

# Civil Service LEADER

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## MH Patient Transfer

See Page 3

# COURT SAYS BUDGET 'UNCONSTITUTIONAL'

### Congressman Slated As Speaker

## Three Busy Days Set For County Delegates

On film, in panel discussions and through general sessions, delegates to a special meeting of the County Division of the Civil Service Employees Assn. next week will conduct an in-depth examination of problems concerning local government employees and attempt to come up with some right solutions.

Delegates also will hear an address from Congressman Hamilton Fish, Jr., who represents several counties along the Hudson River Valley. The U.S. Repre-

## Taylor Law Proposals Put Employees In A Straightjacket — CSEA

The Civil Service Employees Assn. last week charged the State Administration and leaders of the Legislature with trying to put public employees in a "negotiating straightjacket" by attempting to sneak through further, harsh amendments to the Taylor Law.

Proposed revisions to the law were introduced quietly through the Assembly Rules Committee early last week and introduced into the Assembly late the next night.

Sponsor of the amendments, which cut out several important areas of negotiations in collective bargaining, apparently hoped the bill would be rushed through last Thursday. Sharp reaction from public employee unions throughout the State, however, caused enough GOP Assemblymen to withhold their votes. Debate was scheduled again on the bill this Monday.

Joseph D. Lochner, CSEA executive director, called the amendments "strictly anti-employee" and said attempts to deprive management personnel union membership—one of the proposals—was unconstitutional.

Seymour Shapiro, chairman of the CSEA legislative committee, declared that "any restrictions on the scope of collective bargaining can be only construed as a long step backwards in terms of good labor-management relations."

In essence, if the amendments were passed, bargaining would practically be limited to wages and retirement.

Lochner said that this means management would come to the table with its mind already made up about every issue but the two mentioned above. "That is not collective bargaining under any circumstances," he said.

## State Appealing CSEA Victory In Higher Court

ALBANY—At Leader presstime, attorneys for the Civil Service Employees Assn. were preparing to do battle to maintain a court victory which last week resulted in a ruling that the lump sum budget submitted to the State Legislature by the Rockefeller Administration, and subsequently approved, was unconstitutional.

The ruling, which came from Supreme Court Justice Russell G. Hunt, was immediately appealed by the State and is now before the Appellate Division of the Supreme Court here.

The State's appeal of Justice Hunt's decision holds in abeyance a ban on the firing of State workers. But a CSEA spokesman expressed confidence that the Employees Association would win the ultimate victory on the budget battle in the Court of Appeals.

"What this means," he said, "is that Governor Rockefeller would then have to sit down with us, as the duly elected representatives of the majority

of State employees, and draw up a line item budget. At that time, he will be shown how any necessary job eliminations can be accomplished through attrition."

The lump sum budget was declared unconstitutional because, as Justice Hunt declared, "the Legislature, by means of the (budget) bills enacted has abdicated its function of stating policy and giving direction thereto by its delegation of the power to department heads to decide legislative policy and to spend without establishing standards and limitations . . ."

Should the Appellate Division uphold Justice Hunt, the State is certain to go to the Court of Appeals, the State's highest court.

Should the Court of Appeals uphold the lower court ruling, the Rockefeller Administration

(Continued on Page 3)



HAMILTON FISH, JR.

sentative, whose family has a history of public service spanning almost 200 years, is the fifth generation of his clan to run for Congress. An attorney, he is a Navy veteran of World

(Continued on Page 18)



**CITED** — Paul Kyer, left, editor of The Leader, recently was presented with an "Award of Merit" from the National Conference of Shomrim Societies for "outstanding service to the community and the promotion of high standards of performance for American Safety Officers." Making the presentation is Louis Weiser, executive vice-president of the organization.

*Don't Repeat This!*

## Rockefeller Might Welcome New Shot At A State Budget

THE Rockefeller Administration will have to fight to the end last week's court decision that the State budget approved by the Legislature is unconstitutional. But one can only wonder if the Governor would really be all that unhappy if the Civil Service Employees Assn., which challenged

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### Inside The Leader

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Capital Conference Newsletter — Page 14

Lackawanna Charges Unfair Labor Practices — Page 14

Eligible Lists — Page 13



# Inside Fire Lines



by Michael J. Maye  
President, Uniformed Firefighters Assn.

## Ready To Prove Case

THOUSANDS OF WORDS have been uttered and written about the pension system in the City being out of hand.

THE CURRENT PENSION payments in New York City will equal the entire operating budget of the City of Los Angeles, so states the New York City Council.

CONTINUE THE SKYROCKETING pension payments and we will all find ourselves working for the civil service employee, so states the New York State Senate.

SOMEONE MUST STOP the flow of pension bills—there are now more than 600 waiting action, so states the New York State Assembly.

ALTHOUGH THESE and other similar statements may be true, does anyone ever bother to ask—how did it start and where do we go?

IN 1865 THE METROPOLITAN Fire Dept. ended and the New York City Fire Dept. began. Within 25 years, the City Fathers realized that death and injuries to firefighters and the workload demanded of them were of such magnitude that a 20-year retirement was not only necessary, but a must.

IT WOULD BE interesting if one of those City Fathers could evaluate the retirement of the 1890's with that of the present day 1970's, when all of the department responses did not measure up to one of the formidable firehouses of today.

IN THE LAST DECADE, when serious consideration was being demanded for re-evaluation of retirement for firefighters, everybody else in civil service said: "we want what they want."

FOR EVERYONE ELSE in civil service to use the firefighters as a step ladder to achieve higher gains for their membership is accepted, albeit reluctantly.

BUT TO USE the argument that justifiable gains made by the firefighter warrant a cry of "we want it too" is silly.

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# DON'T REPEAT THIS!

(Continued from Page 1)  
the budget in the courts, wins its point right up through the Court of Appeals.

The question is raised because there is no doubt that while the Legislature ordered an ax job on the Governor's original budget proposals, it was left to the Rockefeller Administration to take the onus for the painful surgery that was necessary to effectuate the cuts.

If the Employees Association contention—that the present, lump sum budget is illegal—upheld, the Governor would have a chance to shove the dirty work right back to the Legislature. It's hard to believe he wouldn't welcome the opportunity.

Right now, every employee who is fired and every citizen suffering from the close-down of State services is getting the bad news from the Governor's office. Individual members of the Legislature have avoided with great expertise the responsibility for any specific cut and point primly to the Administration when complaints are made.

This all could change, however, if the Governor is forced to submit a new set of budget bills that would point out item by item just what services and jobs are in and, by inference, what are out.

Any Republican legislator who comes from a district where a Mental Hygiene Dept. facility was closed down or where there were a large number of constituents who are fired State workers, would obviously think twice before voting for a budget that laid the blame for these cut-backs specifically at his door.

This leads to speculation that the Democrats may get in on shaping any resubmitted budget. In the Assembly, passage of the current budget was assured by a slim majority. The defection

by a mere handful of GOPers would put the whole thing in jeopardy the next time around.

At any rate, a new budget could be a whole new ball game and the art of political buck-passing might reach unprecedented heights. It would appear that there are interesting days ahead.

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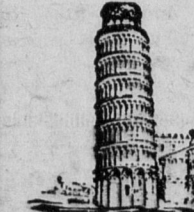
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### Kyer Gives Thanks For Condolences

Paul Kyer, editor of The Leader, has expressed "deep-felt" appreciation for the hundreds of sympathy and the many Mass cards sent after the recent death of his mother.

"I would like to respond individually to each of you," he said.

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# CSEA Condemns Patient Transfer; Threaten Action

ALBANY—The Civil Service Employees Assn. has protested to Commissioner Alan D. Miller, of the Mental Hygiene Dept., over mental patients being transferred to other institutions because of personnel and facilities cutbacks, a spokesman revealed.

"CSEA had thought this announced plan to transfer mental patients was merely another threat to exert pressure for budget restoration," said CSEA president Theodore C. Wenzl. "We could not believe the State would actually allow this totally unspeakable treatment of sick people to take place."

Wenzl demanded that the department stop transferring the patients, saying: "We are informed by knowledgeable forces that the abrupt change of environment involved in these transfers often has a completely traumatic effect on the mentally ill, setting their rehabilitation back appreciably and sometimes irreparably. In the case of the great majority of patients who are physically weak and/or elderly, the experience of a lengthy ride on a crowded bus, such as the trip from Harlem Valley to St. Lawrence, actually constitutes a severe and perhaps deadly threat to their physical well-being."

