

II

MESSAGES TO THE LEGISLATURE

Regular Session—Convened January 9—Adjourned April 6

ANNUAL MESSAGE

STATE OF NEW YORK—EXECUTIVE CHAMBER

ALBANY, January 9, 1963

To the Members of the Legislature of the State of New York:

We meet in a time of hope and of challenge—for the State, for the Nation, and for the world of free peoples.

New York State has witnessed and enjoyed four years of progress. This can be measured in terms of economic growth, fiscal integrity, and social responsibility. All three have been related in a dynamic pattern of progress which has won the renewed endorsement of the people.

The economic sinews provided by a flourishing free enterprise—and developed by a State government imaginatively encouraging business, industry and agriculture to provide more and better jobs for the people—have assured us the strength and resources to meet the needs and wants of our growing population.

The Nation is now searching out ways to quicken its lagging economic growth. There are signs that the urgent need for Federal tax revisions to stimulate economic growth may soon be faced and, hopefully, met—recognizing the need quickly to encourage the capital investment that will spur industry and multiply jobs.

Underlying all such actions, the times demand that government and labor and business be joined in an historic partnership to assure the strength of our Nation and the well-being of our people.

All these facts are deeply relevant to us. Wherever we look upon this earth, the essential problems and challenges remain strikingly the same . . . the security of peace and freedom . . . the creation of jobs and a higher standard of living . . . the harnessing of natural resources . . . the education of the young . . . the training of workers . . . good health and medical care . . . the housing of families . . . and the equality of all men.

We in this sovereign State of New York are an economically advanced and prospering people. Our ultimate task is not only to meet our own material needs and desires. It is to assure that our advanced society does not become a stagnant society.

Because we are free, we are free above all to grow—not only materially, but spiritually, intellectually and culturally.

In this spirit, let us look at the immediate challenges before us as the elected leaders of the State of New York.

Let us review them in terms of the three items on our agenda:

- Economic Growth and Full Employment,
- Human and Social Concerns, and
- Improvement of Government.

I. ECONOMIC GROWTH AND FULL EMPLOYMENT

The State cannot rest upon its gratifying record of economic growth in the past four years. Intensified efforts to accelerate this growth are required to meet the needs of the men and women in the existing labor force and the young people coming out of school and college, and to achieve our goal of a full employment economy.

To this end, this Administration has set as its goal the stimulation of the greatest economic expansion in the State's history—five hundred thousand new jobs in the next four years, with special attention to assuring that all areas of the State share to the maximum in attaining new heights of progress and prosperity.

These new jobs can be achieved only by the encouragement of individual initiative, the creativity of private enterprise, and a more rapid rate of capital investment. It is the duty of government to shape its policies and actions so that these dynamic forces in the private sector are released to create employment and progress for all.

These efforts are especially needed in those areas which have lagged behind the rest of the State in growth.

The experience of the past four years has shown that State government action can stimulate a State's economy. Specifically, we have reversed the economic decline which was costing New York its pre-eminence as the Empire State.

To do this, the Legislature and the Executive together have taken more than 70 specific actions during the past four years to re-establish confidence, to remove obstacles and to create a favorable climate for economic growth.

Basic to this effort has been the restoration of the State's fiscal integrity.

We replaced debts and deficits with balanced budgets. Increases in State aid for education, community mental health programs, medical care for senior citizens, public health, rehabilitation, and other vital purposes have all been achieved on a pay-as-we-go basis.

For this coming year, programs already mandated by existing law will require additional expenditures of at least \$187 million, principally in State aid for education. Despite these mandated increases, we can—and we will—fulfill our responsibilities to the people with continued pay-as-we-go financing while holding the line on taxes.

We must, however, because of the tight budgetary situation, exercise the greatest restraint in considering new programs. For if we are to meet our responsibilities to the people, all our actions must be designed to achieve a further acceleration of economic growth in New York State.

A. Continued Expansion of Job Opportunities

1. *Leadership in Science and Technology*

Scientific research is a basic fuel for economic growth. For the contributions of outstanding technical and scientific talent mean new advances and discoveries resulting in new manufacturing facilities and the modernization of existing plants.

Your Honorable Bodies have recognized this in your recent appointment of a Science Advisory Council for the Legislature.

In the past four years, we have made special efforts to encourage the expansion of existing research and development activities and to attract new facilities to the State. In 1960, I appointed an Advisory Council for the Advancement of Industrial Research and Development. The Council has assisted the Commerce Department in encouraging the construction or expansion in the State of 85 new research and testing laboratories.

To keep New York State in the forefront of rapidly changing technical fields, I now propose—

First, legislation to provide an accelerated, one-year depreciation write-off of the cost of all new research and development facilities established in the State.

Second, legislation to establish a New York State Science and Technology Foundation. The Foundation, using public and private funds, would

—support basic research efforts and advanced training at colleges, universities and nonprofit organizations throughout the State; and

—help to attract to our State-supported educational institutions more of the great scientific and technological minds of the world.

Third, to appoint jointly with the Trustees of the State University a distinguished committee of educators and scientific leaders to make a study and recommendations, working in consultation with the Board of Regents, for establishment of a State University of New York Center of Science and Technology.

A completely new center is envisaged, offering the most advanced curriculum in science and technology in the Nation—an institution geared specifically to the rapidly changing requirements and challenges of the space sciences. It would augment the fine existing facilities in our private and public institutions of higher learning, and also provide new incentives for science teaching at elementary and secondary schools.

It will be a center with the most modern facilities, a faculty of commanding stature, and students of promise who will become the leading scientists of the future.

I will look forward to the Committee's recommendations for the development of the new center and its relationship to existing private and public institutions.

Leadership in science and technology is more than a matter of State prestige. It is an essential for the State's future—a key to its economic growth.

2. *Atomic Research and Development*

Pioneering programs for the development of atomic energy for peaceful purposes continue to go forward in the State within the framework of farsighted legislation adopted by your Honorable Bodies in the past four years.

