation to persons appointed to the court of appeals, and proposing an amendment to section 25 of article 6 of the constitution, in relation to service by retired justices and requiring judges of the court of appeals to retire at age 80

EXPLANATION--Matter in underscored is new; matter in brackets [] is old law to be omitted.

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Section 1. RESOLVED (if the Senate concur), That subdivision e of section 2 of article 6 of the constitution be amended to read as follows:

e. The governor shall appoint, with the advice and consent of the senate, from among those recommended by the judicial nominating commission, a person to fill the office of chief judge or associate judge, as the case may be, whenever a vacancy occurs in the court of appeals; provided, however, that no person may be appointed a judge of the court of appeals unless such person is a resident of the state [and], has been admitted to the practice of law in this state for at least ten years **and who has not reached the last day of December in the year in which he or she reaches the age of seventy**. The governor shall transmit to the senate the written report of the commission on judicial nomination relating to the nominee.

§ 2. RESOLVED (if the Senate concur), That subdivision b of section 25 of article 6 of the constitution be amended to read as follows:

b. Each [judge of the court of appeals,] justice of the supreme court, judge of the court of claims, judge of the county court, judge of the surrogate's court, judge of the family court, judge of a court for the city of New York established pursuant to section fifteen of this article and judge of the district court shall retire on the last day of December in the year in which he or she reaches the age of seventy. **Each judge of the court of appeals shall retire on the last day of December in the year in which he or she reaches the age of eighty**. Each [such] former [judge of the court of appeals and] justice of the supreme court may thereafter perform the duties of a justice of the supreme court, with power to hear and determine actions and proceedings, provided, however, that it shall be certificated in the manner provided by law that the services of such [judge or] justice are necessary to expedite the business of the court and that he or she is mentally and physically able and competent to perform the full duties of such office. Any such certification shall be valid for a term of two years and may be extended as provided by law for additional terms of two years. A [retired judge or] justice shall serve no longer than until the last day of December in the year in which he or she reaches the age of [seventy-six] **eighty**. A retired judge or justice shall be subject to assignment by the appellate division of the supreme court of the judicial department of his or her residence. Any retired justice of the supreme court who had been designated to and served as a justice of any appellate division immediately preceding his or her reaching the age of seventy shall be eligible for designation by the governor as a temporary or additional justice of the appellate division. A retired judge or justice shall not be counted in determining the number of justices in a judicial district for purposes of subdivision d of section six of this article.

§ 3. RESOLVED (if the Senate concur), That the foregoing amendment be submitted to the people for approval at the general election to be held in the year 2013 in accordance with the provisions of the election law.

ABSTRACT OF PROPOSAL NUMBER SIX, AN AMENDMENT

The purpose of the proposed amendment to sections 2 and 25 of article 6 of the Constitution is to increase to the age of 80 the maximum age until which Justices of the Supreme Court and Judges of the Court of Appeals may serve in the following circumstances: (a) Justices of the Supreme Court are currently required to retire in the year they turn 70 years old, but are eligible to continue to perform the duties of a Justice of the Supreme Court for three additional two-year terms upon a certificate that their services are needed by the courts and that they are competent to perform the full duties of the office. The proposed amendment would make them eligible for two additional such two-year terms, upon the same certification of need and competence; (b) Judges of the Court of Appeals are currently required to retire in the year they turn 70 years old. The proposed amendment would permit a Judge who reaches the age of 70 while in office to remain in service on the Court for up to 10 additional years in order to complete the term to which that Judge was appointed.

FORM OF SUBMISSION OF PROPOSAL NUMBER SIX, AN AMENDMENT

Increasing Age until which Certain State Judges Can Serve

The proposed amendment to the Constitution, amending sections 2 and 25 of article 6, would increase the maximum age until which certain state judges may serve as follows: (a) a Justice of the Supreme Court would be eligible for five additional two-year terms after the present retirement age of 70, instead of the three such terms currently authorized; and (b) a Judge of the Court of Appeals who reaches the age of 70 while in office would be permitted to remain in service on the Court for up to 10 years beyond the present retirement age of 70 in order to complete the term to which that Judge was appointed. Shall the proposed amendment be approved?

I hereby certify that the foregoing text of the Ballot Proposal, an Amendment, is a correct copy of the original as certified to be on file in the Department of State.

GIVEN under our hands and seal of the office
of the State Board of Elections, at the
City of Albany, this 29th day of
July, in the year 2013.

JAMES A. WALSH, Co-Chair

DOUGLAS A. KELLNER, Co-Chair