The CSEA head said that it had been reported that patients were being coerced into signing voluntary transfer slips by supervisors, with the threat that if they did not agree to be trans-

ferred, they would be placed in so-called "bad" wards at their present institutions where facilities are far below standards, and treatment is bad because of lack of personnel.

## Aides Threaten Action

In a related development, The Leader learned that more than 70 off-duty employees at Middletown State Hospital promised to attempt to block the transfer of patients from that institution to other facilities.

Middletown is reportedly losing more than 300 employees in the State's current budget cutbacks—approximately 22 percent of the work force—and patients were scheduled to be transferred accordingly. Word from the employees was that they would, if necessary, physically block the buses carrying patients so that they could not leave.

"These patients must not become helpless, innocent pawns in the arrogant budget-cutting game now being played by our State Administration," Wenzl said. "From a practical standpoint, the transferring of patients is unnecessary and absurd. From a moral and humane point of view, it is unconscionable."

# Funds Sought To Purchase Kidney Machine To Save Life Of A CSEA Member

ALBANY—Paul Jordan is a public employee who needs your help.

Jordan, an employee of the Thruway Authority's Dept. of Information & Commercial Affairs, and a member of the Civil Service Employees Assn., requires dialysis on a kidney machine twice a week for 12-hour periods. If he could have the use of a portable machine, he could use it three days a week for 8-hour periods.

The CSEA Thruway chapters across the State have united in a drive to raise the money—\$4,500—to buy a portable dialysis machine for Jordan and keep it in operation for a year. There is no alternative for Jordan. He needs the machine to live.

Mrs. Jean C. Gray, president of the Thruway Headquarters chapter here, of which Jordan is a member; Thomas Currie, president of the professional-technical-supervisory chapter, and John Fague, deputy director of information and commercial affairs, are co-chairmen of the drive. All money collected will be turned over to William Rourke, treasurer of Headquarters chapter, and checks may be made out to him and sent to him at Thruway Headquarters, Elsmere, N. Y., 12201.

CSEA president Theodore C. Wenzl asked all CSEA members to contribute: "Paul Jordan can't live without this machine. Let's show Paul that we all are rooting for him and that we are willing to help give him the gift of life."

# CSEA Wins Another Round On The Budget

(Continued from Page 1)

would have to resubmit its budget bills, stating specifically what the money is being spent for and what jobs are involved.

This means that members of the Legislature would know exactly what programs and work positions were being cut. Since this would place the responsibility directly on individual members of the Legislature to explain back home why local programs were cut and employees in their district were fired, the chances are that the now wide-scope of program cutting and firings would be reduced.

As a result of this new, individual responsibility on legislators, Democrats in both houses of the Legislature are hopeful of wooing away some Republicans to their version of an enlarged budget. Whether or not this is even remotely possible will depend entirely on the final action taken by the courts.

## Victory for the People

Dr. Theodore C. Wenzl, president of the Civil Service Employees Assn., called Justice Hunt's "a victory for the people of the State of New York as well as for civil service.

"It was always inconceivable to us," he said, "that the elected officials of this State (members of the Legislature) would turn over their responsibility for funding and operating programs for the public good to a set of appointed department and agency heads."

Dr. Wenzl said that "I cannot help but believe that when members of the Legislature see just how indiscriminately the budget ax is being wielded, they will live up to their responsibilities and restore the monies needed to operate the State in a fashion that will serve the basic needs of the people."

## Flaumenbaum Seeks Political Action

MINEOLA—State first vice-president Irving Flaumenbaum called last week for political action during the time made available by the progressing court battle over the State budget.

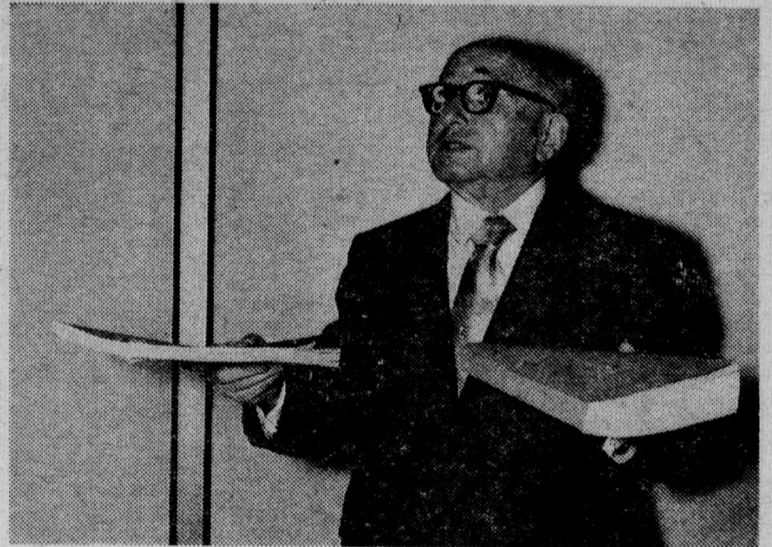
Flaumenbaum asked for a Statewide petition campaign directed at State legislators and asking them to restore talks for the 8,300 State employees threatened with layoffs. If the CSEA's legal victory against the budget is upheld after the expected appeal, the legislators would have to vote a new budget.

"These guys are in a box now," Flaumenbaum said. "Some of them told us they didn't realize that the cuts affected so many people. Now, they can do something about it. They should know how serious we are about political action if we find that they do not respond now," Flaumenbaum said.

Even though the time is short, Flaumenbaum said the organization could secure 250,000 signatures.

## Mrs. Hamlin Named

Mrs. Hilda DeBow Hamlin, of Holcomb, has been reappointed to the Board of Visitors of Rochester State Hospital for a term ending Dec. 31, 1977.



**TELLING IT ON TV** — Solomon Bendet, second vice-president of the Civil Service Employees Assn., appeared on New York City television last week and demonstrated the difference between what he called a legal State budget, the heavy document being displayed, and an illegal one, the thinner volume. It was Bendet who brought attention to the "illegality" of the current lump sum budget.

# Onondaga Chap. Blasts Plans To Cut Syracuse Payroll By 250 Aides

(From Leader Correspondent)

SYRACUSE—Members of Onondaga chapter of the Civil Service Employees Assn. have condemned the announced plans of Syracuse Mayor Lee Alexander to reduce City jobs up to 40 percent in some departments because of the expected drop in State aid to the City.

The Mayor announced that the cuts would begin about two weeks after the State Legislature adopts the supplemental budget, unless funds for cities are restored to the expected level.

However, a source in Albany revealed that the City would receive \$6,661,378 in per capita aid during the new fiscal year, \$1,405,138 more than the amount it received in the year ended last March 31.

But, City officials said the amount it will receive is less than was anticipated, because the Legislature cut from 21 to 18 percent the portion of the State income tax going into revenue sharing with local governments.

Alexander said the job reductions would total about 250 persons, including 150 laid off and 100 by normal attritions.

The smallest reductions would come in the police, fire and education departments, he said. The largest cut would be made in the library, he explained.

Alexander said the library staff would be reduced by about 33 percent, leading to the closing of some branches. He explained that suburban residents are about 40 percent of the library's users and the County does not contribute toward the library.

Other cuts planned, he said, are: recreation, 20 percent; public works, transportation and parks, 10 percent; police, 11 civilian jobs; schools, two percent, and vacancies in both police and fire departments would be left untouched, and Everson Museum of Fine Arts, and PEACE, the

antipoverty agency, 10 percent each.

## CSEA Backs Cuts In Top Brass Pay

ALBANY—The Civil Service Employees Assn. has come out in strong support of a bill introduced in the State Assembly to reduce the salaries of the State education commissioner, chancellor of the State University, department and agency commissioners and members of Governor Rockefeller's executive staff.

CSEA president Theodore C. Wenzl said the bill (Assembly 7443) was "a first step by anyone in the State hierarchy toward making reductions where they should be made—at the top."

The bill was introduced by the Assembly Rules Committee at the request of V. Sumner Carroll, Niagara Republican.

"This bill," said Wenzl, "should be reported out of committee and presented for a vote at once. Many legislators have voiced their deep concern over the manner in which the State Administration's austerity program has hurt the rank-and-file State employees, while protecting the 'fat cats'."