—The State-owned atomic energy site in Cattaraugus County is now being developed, with private industry arranging to construct there the Nation's first industrial facility for the reprocessing and reclamation of nuclear fuel from civilian atomic power plants.

—An agreement was made last October with the United States Atomic Energy Commission providing for the State's assumption of regulatory authority over more than 1,000 radiation sources.

—The seven major private utility companies of the State are completing this year a \$12 million research and development program for early construction within the State of a large-scale atomic power plant of new and improved design.

—One private utility company began operation last year of an atomic power plant in Westchester County and has recently applied to the Atomic Energy Commission for a license to construct in the New York City area the Nation's largest atomic power plant, to produce one million kilowatts.

3. *Tax Incentives for New and Expanded Industry*

To further attract new industries and to stimulate increased expansion and modernization of existing ones in New York, I recommend that

—the State's tax laws be amended to authorize companies making expenditures for new plant, machinery and equipment in New York to write off their investments twice as fast as now allowed under Federal tax schedules; and

—the present franchise tax allocation formula be modified to permit interstate companies to take these accelerated depreciation deductions for their full depreciable capital investment made in New York.

4. *Division of International Commerce*

A new Division of International Commerce was established within the State Commerce Department last fall as a further step in obtaining a larger share of international trade for the State's industries and farmers and in promoting tourism. This means more jobs and greater prosperity for New Yorkers.

To advance this effort, I opened a Commerce Department office in Montreal last September, the first outside the country. A similar office will be opened this year in Europe.

5. *Skilled Manpower Development*

Development of a skilled labor force is closely related to expanded economic growth. The Labor Department, with the assistance of the Education Department and the State University, is nearing completion of a broad survey of 20,000 representative employers in the State to determine specific manpower needs. This survey will help determine in advance the vocational training needs of new entrants into the labor market and the retraining requirements of workers affected by automation and technological change.

To insure a fully coordinated approach to skilled manpower development:

—I have designated an interdepartmental committee so that our industrial-technical training efforts, including those of our secondary schools and two-year colleges, will be most imaginatively responsive to the manpower needs of our rapidly growing industrial economy.

—I am appointing, in consultation with the Board of Regents, a State Manpower Advisory Council, consisting of prominent representatives of labor, industry, education, agriculture, and social agencies, to assist the interdepartmental committee in developing and carrying out this vital action program.

One aspect of this program is the urgency of equality of opportunity in apprenticeship training. Last year, in furtherance of legislation barring discrimination in job-training programs, I appointed the Committee for Equal Opportunity in Apprenticeship Training, made up of leaders in the field of labor and management, to promote full cooperation in this important field.

6. *Women and Careers*

Economic expansion requires the use of all available human resources. It has become increasingly evident, however, that there has not been the fullest employment of talented women who choose to engage actively in pursuits outside the home and community life.

To enable such women to contribute their skills to the State's economic growth, I will, in consultation with the Board of Regents, appoint a committee to survey the field and recommend a course of action.

B. Tourism

The State's \$2.7 billion tourist industry, which has grown by 30 per cent in the last four years, contributes greatly to our economic, recreational and cultural life. To build upon programs affording our citizens and visitors the fullest opportunity to enjoy the recreational and historic values of the Empire State, a program is under way to

- select existing secondary roads suitable for designation as scenic and historic routes;
- increase roadside picnic facilities along State highways;
- broaden the State's program to designate, restore and preserve historic sites; and
- enhance the State's boating programs by the designation of State water-cruising routes; the creation of additional marine facilities, including beaches and picnic areas, where needed to augment private facilities; the development of harbors of safe refuge in cooperation with the United States Army Corps of Engineers; the placing of aids to navigation and storm warning systems; and the removal of channel obstructions.

C. Agriculture**1. Expansion of Forest-Product Industries**

Forest industries, using the products of farmer-owned woodlands, can make a substantial contribution to our economy and the income of our farmers. With the technical aid of the State University College of Forestry and College of Agriculture, these industries now return about \$14 million annually to woodland owners in the State.

Nevertheless, many of the 11 million acres of private woodlots are relatively nonproductive. To make maximum use of this important resource, I am proposing a new program which will include a survey of our woodlot resources and their potential uses; a concentrated effort to attract forest-product industries; the encouragement of research in new processes and uses involving forest products; and the expansion of the State's technical assistance to owners of woodlots, with stress upon product development and marketing.

2. Milk Consumption

New York State's dairy industry is second in the Nation.

The Governor's Committee for Increased Use of Milk, in conjunction with other State agencies, has promoted industry cooperation and advertising, helped to increase milk use in school lunch and other programs, and allayed consumers' concern as to radioactivity and cholesterol content.

We shall intensify our efforts to increase milk consumption.

3. Extension of Disease Control Programs

The State's program has eradicated the golden nematode disease in potatoes on Long Island in all but 1500 acres. A new treatment method and progress in breeding nematode-resistant potatoes offer hope that the disease will be brought fully under control. I recommend legislation extending this program for another year.

I also recommend legislation to extend for another year the program for State financial assistance to counties participating with the State in the control of rabies in wild life.

D. Workmen's Compensation Administration

To resolve controversies which have attended the administration of the workmen's compensation program over many years, I appointed a representative committee to explore these areas of disagreement and suggest improvements. Late last month, the Committee made public its report, which I am reviewing and commend to your earnest attention.

E. Unemployment Insurance Financing

Recent national recessions have required increases in the total rate of employer contributions to meet drains upon the Unemployment Insurance Trust Fund. The cost of unemployment insurance and the importance of maintaining a Fund which will continue to protect employees in this State have been matters of serious concern. To deal with this problem directly, a three-member committee is reviewing unemployment insurance financing and assessing the need for revising and strengthening the present financing formulas. I expect shortly to receive the Committee's analysis and will thereafter submit for your consideration my recommendations for appropriate legislative action.

F. Transportation

When I first took office, the State faced a transportation crisis, particularly in commuter railroad and urban bus service. Since that time, with the cooperation of your Honorable Bodies and the localities in the State, we have taken major steps to meet our responsibilities. Our transportation system, however, can be put on a sound foundation only through formulation by the Federal Government of an overall, integrated transportation policy with primary responsibility centered in one Federal department.