Wenzl said the bill, "while representing the first positive approach offered toward offsetting the layoffs of low wage earners, does not go far enough. There is still the matter of consultants and other extravagances which must be dealt with."



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# — Inside Fire Lines —

(Continued from Page 2)

It also is shameful and a disgrace for any so-called labor leader to use this stand as a threat.

STATE SENATOR Brydges is formulating a committee to study all retirement pensions for civil servants.

THE FIREFIGHTER feels he can justifiably prove his need—a need proven by the hazards of a job that demands early retirement. We welcome the opportunity to prove this need.

IRONICALLY, the firefighter is the only one willing to go before this committee to prove the case. We stand ready, willing and able to present the facts, asking no quarter but the opportunity to present our case.

IF OTHERS CAN prove that the duties performed by a quarter of a million other civil servants equal the hazards to a man's health of smoke and fire, let them step forward. Let anyone prove that all the statistics and medical records accumulated over the last three years are lies—and who dares do that?

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# The Job Market

By **BARRY LEE COYNE**

A LISTING OF NON-CIVIL SERVICE JOBS AVAILABLE  
THROUGH THE NEW YORK STATE EMPLOYMENT SERVICE

Employers in Queens have openings for Taxi Drivers with one year experience. Must have a chauffeur's license and depending on experience, the weekly salary is \$140 a week . . . Electric Motor Repairers experienced on motors, pumps and fans can fill jobs paying \$2.50 an hour . . . Also wanted is a Piano Technician experienced as a fine tuner. Must be familiar with upright and grands and work in a factory and also have the ability to repair and refinish and tune pianos using tools and gauges. The salary is \$3.25 an hour.

A Master Antenna Installer Technician with a heavy background in electronics is wanted. Must have own car. Salary range depending on experience is \$125 to \$200 a week . . . First-Class Sheet Metal Worker able to layout, set-up, operate brake on small sheet parts can fill jobs paying \$4 an hour . . . Also, Truck Mechanics with a Class III license and diesel experience can get jobs paying \$4.50 an hour . . . Apply at the Queens Industrial Office, 42-15 Crescent St., Long Island City.

There are many openings in the commercial field for Secretaries and Stenographers. Good skills are required and applicants must have a minimum of six months experience. These are very good opportunities and some jobs require own correspondence. For Secretaries the pay range is \$120 to \$140 a week and for Stenographers \$110 to \$130 a week . . . Bookkeeping Machine Operators with some knowledge of bookkeeping and typing are also needed. Knowledge of NCR or Burroughs Sensimatic machine or other models acceptable. Garment experience is helpful but not necessary. The salary range is \$110 to \$140 a week . . . Accounting Clerks with knowledge of keyoffs, typing and adding machine can fill vacancies paying from \$115 to \$150 a week . . . Also Monitor Board Operators experienced on No. 507 board and with a knowledge of typing are wanted for jobs paying \$100 to \$110 a week . . .

### Never On Saturday

### Applications Section Shifts Its Schedule

The City Department of Personnel has announced that its Applications Section will not be open on Saturdays for the issuance and receipt of applications for City positions, after May 15, 1971.

The office at 49 Thomas St. will continue to be open daily from 9 a.m. to 5 p.m., except Thursdays when the hours will be 8:30 a.m. to 5:30 p.m.

The reduction in service is being made due to the current budget crisis

### Reappoint Rosenblum

Martin Rosenblum, of Middletown, has been reappointed by the Governor to the Board of Trustees of Orange County Community College for a term ending June 30, 1979. The post is unsalaried.

There are jobs for Beginning Clerk Typists with no experience in all types of offices and in diversified jobs. Must be able to type 35 words per minute or more accurately. The pay range is from \$85 to \$100 a week . . . Full Charge Bookkeepers are wanted with thorough experience in all phases through general ledger and trial balance. The salary is \$150 to \$200 a week . . . Also Biller Typists able to type 35 words per minute with accuracy and good at figures are wanted for all industries and locations. The salary range is \$110 to \$125 a week . . . Apply at the Office Personnel Placement Center, 575 Lexington Ave., Manhattan.

There are openings in the Apparel Industries Office in Manhattan. Sewing Machine Operators to work on single or multi-needle type apparel machines. Any experience on garments, leather goods or shoes acceptable. The pay range is from \$70 to \$150 a week. Piece work and some week work . . .

Also needed are Sample Stitchers to work with designers or pattern makers in the production of the original garment. Any experience acceptable. The pay rate is \$75 to \$140 a week . . . There is a demand for Sewing Machine Operators to work with special equipment sewing

buttons and buttonholes. May be required to use a slipstitch machine to set lining in ties. The pay range for a 35-hour week is from \$64.75 to \$85. Mostly week work, some piece work.

Marrow Machine Operators with factory experience on po machines used in making polo shirts or sweaters and other knitted garments can fill jobs paying from \$80 to \$95 a week. Apply at the Manhattan Apparel Industries Office, 238 West 35th St., Manhattan.

In the Professional field, Dental Hygienists with a N.Y. State license are wanted for jobs paying \$125 to \$165 a week . . . Registered Nurses are in great demand for both the evening and night shift. The annual wage is \$8,400 to \$9,900 plus a differential from \$1,500 to \$2,200 for night shift . . . Physical Therapists who have graduated from an acceptable school and have a N.Y. State license can fill positions paying from \$8,000 to \$15,000 a year . . . There are numerous attractive openings for Social Case Workers with a Master's Degree in social work plus one year of experience. The beginning salary is \$9,000 a year, and higher salaries are offered for additional experience . . . Apply at the Professional Placement Center, 444 Madison Ave., Manhattan.

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CIVIL SERVICE LEADER, Tuesday, May 11, 1971



# Civil Service LEADER

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TUESDAY, MAY 11, 1971

## A Second Chance

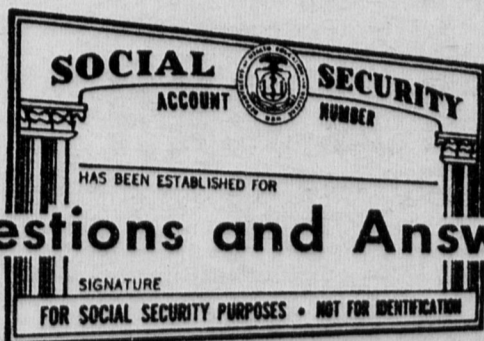
THIS newspaper has charged the Rockefeller Administration and the Republican leadership of the Legislature with failure to live up to their responsibilities to the people of New York State when they created a budget that was merciless in its lack of concern over the proper priorities in giving public service.

There is now a chance that all this can be rectified and a new budget drawn up that will reflect the interests and needs of all New Yorkers, not the conservative and reactionary minority of the GOP in the Senate and the Assembly.

The Civil Service Employees Assn. last week won its first round in a court battle to declare the present, approved budget unconstitutional because it is a lump sum budget rather than one composed of line items.

Supreme Court Justice Russell G. Hunt of Albany ruled for the CSEA and stated, in essence, that the Legislature had handed over its duties to create programs, fund the monies for them and direct the spending of these monies to department and agency heads who are appointed, not elected by the people. He's right and we earnestly hope the higher courts continue to insist that the Legislature face up to its constitutional duties and become directly involved in this issue instead of passing the buck to the State Administration.

Some deep second thoughts can still produce a budget that is humane and sensible. All Republicans in the Legislature should welcome the opportunity to rectify their earlier bad judgement.



## Questions and Answers

**Q.** I retired a few years ago and began receiving social security payment. Recently, I returned to work. Must I contribute to social security now?

**A.** Yes, if your job is covered by social security. And this is likely, because over 90 percent of all jobs are covered. The contributions must be paid without regard to retirement status, age,

or whether you are getting social security payments. An important point is that the contributions may increase the social security payment you will receive when you again stop working if your earnings are high enough.

**Q.** During the Summer months, I usually hire a maid and a gardener. When must I report their wages?

## CIVIL SERVICE TELEVISION

Television programs of interest to civil service employees are broadcast daily over WNYC, Channel 31. This week's programs are listed below.

Tuesday, May 11

9:30 a.m. (color) — Around the Clock — NYC Police Dept. training series.