1. Commuters

Upon my recommendation, substantial tax relief has been afforded by your Honorable Bodies to the State's commuter railroads and urban bus companies. In addition you established the New York State commuter car program administered by the Port of New York Authority. Under this program

—the New York Central Railroad now has in service 53 new air-conditioned cars with seats for 6890 commuters and, I am pleased to announce, it will shortly order 34 more cars, thereby permitting modern air-conditioned service on virtually all its commuter runs;

—the Long Island Rail Road has ordered 30 such new cars with seats for 3750 commuters, for delivery commencing this spring; and

—the trustees of the New Haven Railroad last week agreed, subject to the approval of the Federal District Court, to order 50 such new cars with seats for 6250 commuters, for delivery commencing early next year.

As a result of the commuter car program, rail commutation equipment within our New York Metropolitan area is well on the way toward rehabilitation.

2. *Tri-State Transportation Committee*

In 1961, the Governors of New Jersey and Connecticut joined with me in establishing the Tri-State Transportation Committee to advance and coordinate transportation planning for the New York Metropolitan region. The Committee, which is now established as a key instrument for planning and transportation in the Metropolitan area, has formulated and is working toward the implementation of

—its shorter-range mass transportation research and demonstration projects; and

—its comprehensive long-range planning and transportation program.

To facilitate Federal, State and local cooperation in the work of the Committee, I recommend legislation which will establish the Committee as an interstate compact agency under the enabling law enacted by the last Congress. The Governors of New Jersey and Connecticut are recommending similar legislation so the Committee can act permanently as the transportation agency for the region.

3. *The Rail Transportation Industry*

New York and its neighboring States have a direct interest in the outcome of several major matters under Federal jurisdiction affecting the rail transportation industry.

At my direction, the State has intervened to protect the public interest in the three principal railroad merger and regulatory proceedings now before the Interstate Commerce Commission.

We are also awaiting court decisions in the matter of national work rules and our own State full crew laws.

Much of the crisis in rail transportation continues and will not be solved until the Federal Government enunciates and implements a national transportation policy.

4. *Highways*

The development of a modern, safe highway system, so essential to the State's economic growth and the safety and convenience of all motorists, has proceeded in the past four years at a record pace—at more than twice the volume for any corresponding period. All told, 5,000 miles of State highway improvement projects have been completed, the equivalent of one-third of the entire State system. This has enabled New York to attain unchallenged national leadership in highway construction.

We will continue our efforts to obtain action by the Federal Government to make available highway aid funds to match New York's accelerated pace of highway building.

5. *Orange County Jetport*

I urge again that the Port of New York Authority designate Orange County as the site of the new jetport which the Authority is considering in the New York Metropolitan area.

Involving as it does an estimated \$350 million construction program and thousands of permanent new jobs, this project has far-reaching significance for the economic growth of the area and of the State. I am pleased that the Port Authority has agreed to re-examine its past findings. If it approves the requested designation, I stand ready to recommend whatever legislation may be necessary to carry out this project.

G. *Natural Resources*

New York is blessed with unmatched natural resources. It is essential that we promote the State's tradition of protecting and enhancing these resources for the fullest benefit of succeeding generations.

1. *Outdoor Recreation*

a. *Land Acquisition*

The State's park and recreation program was greatly advanced by the people's enthusiastic adoption in 1960 of the \$75 million self-liquidating bond issue for open land acquisition. The voters' overwhelming approval last fall of an additional \$25 million for this purpose is a further testament to this program.

I will recommend legislation allocating the funds made available by this recent authorization, thereby encouraging prompt acquisition by the State and local governments of lands which might otherwise be lost forever for park and recreation purposes.

b. *Neighborhood Parks*

Some of our more densely populated municipalities have been unable to avail themselves fully of the funds allocated for this "open space" program because they lack sufficient open or natural land to comply with the existing 25-acre minimum-size requirement. To assist such municipalities in acquiring land for needed recrea-

tional development, I recommend legislation modifying the minimum-size requirement to permit the inclusion of small neighborhood parks within their allocations.

c. *Campsites and Picnic Facilities*

More campsites and picnic facilities are necessary to keep pace with the expanding public need. I propose, therefore, to increase State campsite capacity by an additional 25 per cent, and to increase picnic facilities in recreation-conservation areas.

2. *Water Resources*

a. *Long-Term Planning*

Water is a most vital natural resource for the continued expansion of the State's economy and for the health and welfare of the people. During the past four years, great strides have been made toward our goal of a coordinated long-term plan for the conservation, development and utilization of water resources throughout the State.

Basic to the attainment of this goal has been the creation of the Water Resources Commission as the single agency to integrate the State's policy-making and planning activities. In recognition of the interrelationship of all levels of government in the development of an effective water resources program,

—we have initiated a program of State assistance to encourage municipalities jointly to participate in comprehensive multipurpose planning on a regional basis, and

—we have embarked on a most significant program of major river basin planning which embodies pioneering concepts in interstate and state-federal cooperation.

b. *New Aid for Joint Local Planning Studies*

To help each community obtain an adequate water supply to meet its needs, now and in the future, I recommend legislation inaugurating a new ten-year program under which the State would pay the full cost of joint water supply studies initiated on a cooperative basis by local governments.

c. *Local Sewerage Programs*

Last year, you enacted upon my recommendation a new ten-year program of State aid to municipalities for comprehensive sewerage studies, for sewerage treatment plant construction and for the operation and maintenance of sewerage treatment works.

I urge your second passage of the proposed constitutional amendment to permit municipalities to exclude from present debt limits indebtedness contracted between 1962 and 1973 for sewerage construction. This amendment, together with the State financial assistance authorized last year, will enable municipalities to meet their sewerage treatment requirements without impairing their ability to finance other essential capital expenditures and will aid immeasurably in accelerating our water pollution control programs.

II. *World's Fair*

The New York World's Fair is expected to bring 70 million visitors to New York State in 1964 and 1965. The State has acted to help assure the Fair's success and to attract these visitors to many other parts of the State as well.

Construction is well under way for the New York State Pavilion at the Fair. The New York State Theatre building at Lincoln Center will be a further contribution to the success of this exposition and thereby to the State's economic growth.

In addition, the Commerce Department is actively promoting travel to other areas of the State by Fair visitors. These efforts include overseas advertising, and we expect them to produce a major increase of tourism in the State.

III. *HUMAN AND SOCIAL CONCERNS*

The statistics of economic growth are not ends in themselves. They are measures of hope and of opportunity—for all citizens to attain lives of greater dignity, greater creativity and greater fulfillment.

All the material resources we need and seek in the final analysis serve a *non-material* end—the aspirations of the individual, the necessities of his life, the wants of his spirit.

This is the ultimate morality of our society. And this is the ultimate responsibility of our government—not the master, but the servant, of the free individual.

From this morality and this responsibility, there inexorably follow the actions we must take on many fronts . . . on behalf of *all* the people.

A. *Opportunities for Education*

The Empire State can never be content to rest upon its past accomplishments of educational excellence. There must be a continuing thrust into the unknown—a spirit of educational pioneering and exploration. As the future offers new dimensions for economic and social growth, so, too, must we seek to achieve new dimensions of educational growth. The quality of our schools, colleges and universities must be second to none—in this country or in the world. The rate of intellectual and especially scientific progress in the modern world demands no less.

1. *Elementary and Secondary Education*

Last year's complete revision of our State aid program for elementary and secondary education was the first since the original equalization formula was enacted under Governor Alfred E. Smith.

For the first time, school building aid has been made available to all districts and State aid for transportation has been extended to city school districts. In addition, the special needs of both sparsely-populated and densely-populated school districts have been recognized.

As a result, the State is now paying 46 per cent of total local school cost as compared with an average of 39 per cent in the four school years prior to 1959. Total State aid for public schools in 1963-1964 will approach \$1 billion under the new program—up more than 75 per cent from the \$555 million appropriated in the year before I first took office.

Our attention must now be focused on State leadership and assistance to local school districts in helping them to meet their responsibilities for providing the highest quality education for each tax dollar spent. To this end the State Education Department is seeking to provide improved local advisory services in new teaching techniques and concepts and in school business management. At the same time, the Joint Legislative Committee on School Financing has been reviewing the financial practices of local school districts to insure the most effective and efficient use of school revenue. I urge your continuing support for these efforts.

2. *Higher Education*

The excellence and availability of higher education in New York State are prime concerns of this Administration, for these are foundation stones of the future.

In the past four years, the State has taken major steps to improve the quality of higher education and to assure that every young man and young woman with the desire and capacity to attend college shall not be denied this opportunity for lack of financial means or college facilities.

The student assistance program supported in the last four years by your Honorable Bodies has provided financial aid through a tripling of the number of Regents scholarships, a new scholar incentive program, and a more liberal loan program by private banking facilities with State payment of all interest costs until the student's graduation and all interest costs over 3 per cent thereafter.

State cooperation and leadership in improving the financial and management practices of institutions of higher learning throughout the State are now being offered by the Office of Administrative Services for Higher Education, which was recently established in the State Education Department.

In the field of medical education, I expect to receive in the near future the report of the special committee which I appointed last year jointly with the Chancellor of the Board of Regents. My recommendations will be submitted shortly thereafter.

The State University Construction Fund, established under 1962 legislation, has made a good start in its task of constructing academic buildings at an accelerated pace so that we may be ready for the State University's share of the major upsurge of enrollment anticipated throughout the State in the next few years. My Budget Message will include specific recommendations for financing the construction program required by the approved State University Master Plan.

We can take pride in the steps which are being taken to create a truly great State University. The development of the four graduate

centers is proceeding: the resources of the former University of Buffalo have been integrated into the State University system; the first facilities of the major new campus at Stony Brook were occupied last September; construction has begun on the exciting campus for the Albany Center; and expansion of the facilities at Harpur has been initiated.

Our program for broadening the curriculum of the eleven former State Teachers' Colleges is proceeding on schedule. The first Liberal Arts degrees were given at Fredonia and New Paltz last June. By September, all will be offering liberal arts programs.

To help meet the needs of students who want to accelerate their course of study and in order to use facilities more efficiently, three units of the State University will start three-semester or four-quarter, year-round programs in 1963.

B. *Children and Youth*

1. *Master Plan for Childhood Diseases*

In 1961, I directed the State Health Department to undertake a survey of the entire problem of long-term diseases of childhood and to develop a master plan for an expansion of the State's medical rehabilitation program for children. I am pleased to report that this survey has now been completed, and I recommend that the Master Plan be implemented by

- an expansion of the categories of chronic childhood diseases for which 50 per cent State-aided treatment is provided, to include such diseases as cystic fibrosis, muscular dystrophy, diabetes, nephrosis, rheumatic fever, chronic asthma and childhood malignancies;
- a program of emergency treatment for serious injuries which could result in long-term disabilities; and
- administrative improvements to insure the prompt treatment of all children participating in the program.

Enactment of this program will go a long way toward alleviating the severe burdens on thousands of afflicted children and their families.

2. *Coordinated Planning to Meet Youth Needs*

The Interdepartmental Committee on Youth has instituted a study of State-sponsored youth services to evaluate their effectiveness, determine needs for special services, and establish the future role and responsibility of each State agency providing services for youth. This study will provide a significant blueprint for achieving greater effectiveness in this area of human concern.

3. *Youth Worker Training*

In a continuing effort to improve services to young people, the Division for Youth, in cooperation with the Department of Civil Service, will conduct a Youth Worker Training Project in New

York City this summer. The project will provide a recruiting and training facility for workers in the youth field.

It will also test the feasibility of establishing a volunteer State Youth Corps whose energies would complement the work of public and voluntary agencies in bringing hope and help to underprivileged areas.

C. The Aging

1. Medical Care for the Aging

The State's program of medical assistance for the needy aged provides the most comprehensive medical care of any such program in the Nation and has served as a prototype for other states.