1:30 p.m. (color) — Around the Clock—NYC Police Dept. training series.

3:00 p.m.—Return to Nursing—Refresher course for nurses.

7:00 p.m. (color) — Around the Clock — NYC Police Dept. training series.

Wednesday, May 12

9:30 a.m. (color) — Around the Clock — NYC Police Dept. training series.

1:30 p.m. (color) — Around the Clock — NYC Police Dept. training series.

2:30 p.m.—Police Commissioner Reports—NYC Police Dept.

3:00 p.m.—Return to Nursing—Refresher course for nurses.

7:00 p.m. (color)—On the Job—NYC Fire Dept. training program.

Thursday, May 13

9:30 a.m. (color) — Around the Clock — NYC Police Dept. training series.

1:30 p.m. (color) — Around the Clock — NYC Police Dept. training series.

2:30 p.m.—Police Commissioner Reports—NYC Police Dept.

3:00 p.m.—Return to Nursing—Refresher course for nurses.

7:00 p.m. (color) — Around the Clock — NYC Police Dept. training series.

Friday, May 14

9:30 a.m. (color) — Around the Clock—NYC Police Dept. training series.

8:30 p.m. — American Government — "Framework of Freedom."

Sunday, May 15

10:30 p.m. (color) — With Mayor Lindsay — Weekly interview with the Mayor.

Monday, May 17

9:30 a.m. (color) — Around the Clock—NYC Police Dept. training series.

2:30 p.m. — Police Commissioner Reports — NYC Police Dept. series.

3:00 p.m.—Return to Nursing—Refresher course for nurses.

7:00 p.m. (color)—On the Job—NYC Fire Dept. training series.

**A.** If you pay your maid or gardener cash wages of \$50 or more during a calendar quarter, you must report the wages and send the social security contribution to the Internal Revenue Service. This report should be made during the first month after the quarter in which the wages were paid. Get a copy of "Social Security and Your Household Employee" (SSI-21) from any social security office for more information on this subject.

**Q.** I have already made over \$7,800 this year. Now that I've changed jobs, I'm still contributing to social security. Since I'll end up paying more than I should, can't I get some money back?

**A.** Yes. You'll get a refund after you file your Federal income tax return for 1970. The tax return is designed to show any overpayment of social security contributions during the previous year.

## Civil Service Law & You

By RICHARD GABA



Mr. Gaba is a member of the New York State Bar and chairman of the Labor Law Committee of the Nassau County Bar Assn.

## More On CSL Section 35-f

IN A PREVIOUS column, the issue of civil service protection for employees of boards of elections was explored (April 20, 1971). Since that date, a decision directly concerning this issue has been rendered by the Nassau County Supreme Court (*Jones v. Meisser*). It was the opinion of the court that the validity of section 35-f of the Civil Service Law is in doubt. That section places all members, officers and employees of Boards of Elections in the unclassified civil service. The court pointed out that the Legislature does not have the power arbitrarily to place positions in the unclassified service unless it determines that it is not practicable to ascertain merit and fitness by examination. Based on the nature of the positions set forth in section 35 of the Civil Service Law, there may be valid reasons for including various positions in the unclassified service. However, such does not appear to be the case with employees of boards of elections.

THE NEW YORK State Court of Appeals in *Ottinger v. Civil Service Commission*, 240 N.Y. 435, condemned the lumping together of all positions in the unclassified service. Justice Cardozo said in that case, "We find no reasonable basis for a belief that in all the positions, present and future, that exist in connection with this bureau, there can be no place for a test of efficiency by any form of examination, even as a supplement to tests more intimate and personal."

IT IS MOST interesting to note that prior to the amendment and recodification of the Civil Service Law in 1958, employees of boards of elections were in the exempt class of the classified civil service, and no reason has been advanced to justify the placing of those positions in the unclassified service where they are completely outside of any protection afforded to employees under the Civil Service Law.

ARTICLE 2, section 8, of the New York State Constitution requires equal representation of the two major political parties on board of election. This constitutional provision, however, does not justify the placing of employees in the unclassified service, nor is it proper basis for the provision of section 36 of the Election Law, which states that "every board of elections may appoint, and at pleasure, remove deputies, clerks, voting machine custodians and other employees . . ." nor does that constitutional provision make any statement with regard to the bipartisan makeup of employees of boards of elections. Rather, it mandates a bipartisan makeup for boards of elections or officers.

WHILE THE COURT goes to great pains in *Jones v. Meisser* to describe the shaky and dubious foundation for section 35-f of the Civil Service Law and section 36 of the Election Law, it concludes, nevertheless, that an employee of a board of elections may be dismissed without a hearing of any kind and without any consideration as to the validity or good faith of that dismissal. The court relies on the language of section 36 of the Election Law, which gives the board of elections the power to remove an employee at its pleasure and states that the employee acquired no right of tenure under section 75 of the Civil Service Law. The court concludes, "On the other hand, if the statutes involved, i.e., section 35, subdivision (f), of the Civil Service Law, and section 36 of the Election Law, are invalid, the petitioner's appointment was invalid and she has no rights to enforce here."

IT SEEMS THAT the Judge in Special Term, while casting doubt upon whether or not employees of boards of elections are properly in the unclassified service and indicating quite strongly the possibility that such section and section 36 of the Election Law are in violation of the New York State Constitution, nevertheless concludes that the court is without the power to restore the petitioner to her position as an employee of the board of elections. In reaching this conclusion, the court did not, however, deal with the issues raised under the 14th Amendment to the U.S. Constitution as to whether or not an employee who is dismissed without a hearing has been denied due process or equal protection of the laws.



## Your Public Relations IQ

By LEO J. MARGOLIN



Mr. Margolin is Professor of Business Administration at the Borough of Manhattan Community College and Adjunct Professor of Public Administration in New York University's Graduate School of Public Administration.

### The Medical Bill Monstrosity

THE BIG PUBLIC relations problem for civil servants these days:

**IS THE AVERAGE** civil servant in a financial position to handle a major illness—perhaps a catastrophic one—without being reduced to the level of a welfare client?

**CIVIL SERVANTS** have as much dignity and pride as any of their neighbors. This is an integral part of a civil servant's personal public relations.

**HE MUST FEEL** that he fills a very important position in today's life pattern. He must be able to walk down the street with his head high, fully conscious that he is a first-class citizen.

**BUT WILL HE** feel that way as a patient in a hospital when his Blue Cross coverage runs out and he is occupying a bed at \$102.90 per day (the rate in some New York City hospitals)?

**THAT FIGURE** does not include the cost of physicians, medication, special hospital services such as radiation treatments, or private nurses at \$140 (or more) per day, if needed and if you can get them.

**THESE FIGURES** are not exercises in higher mathematics. They are as real as the nose on your face.

**WE KNOW OF** one civil servant whose bills for hospitals, doctors and medication, etc., added up to more than \$15,000 for two hospital stays, totalling eight weeks over a period of little more than two months.

**WERE IT NOT** for this civil servant's extended Blue Cross and major medical protection—provided by his civil service organizations' contract with its public employer—his illness would have left him bankrupt.

**WE MENTION** this to alert our civil service readers to a problem facing them as well as all Americans with comparatively modest incomes.

**MEDICAL BILLS** are zooming for everyone. But Americans, particularly those with civil service incomes and average families, are especially vulnerable.

**OVERNIGHT,** A serious illness may reduce a dignified civil servant to the status of a pauper, if he is inadequately covered by health insurance.

**THESE ARE HARD** realities we all face. So when you read of efforts being made in Washington to broaden health care programs, please remember that we are all in the same boat—and a leaky one at that.

### Set Stenographer Test Limited To Westchesterites

Accountant clerks and stenographers are the objective of a recruitment hunt by Westchester County, scheduled to terminate May 14.

Candidates who qualify face a June 19 exam, which will deal with account keeping, arithmetic, and understanding written materials. A typing test calls for the speed of 35 wpm; a dictation speed of 75 wpm is also required.

High school grads are desired who can show work history of one year in handling financial records, accounts and steno work. Westchester residents only are eligible; nonresidents are barred from this exam.

Details are available at Room 700, County Office Building, White Plains, before the prescribed cutoff date.

### Takes Top Post

Governor Rockefeller has announced the appointment of Douglas J. Welch of Conesus, undersheriff of Livingston County, as sheriff of that County for a term ending next Dec. 31.

# Save a watt

(it's wise to conserve energy)

Save a watt. Because New York and Westchester, and perhaps other places too, may face power emergencies this year. Because now and in future years protection of the earth's environment requires we use all kinds of energy wisely and not wastefully.

Save a watt. Because if we start conserving electricity now, *especially in day time*, we may avoid more serious problems later. Con Edison is doing everything possible to end power shortages. If new facilities can be completed on schedule, we will have one of the nation's most modern electric systems in just a few years. But even when power is plentiful it should be conserved.

Save a watt. Because with your help there's less chance of serious disruptions of electric service this summer. And using all energy wisely is essential to keeping the earth a good place to live.

### 10 ways to save a watt

1. During the day, when no one is home, turn the air conditioning off.
2. When using air conditioners, select moderate or medium settings rather than turning your unit on high. During the day keep windows closed and adjust blinds and shades to keep out the sun so that air conditioners won't have to work so hard.
3. Whenever possible, plan to run major appliances—and smaller appliances as well—before 8 am and after 6 pm.
4. If possible, use dishwashers just once a day—after the evening meal.
5. If possible, plan washer and dryer loads for evenings and weekends. Do one full load instead of many small loads.
6. Keep lights off when it's daylight except for safety, health and comfort reasons (the heat from lighting requires more air conditioning).
7. Never leave a kitchen range or oven on when not actually in use.
8. Turn off television and radio sets when you are not looking or listening.
9. If you can, save once-in-a-while jobs like vacuum cleaning or working with power tools until the weekend.
10. When buying an air conditioner, look for the right size unit for your needs. Select one that gives you the maximum amount of BTU's of cooling for every watt used.

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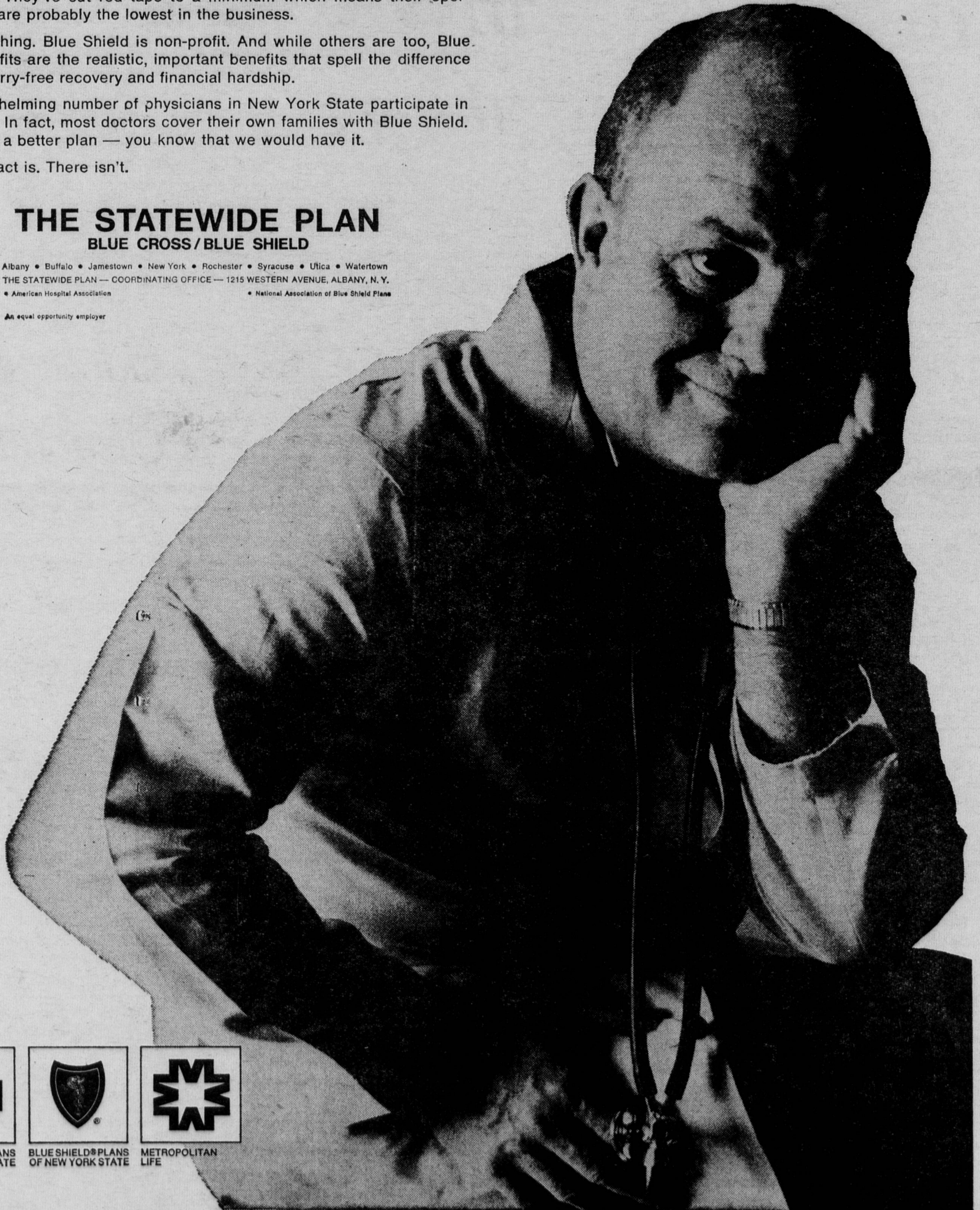
An overwhelming number of physicians in New York State participate in Blue Shield. In fact, most doctors cover their own families with Blue Shield. If there was a better plan — you know that we would have it.

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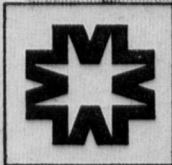
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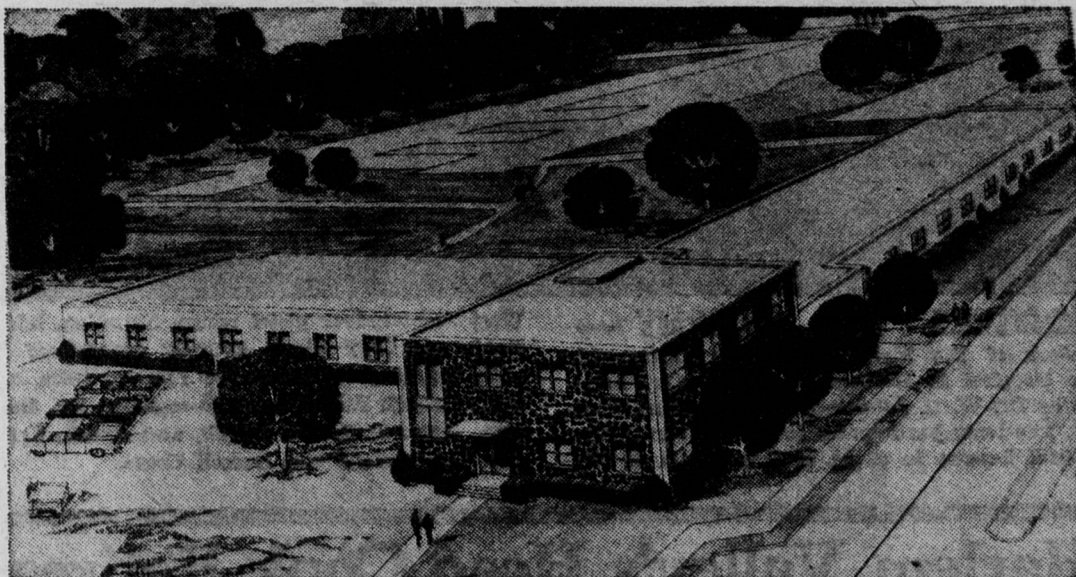