It is not, however, a medical insurance plan and was never intended as a substitute for a general, insurance-type, medical care program which would assure *all* senior citizens of essential medical services. This type of coverage can be effectively provided only on a national basis.

I have long advocated a national program of medical benefits for senior citizens through the fiscally-sound and proven contributory system of Social Security, but with three important provisions:

(a) That each eligible retiree have an option of accepting cash payments, in lieu of benefits under the program, to pay premiums on private health insurance offering protection at least equivalent to the statutory benefits;

(b) That benefits be available for the three million persons not now covered by Social Security; and

(c) That a separate trust fund be set up to handle the medical care portion of the Social Security system.

I again urge the Federal Government to act on this matter without further delay.

2. New and Improved Nursing Home Facilities

To assure the availability of adequate high-quality medical care for the increasing number of senior citizens in this State, I recommend enactment of a new program to stimulate the construction of more and better public and private nursing homes. This program will include

- State assistance for the construction of public nursing home facilities;
- channeling the flow of private capital into the construction of non-profit nursing homes;
- integration of nursing homes and home care in the utilization program of the State Hospital Review and Planning Council, working through its regional councils;
- a complete review by the Department of Social Welfare, with the cooperation of the Hospital Review and Planning Council, of existing rules and regulations for nursing homes; and

—additional field staff funds to help nursing homes comply with revised regulations and to promote sound rehabilitation, social and recreational programs.

D. New Protection for Workers

1. Migrant Labor

Although this State is far ahead of the Nation in its programs to provide better working conditions, housing, health care and education for migrant laborers and their families, the welfare of these essential workers is a matter of continuing concern. Accordingly, I have asked the Interdepartmental Committee on Farm and Food Processing Labor, in conjunction with the Advisory Council, for a review and recommendations of any additional steps that can be taken in the migrant labor field.

2. Statewide Regulation of Employment Agencies

Recent studies conducted by the Labor Department throughout the State have indicated wide variations in the degree of effectiveness with which the Employment Agency Law is being enforced. Much of the problem is due to the lack of centralized responsibility for the presently prescribed licensing and enforcement functions.

To improve the administration of this law and make its protections uniform throughout the State, particularly with respect to the importation of young women from the South and from Latin America as domestic workers, I recommend legislation transferring these responsibilities, outside the City of New York, to the State Department of Labor.

E. Labor Relations in Nonprofit Hospitals

Labor disputes in nonprofit hospitals and residential care centers in this State are a continuing source of concern.

Last summer, in connection with the settlement of a prolonged labor dispute involving three New York City hospitals, I said I would recommend extension of collective bargaining rights under the State Labor Relations Act to workers in nonprofit hospitals and residential care institutions, with provision for

- an effective bar against strikes;
- mediation, fact-finding and binding arbitration; and
- the preservation of the traditional power of the courts to enjoin illegal strikes.

I will shortly submit a specific bill embodying my recommendations.

F. Housing and Community Development

1. Middle-Income Housing

To meet the increasing need for middle-income housing, we have created the State Housing Finance Agency which, with funds raised from private sources, has made major progress in stimulating additional private housing facilities.

Of particular importance to the City of New York is the program for constructing such housing on air rights over public and private properties. In this way, housing is assured without the necessity of displacing families or small businesses from the development site. It also provides a new real estate tax source to the municipality.

It is my hope that in the coming year, New York City will cooperate by authorizing uniform tax ceilings for such limited-profit housing projects so that this program may move ahead rapidly.

2. *Low-Rent Housing*

The State of New York has appropriated nearly \$1 billion during the past twenty-five years, in addition to substantial Federal and local funds, to provide subsidized low-rent housing. These programs have helped thousands of low-income families. New social problems have arisen, however, which together with the serious administrative deficiencies of the New York City Housing Authority, demand thoroughgoing examination of this field.

It is important, both socially and financially, that we develop a sounder approach to cope with the needs of low-income families for housing. To my regret, a majority of the voters at the last general election did not approve the State's proposal to undertake a program to provide housing for low-income families through the cooperation of private enterprise and the State Housing Finance Agency, coupled with a modification of the present State subsidy provisions.

I recommend creation of a Temporary Commission to study this entire area and make specific recommendations, hopefully, in time for action at this Session.

3. *Constitutional Amendment*

Last year your Honorable Bodies took an important step in enhancing the State's housing and urban renewal programs by first passage of an amendment to Article XVIII of the Constitution. I recommend its second passage for submission to the people.

4. *Community Development Corporations*

So that civic leadership and initiative may participate in programs of community renewal, I recommend legislation authorizing the creation of nonprofit community development corporations. These corporations could build civic auditoriums, libraries, museums, housing for senior citizens and recreation centers. These projects would be eligible for low-cost mortgage loans from the State Housing Finance Agency to the extent that their income might assure payment of necessary debt service.

5. *Urban Renewal*

The displacement of business by local urban renewal projects has become an increasingly serious problem. I recommend legislation to permit all communities condemning business properties for

urban renewal projects to make prepayments of a substantial part of the appraised value of such properties upon acquisition, thus providing immediate financial assistance to small businessmen for their relocation.

I have also asked the State Commissioner of Housing and Community Renewal to adopt regulations to help ease the return and to aid in the relocation of those tenants who cannot be accommodated within the redevelopment.

G. *Narcotics Addiction*

In the past four years, New York State has developed the Nation's most comprehensive program for rehabilitating narcotics addicts through hospitalization and aftercare treatment. I shall submit recommendations for further advances in a Special Message to your Honorable Bodies.

H. *Mental Health and Rehabilitation*

1. *Further Implementation of the Master Plan*

The New York State Master Plan for care of the mentally disabled is designed to provide maximum use of new therapies and to develop the full range of integrated services required for modern community-based treatment of mental disability. Following up the first-phase implementation of the Master Plan last year, I now recommend:

(a) *State Aid*—Complete removal of the ceiling on State aid to localities for their mental health services, with proper safeguards that will assure appropriate expansion of community services and promote integration of State and local efforts.

(b) *New Retreatment Units*—Opening of more units for the retreatment of chronic patients so that eventually every State hospital will have such a unit—a primary goal of the Master Plan.

(c) *New Units for the Mentally-Ill Deaf*—Initiation of a special unit for the treatment of the mentally-ill deaf who need this special care because of their multiple disabilities.

(d) *Decentralized Care*—Beginning decentralization of the treatment and care programs of two large State hospitals into smaller units to provide patients with more personalized, community-oriented treatment.

(e) *New Schools for the Retarded*—Continued acceleration of the State's building program for new State schools for the retarded.

This second-phase program will further reflect our determination that every citizen in the State who has need for such care will receive the best possible treatment, as soon as it is needed, in the most suitable and effective manner.

2. *State Aid for Rehabilitation Workshops*

Voluntary organizations have long made a substantial contribution to rehabilitation of the physically handicapped and the retarded through vocational training and employment in rehabilitation workshops. This Administration has shared in the endeavor. I recommend advancing this worthy beginning by a new program of State aid for further enhancement of the quality and quantity of professional staffing in the workshops.

I. *Public Welfare*

The Moreland Commission I appointed to review the public welfare programs in the State is expected to report its findings in the coming weeks. I will thereafter submit my recommendations for appropriate action.

J. *Highway Safety*

We have made marked progress since 1959 in promoting highway safety. In the last year, however, New York, reflecting a national pattern, has suffered a sharp increase in the rate of highway accidents, injuries and fatalities. This demands a redoubling of our efforts in the field of traffic safety.

At this time, I recommend legislation providing for

- a mandatory 30-day suspension of a driver's license upon conviction for speeding at 15 or more miles per hour in excess of the speed limit on State highways and parkways;
- periodic vision re-examinations of drivers;
- greater safety for children in school buses, by requiring a Class 2 chauffeur's license for all school bus drivers throughout the State; and
- inclusion within the "point system" of convictions for traffic violations in contiguous states, as well as forfeitures of bail within the State.

K. *Civil Defense*

Recent events have underscored the inescapable fact that the State shares a continuing responsibility for the safety and protection of all our people in the event of nuclear war.

The benefits of advance preparation for an emergency were reflected in the immediate and orderly action with which the State's capabilities were marshaled in support of the President's recent actions on Cuba.

The alternate seat of government at the State Campus will be stocked, equipped and ready for occupancy in April. Eighty percent of the State armories now have fallout shelters. Considerable progress has been made in providing fallout shelters in State Police barracks, in State office buildings and institutions,

and in units of the State University. Interest is increasing in obtaining fallout shelter protection in existing and planned schools, farms and homes.

Federal supplies and equipment for stocking Federally-designated fallout shelters in the State are being sent to local civil defense directors, and the marking and posting of these shelters are currently under way.

Additional measures are required to further the State's program to protect our people in the event of a nuclear attack. I plan to submit to your Honorable Bodies specific proposals to further the safety and security of the people of our State as further Federal programs develop.

L. *Equal Opportunity*

In 1961, at my request, your Honorable Bodies took steps to prohibit for the first time discrimination based upon race, color, creed or national origin in the field of private housing throughout the State.

While New York State has pioneered in the field of human rights, today we lag behind our neighbors in Connecticut and Pennsylvania, as well as in Colorado, Minnesota and Oregon, in the protection provided by our laws against discrimination in housing.

In light of the experience under the principle established in 1961, I recommend legislation extending the coverage of the law to prohibit discrimination:

- in the sale or rental of all individual houses; and
- by real estate brokers with respect to all housing.

In addition, I recommend that complainants and witnesses in cases before the State Commission for Human Rights be given the same protection against retaliation in all fields in which discrimination is prohibited by State law as is now afforded in employment discrimination cases.

M. *Consumer Protection*

The State has earned national recognition for its relentless fight for consumer protection—which benefits not only consumers but honest businessmen as well.

I urge your Honorable Bodies to give full consideration to strengthening the State's laws in this area.

N. *Capital City Rehabilitation*

Last year, the State Commission on the Capital City recommended that the State redirect its future building construction from the "Campus" site to the heart of Albany. The plan contemplated a long-range program for rehabilitating both the Albany and Rensselaer sides of the Hudson River and for strengthening the downtown core of the City of Albany.

Following this recommendation, 98 acres contiguous to and south-east of the Capitol were appropriated for State purposes. The utilization plans for this South Mall area will be available within the next weeks and will include plans for connecting the South Mall development to the Thruway via arterial highways.

I also await with interest the Commission's report due by early February.

III. IMPROVEMENT OF GOVERNMENT

It is not enough for any government merely to assert its good intentions. True service to the people requires that government act to translate promise into reality.

And this means

- clarity of purpose,
- concert of effort,
- rigor of economy,
- efficiency of performance, and
- equity of law.

We stand committed to this kind of government.

We face, therefore, certain immediate tasks to be wisely and speedily done.

A. Liquor Laws and Administration

I am determined that the liquor laws will be administered fairly and without favor. To assure this, the new Chairman of the State Liquor Authority, with the cooperation of the management unit of the Division of the Budget, has undertaken a thoroughgoing overhaul of the Authority's administrative structure, practices and procedures.

In addition, the time has come for a careful reappraisal of the State's Alcoholic Beverage Control Law, enacted in 1934 soon after the national repeal of Prohibition. I shall therefore appoint a Moreland Commission which, working in cooperation with the new Chairman of the State Liquor Authority and your Joint Legislative Committee, will review existing law and recommend any necessary revisions at the earliest possible time.

B. Law Enforcement and Crime

No governmental function is more vital to all the people than a strong system of law enforcement. Throughout this Administration, emphasis has been placed on increasing professionalization of law enforcement personnel and on improving their operational effectiveness.

1. *Municipal Police Training*

The Municipal Police Training Council's pioneering program, mandating and prescribing the content of a minimum 80-hour training course for all local police recruits, has been widely hailed

by professional groups throughout the Nation. In cooperation with the Council, I am promulgating an Executive Order which increases the prescribed course to 120 hours.