# Attention all New York State employees-

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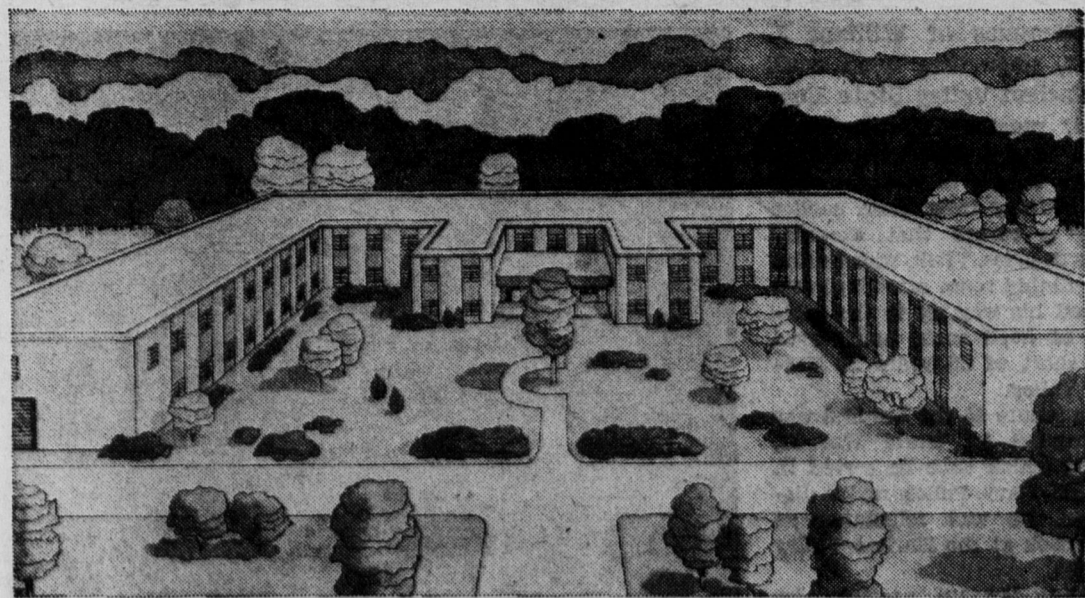


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*Joseph J. Panzarella, Jr., M.D.  
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*Philip Goldberg, M.D.  
Medical Director*

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**MARKS MILESTONE** — Miss Louise Begley poses with her nephew, Civil Service Employees Assn. treasurer John Gallagher, at a Syracuse nursing home where he helped her celebrate her 105th birthday. Miss Begley, a Syracuse resident for many years, retired in 1947 from her job as a housekeeper. She was then 82 years old.

## CSEA News In Photos



**FAREWELL GIFT** — Margaret H. Putney, left, a dietitian at the St. Lawrence State Hospital, is retiring after 22 years of service and, to demonstrate appreciation, hospital employees threw a farewell party. Dr. Lee Hanes, hospital director, right, does the honors of presenting a gift in behalf of the staff.



**TRAINING ATTAINED** — Eyes focus on Mrs. Kathleen Gilbert, center, who has just received a pin from St. Lawrence State Hospital designating her as a "trained remotivator." SLHS has initiated a community education program to teach remotivation techniques to health agency personnel, and Mrs. Gilbert, an aide at the Cedars Nursing Home in Ogdensburg, was among the first to complete the training course. Offering their good wishes are James Legault, R.N., left, who coordinates the program, and deputy administrative chief Everett Stephens.



**VISIT CAPITOL** — Members of the executive committee of the 18,000-member Nassau County chapter of the Civil Service Employees Assn., headed by chapter president Irving Flaumenbaum, right, prepare to enter the State Capitol in Albany recently. The executive committee mem-

bers told Nassau County legislators how the CSEA members in the County feel about certain bills affecting public employees. The CSEA delegation, part of which is missing from the photo, also toured CSEA Headquarters across the street from the Capitol.



**SHOOTERS WIN TROPHY** — Members of the pistol team from Matteawan State Hospital in Beacon are given congratulations by Dr. W. C. Johnston, director, third from right. The team participates in the Orange County Pistol League in a .22 calibre match at the

West Point indoor pistol range. Standing, left to right, are: Roy Black, security supervisor; Joseph Christopher; Lawrence Lisotta, team captain; Patrick Prisco, team co-captain; Dr. Johnston, director; Gerald Kulich, and Angelo Lostaglio. Not present was Russell Cross.

## Harlem Valley's Head Cook Retires

Colleagues of William J. Vitek, departing head cook at Harlem Valley State Hospital, recently gathered at Dover Plains Recreation Center to pay tribute to the man who was retiring from State service after a career that exceeded three decades. Vitek, who started as a dining room attendant and worked his way up to the position of head cook, had served just short of 35 years at Harlem Valley.

His tenure at the hospital was interrupted by World War II, during which time he served in the U.S. Navy. Following his discharge, he was reinstated as head cook at the Harlem Valley facility.

Among the 191 persons who attended the gala occasion were several guests of honor: Dr. Leo P. O'Donnell, retired hospital director, who acted as emcee; Dr. Alfonso Rizzolo, retired assistant director; Robert Nichols, ex-food services manager; Mrs. Phyllis Scerebini, current head food administrator, and Angelo Pezzato, who now heads hospital food services at HVSH.



"What's Cooking?" kids retiring head cook William J. Vitek, left, sharing the rostrum with his one-time boss, retired Harlem Valley State Hospital director, Dr. Leo P. O'Donnell. The occasion saw Vitek receive a wristwatch as memento as 191 co-workers turned out to extend the cook their good wishes.



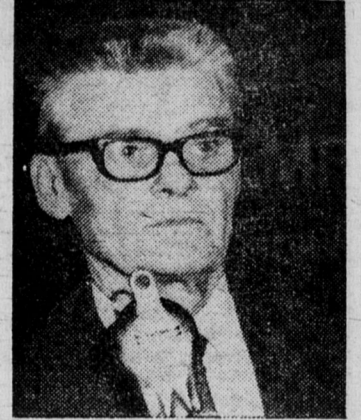
# Central Conference Protests State Aide Firings



Wenzl scores retention of "fat-cat elite" in Rockefeller Administration.



Conference president Charles Ecker directs questions from delegates as other officers, Irene Carr, Fannie Smith and Floyd Peashey, are seen seated on the dais.



Central Conference president Charles Ecker of Syracuse listens attentively as delegate makes a point during Conference business session.



Binghamton chapter officers are installed by president Wenzl. They are, from left, Margaret Waring, chapter delegate; Boyd Van Tassel, third vice-president; Hazel Van Tassell, secretary; Mary Ann Joyce, chapter delegate; Alice Dudon, second vice-president; Florence Drew, treasurer; Stan Yaney, president, and Ernie Hemstock, chapter delegate.



Marie Pompeii of the Broome County chapter, seated left, and Florence Drew, right, get assistance from, standing left to right, Hazel and Boyd Van Tassell of the Binghamton chapter and Floyd Peashey of Oswego County, as Clarence Laufer of Syracuse and Joseph Dolan, director of county government at CSEA Headquarters in Albany, sign in.



Delegate Phil Caruso of Utica denounces closing of Utica DMV District office.



"Living Doll," Dave Krom is presented a doll and two kisses by Linda Newkirk, left, and Pat Molyneaux, right, for his devotion to duty and gallantry above and beyond the call of duty. Krom, succumbing to Miss Molyneaux' fears of driving on icy roads, drove the ladies back to Binghamton after a snowstorm coated the Southern Tier during the February Conference session in Syracuse.



Francis Miller, chairman of the County Workshop at Workshop session.



Binghamton chapter president Yaney makes a point during Binghamton regional office meeting at Holiday Inn as Morris Sokolinsky, executive secretary of the Binghamton State Hospital chapter, looks on.



Binghamton chapter Dinner-Dance toastmaster George Lawrence mans the mike.



Delegates Sounding Board convenes as first order of business during Central Conference meeting April 23-24 in Binghamton. Left to right are Sam Borelli of Oneida County, Fannie Smith of Jefferson County, CSEA restructuring committee co-chairman Ron Friedman of Dutchess County and Floyd Peashey of Oswego County.



Delegate Tanya Cooke of Oneida County urges strategy for use from within chapters against budget cutbacks.



"Loving Cup" winners, seated left to right, Florence Drew, Hazel Van Tassell, Cleo Cobb and Barbara McBride. Standing are Ernie Hemstock, Eleanor Korchak, Dave Krom, Mary Ann Joyce, Nancy Werner, Boyd Van Tassell, Clement Joyce and Pat Molyneaux.