2. *State Police*

This Administration is also completing a major administrative reorganization of the State Police. In the past four years, authorized strength has been greatly augmented and salary schedules for all members have been revised to bring them up to professional standards. Further, these staff increases will accomplish in 1963 the goal of a 40-hour work week.

3. *School of Criminal Justice*

There is serious need in this State for the training of administrators in the broad interrelated aspects of law enforcement and for the encouragement of further research contributions from the academic disciplines.

The Trustees of the State University are now reviewing a preliminary study of the feasibility of establishing a School of Criminal Justice within the State University, and I look forward to their action in this important matter.

4. *Commission on Revision of the Penal Law and Criminal Code*

Pursuant to 1961 legislation, a Commission was created to undertake the first major revision of the Penal Law and Code of Criminal Procedure in this State since 1881. I await with interest the forthcoming recommendations of the Commission.

C. Court Reorganization and Civil Procedure

Recommendations are expected at this Session from

- the Joint Legislative Committee on Court Reorganization, which is completing its assignment with respect to the implementation of the recent Constitutional Amendment;
- the Judicial Conference, which is reviewing the new Civil Practice Law and Rules, particularly in the essential area of pretrial proceedings; and
- the Temporary Commission on the Law of Estates, which is undertaking the first comprehensive review of the law in this field since 1927.

I urge your careful consideration of their respective proposals in these important areas of the law.

D. Legislative Reapportionment

During your present term of office, a decision will be required as to the manner in which future State Senate and Assembly seats are to be apportioned. The Legislature was last reapportioned in

1953 on the basis of 1950 census figures, and population changes within the State since that time, particularly the growth in suburban areas, should be recognized.

The State's formula for apportioning Senate and Assembly seats is presently in litigation before the Supreme Court of the United States. I intend to defer my own recommendations until the Court determines the merits of the novel questions of constitutional law which are involved. In the interim, my staff will continue its study, in conjunction with the Leaders of your Honorable Bodies and the Joint Legislative Committee on Reapportionment.

E. The Right to Vote

1. Ratification of Federal Anti-Poll Tax Constitutional Amendment

I heartily approve and recommend for your prompt favorable action an amendment to the Federal Constitution which has recently been submitted by the Congress to the several States for ratification. This amendment, which is long overdue, would effectively prevent the use of a poll tax or other tax to deny citizens the right to vote. We are proud of our own tradition of guaranteeing that right to all citizens, without regard to race, color, creed or national origin.

2. Constitutional Amendment on Absentee and Presidential Voting

There are currently pending before your Honorable Bodies alternative constitutional amendments for second passage which would importantly extend the right of absentee and presidential voting. Many of our citizens are unable to vote because of absences from their residences or because of changes in residence which prevent them from meeting the requirements of the State Constitution.

The amendments before you would permit absentee voting whenever a qualified voter is absent for any reason from the county of his residence, or from New York City if he is a City resident. They would also authorize special balloting for President and Vice President by persons who are within the State a specified number of days, even though they are ineligible to vote for State or local offices, and by those who have moved out of New York State. I recommend second passage of these constitutional changes and their submission to the people at the forthcoming general election.

F. Civil Service

1. Survivor's Benefits

Last year the survivor's benefit law was enacted, guaranteeing to all State employees minimum financial protection in the event of death. I recommend legislation continuing this important benefit and widening eligibility by including employees of the contract colleges in the State University administered by Cornell and

MESSAGES TO THE LEGISLATURE

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Alfred Universities, and State employees on an authorized leave of absence. I also propose legislation crediting public authority and State employment, on a reciprocal basis, toward eligibility for survivor's benefits.

2. Extensions of Current Temporary Programs

New York State can take just pride in the leadership which it has demonstrated in providing extensive retirement benefits to its public employees. I urge that this leadership be continued by legislation extending for another year

- the increased ordinary death benefit;
- the program for special interest for three per cent members;
- the five-point program under which the State and other employers assume part of the employees' share of retirement costs in order to increase their take-home pay; and
- the program eliminating the "death gamble" for employees eligible to retire.

3. Condon-Wadlin Law Revision

I have frequently expressed my belief that, although public employees must necessarily renounce actions resulting in the disruption of governmental operations, the present penalties of the Condon-Wadlin Law are unrealistic in the light of experience since its enactment. In my view, it is the certainty of punishment and not its severity which should furnish the incentive to comply with the Law.

I will, therefore, submit my recommendations to your Honorable Bodies for modification of the present penalties of the Law so that concern with the severity of punishment will not obscure the basic principle it enunciates. This Administration also will continue to review the employment relationship between the State government and its employees to insure the perpetuation and constant improvement of a modern program of employee relations.

G. Land Acquisition and State Construction

1. Moving Expenses and Tax-Exemption in Land Acquisitions

The legislative changes and administrative improvements which have been made in the last year are already yielding benefits in accelerating the disposition of claims resulting from the State's expanded land acquisition program. In order to further the equitable treatment of persons whose property is taken by the State for needed public improvements, I am recommending

—an expansion of last year's legislation authorizing payment of moving expenses to residential occupants of appropriated property, and an extension of the program to occupants of commercial and business property; and

—the elimination of a long-standing inequity by authorizing the proration of real estate taxes which have been paid by the owner prior to the taking of his property.

2. *Taxation of State-Owned Land*

At my request, legislation was enacted in 1960 and again in 1962 which provided equitable and consistent State aid treatment for localities which experience severe financial impact from new acquisitions of land by the State and by State public authorities.

The 1962 legislation also contained a provision holding all localities harmless from the adverse effects of 1961 reductions in the valuation of certain taxable State lands. I recommend that this provision be extended for another year.

I have appointed a committee to make an intensified study and recommendations with respect to the entire subject of taxation of State-owned lands.

H. Local Government

1. *Home Rule*

Last year you gave first passage to a new Local Governments Article of the State Constitution which would significantly expand home rule powers for all units of local government and provide for the first time a "Bill of Rights for Local Governments." In addition, the proposed amendment would introduce a new concept of home rule powers by requiring the enactment of a "Statute of Local Governments" to be comprised of selected powers of local government which could be withdrawn or restricted only by legislative and executed action in each of two succeeding calendar years.

I urge the second passage of this amendment. In due course I shall submit proposals for the Statute of Local Governments, a Municipal Home Rule Law and other legislation to implement the proposed amendment.

2. *Per Capita Assistance*

Pursuant to 1962 legislation, a Temporary State Commission on Per Capita Aid was established and has initiated a comprehensive review of the per capita aid program and its relationship to other, more functional local assistance programs. State aid to localities presently represents 53 per cent of the State's total revenues, as compared to 44 per cent in 1946-1947 when per capita payments began. This means that the State now returns to localities over \$1.4 billion per year.

Because of the complexity of the issues coming to light during the course of its studies, I recommend that the Commission be extended for an additional year and that its representative character be broadened by the addition of four new members.

While awaiting the final recommendations of the Commission, I again recommend legislation to continue the present levels of

per capita assistance for fiscal 1963-1964 for those municipalities which have had a decrease in population since the 1950 Federal Census.

3. *New York City Administrative Code Revision*

The voluminous bill containing the recommendations of the Board of Statutory Consolidation of the City of New York for amendment of the New York City Administrative Code has been printed and made available to those concerned within the past few days. I urge your prompt attention to this measure to insure complete implementation of the aims of Charter reform in the City of New York.

4. *New York City Fiscal Problems*

The State will continue to give careful consideration to fiscal problems of the New York City administration. With the new Charter made possible by your Honorable Bodies, concentrating administrative authority and responsibility in the Mayor, he should be in a position to develop fiscally-sound long-range programs for the City's growth.

CONCLUSION

Such, then, are the dimensions of the challenges and opportunities that lie before us.

Ours is the high privilege of representing the people of the Empire State in this republic of federated states—whose union, power and purpose constitute the greatest hope of free men on this earth.

What we achieve here has meaning for 17 million New Yorkers and generations yet to come.

With Divine guidance, let us work with courage in this great cause.

(Signed) NELSON A. ROCKEFELLER

Message Proposing Legislation Providing for the Creation of a State Commission of Public Concern

STATE OF NEW YORK—EXECUTIVE CHAMBER

ALBANY, January 23, 1963

To the Legislature:

Free collective bargaining is an essential institution of our democratic society. It has long served the Nation well in the vast majority of its applications. Its continuing economic and social usefulness is beyond dispute.

Like any man-made institution, however, collective bargaining is subject to imperfections and pressures ranging from human error

to basic changes in our industrial and economic life that may cause it at times to fail.

When such failure occurs, one or both of the parties directly at interest will suffer, and all too frequently the interest of the general public is gravely involved.

Where collective bargaining breaks down and the interest of the general public is seriously affected—as in the current New York City newspaper dispute which is disrupting for millions of people the flow of information essential to the functioning, strength and well-being of a free society—then the protection of an otherwise unrepresented public interest becomes the object of legitimate governmental concern.

The people of New York State have become increasingly concerned with the effect of labor disputes which threaten their safety, health or general welfare.

It is imperative that the parties involved in labor-management negotiations shall exercise their responsibilities with due regard to the public interest.

Therefore, as a measure to protect the public interest, I propose legislation providing for the creation of a State Commission of Public Concern.

This Commission would be composed of 12 public members. At the call of the Governor, it would sit in panels of three members and would have specific authority to:

- Investigate and report upon all the facets of a labor dispute, existing or imminent, which threatens the public interest;
- Make recommendations for a fair and reasonable settlement of the dispute; and
- Make recommendations for appropriate legislative action, if necessary.

I strongly urge your early and favorable consideration of this measure.

(Signed) NELSON A. ROCKEFELLER

Transmitting the Executive Budget and Recommended Appropriations for 1963-1964

STATE OF NEW YORK—EXECUTIVE CHAMBER

ALBANY, January 30, 1963

To the Members of the Legislature of the State of New York:

Each year for the past four years I have presented to your Honorable Bodies a financial plan that has reflected my firm belief that the people of the State of New York want responsive and responsible fiscally sound government. In the past four years we have restored fiscal integrity, broadened and improved essential State services, and eliminated waste and inefficiency. Four years

of gratifying progress have provided us with a solid basis on which to build toward even greater achievements.

This Budget, like each of my four previous Budgets, is based on three fundamental objectives:

- To provide essential services for the people of this State.
- To promote economic growth, increased job opportunities, and an improved standard of living.
- To preserve fiscal soundness and achieve the greatest operating efficiencies in State government.

Services for Our People

New York State government provides many important services which are making this State attractive to live in, to work in, and to

BUDGET APPROPRIATIONS

	(millions)		
	1962-63 Estimated	1963-64 Recommended	Change
Local Assistance.....	\$1,409	\$1,547	+\$138
State Purposes.....	847	907	+ 60
Capital Construction.....	402	343	- 59
Debt Service.....	38	35	- 3
Total.....	\$2,696	\$2,832	+\$136
Reserve for supplemental budget, special bills and deficiencies.....		26	+ 26
Total Appropriations.....	\$2,696	\$2,858	+\$162

STATE INCOME AND EXPENDITURES

	(millions)		
	1962-63 Estimated	1963-64 Recommended	Change
Income.....	\$2,595	\$2,891	+\$296
Expenditures			
Local Assistance.....	1,391	1,539	+ 148
State Purposes.....	813	904	+ 91
Capital Construction.....	353*	411*	+ 58
Debt Service.....	38	35	- 3
Sub-total.....	\$2,595	\$2,889	+\$294
Surplus.....		\$2	+\$2

* In addition, net repayable "first insurance" advances to the Federal Government and to public authorities for capital projects in the amounts of \$52 million in 1962-63 and \$14 million in 1963-64 will be financed temporarily through Capital Construction Fund Reserve.

visit. These services are financed primarily through the State Budget, even though many of them are administered with State aid at the local level—by counties, cities, towns, villages, and school