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# Central Conf. Delegates Ponder Changes, Action At Meeting In Vestal

By WALT ADAMS

VESTAL—Words of encouragement, plans for change and a call to rally in opposition to the firing of 3,250 State workers were the highlights of the Spring meeting of the New York State Civil Service Employees Assn.'s Central Conference April 23 and 24 at the Holiday Inn West here.

Plans for change and a course of action were first on the agenda as the delegate's sounding board session got under way Friday evening, immediately following the registration period and a dinner.

The topic of the discussion centered on the restructuring of the CSEA. Restructuring committee co-chairman Ronald Friedman told the gathering that the CSEA is a multi-million-dollar business and its leaders wanted to know how the members could best be served.

### Forms Forthcoming

Friedman said restructuring changes from the membership may be sent to the committee on special forms to be printed in The Leader in the near future.

Friedman said previous suggestions included a revamping of the legal structure at Headquarters, a new procedure for the appointment of personnel to committee posts by CSEA presidents, a decentralization of Statewide negotiations unit by unit, and a clarification of the role of retirees in the overall CSEA picture. Another frequently voiced suggestion, he said, was that benefits won through CSEA negotiations be limited to CSEA employees only.

A system of regional attorneys to be designated by Conference officials or regional office directors was proposed to the committee, according to Friedman, in addition to the possibility of full-time regional attorneys in order to better meet the needs of members units requiring legal assistance or advice.

Other suggestions included a better communications and information system, a speed-up of dues refunds, which Friedman said, are far in arrears. Friedman added that State treasurer Jack Gallagher advised him that the Association's new computer system is a major factor in the delay, and that the refunds should be forthcoming within four to six weeks.

### Better Data Flow

A need for a better flow of information concerning Headquarters activities was also the subject of much discussion. Friedman said there had been many, many complaints that unit and chapter presidents were not getting copies of the minutes of Board of Directors meetings in enough time.

A broader proposal, Friedman said, was to scrap the entire present system and reorganize the Association into regional divisions. Each region would have its own board of directors and the presidents of each region would automatically serve as vice-presidents of the State Organization. Friedman said that under this plan the CSEA president, secretary and treasurer would be the only officers elected by the entire membership.

Other suggestions included: a staff of paid shop stewards; the

designation of field representatives to serve school units and chapters only; a central toll-free telephone line to Headquarters in Albany, and the creation of more regional field offices.

Saturday morning was devoted primarily to insurance benefits available to CSEA members with a round-robin panel of representatives of all CSEA-affiliated companies. Those speaking included Arthur Rosecrans, who outlined the newly won Dental Health Insurance plan with GHI, William Parry on Blue Cross and Blue Shield, Robert Noonan of Traveer's on life benefits and Gregory Clark of Ten Bush and Powell on supplemental life insurance programs.

County workshop committee chairman Francis Miller told the delegates that a new county workshop program plan was in the process of being formed and announced the appointment of a new school affairs committee.

(Continued on Page 17)

# School Unit Slates Clambake June 5

BINGHAMTON—The Binghamton City School unit, Civil Service Employees Association, has announced plans for its third annual Clambake, to be held June 5, noon to 6 p.m., at Soop's Grove, Lanesboro, about 10 miles from Binghamton.

Unit president Steve Caruso advised those planning to attend to take Route 17 east to exit 80 and travel south to the Lanesboro Bridge, then follow the signs.

The day's menu will include homemade Italian food. Beverages will include beer and liquor.

A variety of games and a live band for round and square dancing will highlight the day's activities. The price is \$7.75 per ticket for non-members and \$5.75 for CSEA members.

Tickets may be obtained by contacting Ann Maywalt at (607) 723-4364 or Steve Caruso at (607) 723-3089 or 722-0535.

### Road To Rockland

Governor Rockefeller is seeking the appointment of Jay E. D'Meza of New City as a member of the Board of Visitors to Rockland State Hospital for a term ending Dec. 31, 1972.

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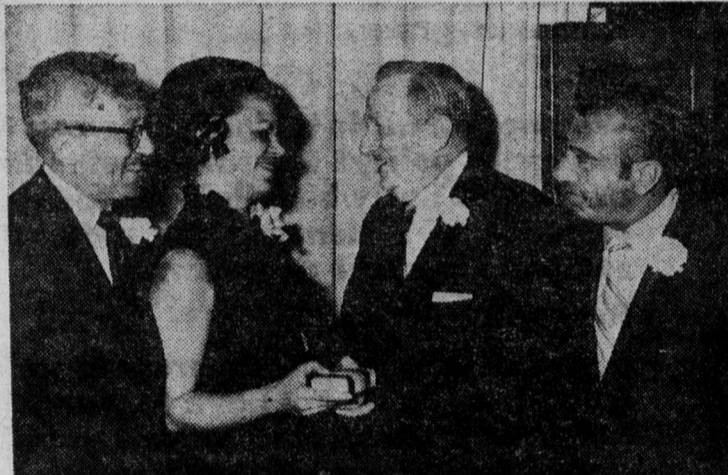
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## Westchester Unit Honors Senator Flynn

LARCHMONT—State Senator John E. Flynn of Yonkers (R-34SD), was guest of honor at the annual dinner-dance of the Westchester County unit of the Civil Service Employees Assn. at the Post Lodge here recently.

Carmine LaMagna, unit president, thanked Flynn for "giving so much of his time to improving the conditions and benefits for the civil servant, as evidenced by the numerous bills he has sponsored and passed through the State Legislature."

Chairlady of the affair was Irene Amaral, who presented a bouquet to Mrs. Flynn. The invocation was given by Father Emilian of St. Gabriel's Church, New Rochelle.



Senator John E. Flynn, second from right, was the recipient of a gift and guest of honor at the annual dinner-dance of the Westchester County unit, CSEA. Participants in the presentation ceremony included, from left, unit president, Carmine LaMagna, Irene Amaral, and Pat Mascioli, first vice-president.

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## Westchester Wants Audit Clerks By Mid-May Deadline

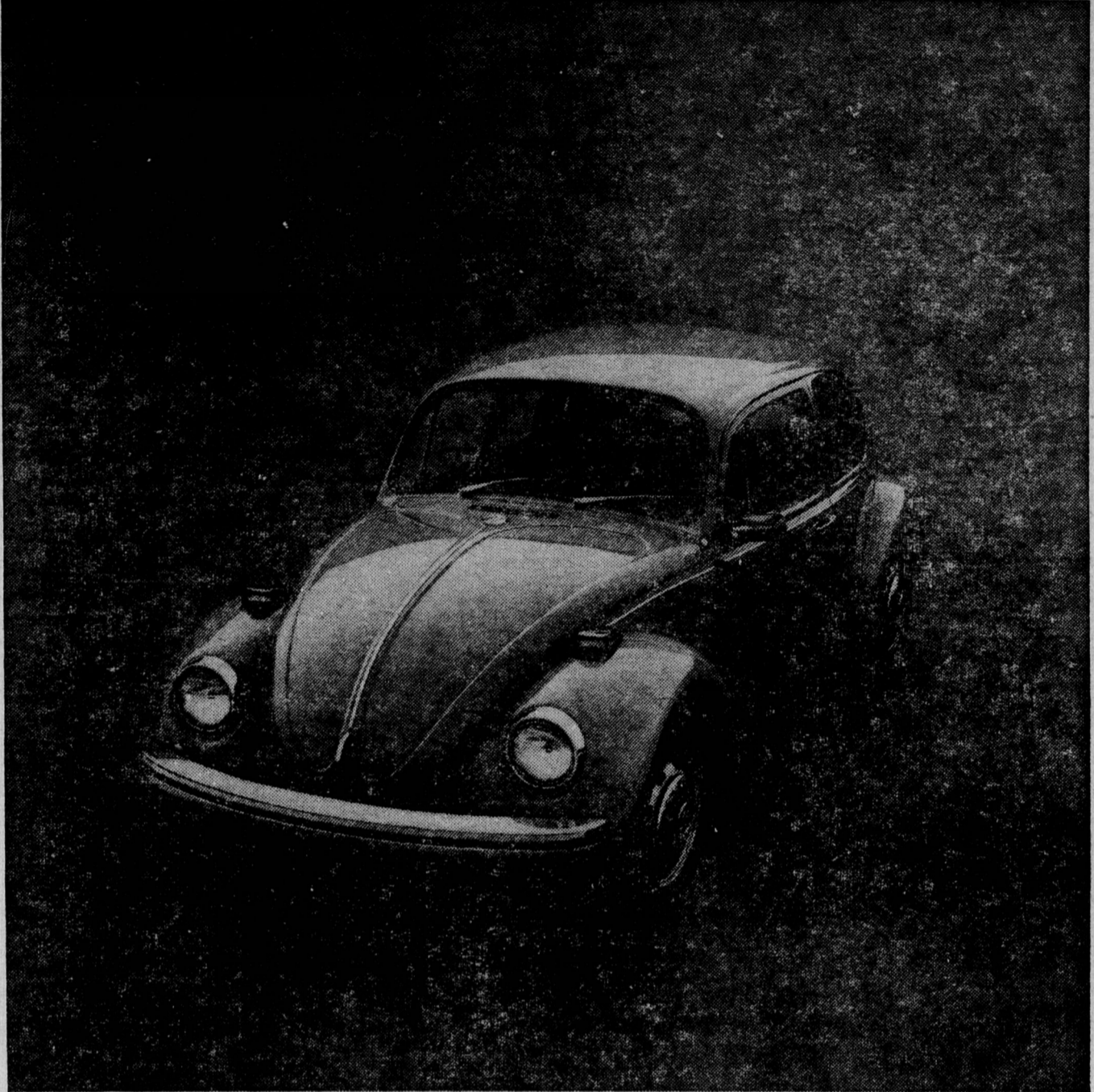
All potential audit clerk candidates have until May 14 to file for school district jobs in Westchester. The pay range varies by location.

Requirements to meet include high school graduation plus a year in record keeping, or a satisfactory equivalent. Residency is limited to persons from Fairfield, Putnam, Rockland or Bronx Counties as well as Westchester.

A written test is pending for June 19. Its contents: account keeping, arithmetic and interpreting written materials. To apply, go to Room 700, County Office Bldg., White Plains, before the deadline indicated.

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| Bayside Bay Volkswagen Corp.             | Jamaica Manes Volkswagen, Inc.                | Rochester Mt. Read Volkswagen, Inc.          |
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(Continued from Page 14)

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37 Huth H New Rochelle	75.3
38 Boese B Kinderhook	75.2
39 Warner S Hudson	74.5
40 Weaver T Cohoes	74.5
41 Ross C W Coxsackie	74.5
42 Bumpus M Cheektowaga	74.3
43 Perrigo S Liverpool	74.3
44 Tyrrell C Schenectady	73.9
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46 Fuller R Saugerties	72.8
47 McGovern T New Paltz	72.4
48 Forster D Tonawanda	72.3
49 Rosa A Highland	72.2
50 Sporer C Batavia	72.2
51 Sperow R Hamburg	71.9
52 Schuman H Lynbrook	71.9
53 Hennigan T Bronx	71.7
54 Sortisio A Buffalo	71.5
55 Wojciechowski W Ozone Park	71.3
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58 Mattison T Dolgeville	70.2

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8 Neuhoff C Manorville	90.3
9 May R Medford	89.5
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12 Dunlop E Kings Park	84.0
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2 Algeria D Huntngtn Sta	91.7
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4 Bond F Commack	83.2
5 Bishop A E Northport	80.6
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4 Kellar A New Hyde	92.8
5 Holmes E Hemlock	84.6
6 Skea J Rome	83.6
7 Colson R Schenectady	82.5
9 Dean H Westervli	77.5
8 Pelchar F Glens Falls	81.7
10 Kelly W Livngstn	75.5
11 Blake L Felts Mil	75.4
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3 Fieldhouse R Stamford	90.9
2 Brewer R Chester	92.9
4 Shepherd W Olean	90.2
5 Kellar A New Hyde	89.8
6 Petty A Homer	82.0
7 King T Albany	80.0
8 Skea J Rome	78.6
9 Dietsch E Saratoga	78.5
10 Pelchar F Glens Fal	76.7
11 Colson R Schenectady	76.5
12 Holmes E Hemlock	75.6
13 Wich K Cosackie	73.2
14 Loeb H Livngstn	73.0

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2 Bobseine H Cattaraug	94.9
3 DeGraff L Altamont	93.9
4 Bradley B Tully	91.0
5 Hollister W Valatie	90.1
6 Brown J Schenectady	90.1
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4 DeGraff L Altamont	87.9
5 Bradley B Tully	87.0
6 Foley D Delmar	86.5
7 Hollister W Valatie	86.1
8 Wagner E Pittsford	84.3
9 Nelson L Rexford	83.2
10 Whalen J Stamford	83.0
11 Brown L Schenectady	81.1
12 King R Albany	80.0
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14 Parks E Feura Bus	74.4
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4 Brewer R Chester	91.9
5 Neth P Ballston	89.6
6 Kellar A New Hyde	87.8
7 Shepherd W Olean	87.2
8 Fieldhouse R Stamford	86.9
9 Otis M Slingerla	85.9
10 Hollister W Valatie	84.1
11 Bobseine H Cattaraug	81.9
13 DeGraff L Altamont	80.9
12 Bradley B Tully	81.0
14 Wagner E Pittsford	79.3
15 Whalen J Stamford	78.0
16 Foley D Delmar	77.5
17 Skea J Rome	74.6
18 Petty A Homer	74.0

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2 Eabry H Westerlo	86.9
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4 Henningson A Schoharie	83.6
5 Vanorwick Q S Kortright	82.4
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15 Jackson L Delmar	75.8
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1 Brown J Elnora	79.3
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1 Rosenthal H Albany	89.7
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3 Reed G Cohoes	75.0

5 Doyle E Rexford	74.0
4 Miller C Loudonvil	74.9
6 Sever J Voorheesv	74.5
7 Pillsworth T Loudonvil	71.9

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2 Smyntek D West Seneca	88.5
3 Meyer R T Williamsvil	84.1
4 Sharman D J Kenmore	83.2

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1 Mincel C H West Falls	90.3
2 Hartman W Buffalo	88.7
3 Morris J R Eggertsville	88.1
4 Gardner R P N Tonawanda	86.7
5 Schulz M M W Seneca	85.6
6 Smokowski H S Buffalo	84.4
7 Zendano M P Kenmore	82.2
8 Szymanski R H Elma	80.1
9 Lavrich J K N Tonawanda	79.1
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11 Miller W L Colden	78.2
12 Foss G R E Aurora	77.1
13 Riedel F I West Seneca	77.1
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# Central Conference Spring Meeting

(Continued from Page 12)

Members named to that panel were Steve Caruso of Binghamton, Tom Ehage of Oswego County and Helen Raby.

## Voting Improvements

Miller also said he has been advised by State election committee chairman Bernard Schmall of Albany that a plan for streamlining election procedures has been drafted and copies will be sent to all chapter presidents shortly. The chapter presidents, Miller said, are to study the recommendations and then forward their comments and suggestion to Schmall.

The Central Conference accepted three new member chapters into the fold, bringing the total number of member chapters to 40. The new chapters are the Oxford Department of Transportation, Auburn Correctional and Herkimer County.

Watertown was designated as the site of the Summer Central Conference session to be hosted by the Jefferson County chapter June 11-12 at the Holiday Inn. The Fall session will be held Oct. 1-2 in Utica. Further details on both meetings will be forthcoming at a later date.

Nominations for officers of the Central Conference were also announced, by Ralph Inman, on behalf of the nomination committee.

Nominated are: president — Charles Ecker, Syracuse, and Louis Sunderhaft; first vice-president — Floyd Peashey, Oswego, and Edward Bledsoe, Morrisville Tech. Inst.; second vice-president—Arthur Tannis, Utica St. Hosp. and Fred Kotz, St. Lawrence St. Hosp.; third vice-president—Fannie Smith, Jefferson County, Eleanor Percy, Jefferson County, and Angelo Valone, Oswego; secretary—Irene Carr, Oneonta, and Beth Stover, Binghamton St. Hosp. and treasurer—Helen Callahan, Syracuse, and Stanley Yaney, Binghamton.

The prime topic of discussion among delegates and the main basis for a number of resolutions before the Conference was the State's decision to eliminate 8,250 jobs as an economy measure.

In the political action committee report, Binghamton chapter president Yaney told the delegates that invitations were extended to all local office holders to attend a special committee meeting, but that only one, 49th District Republican Theodore Day, "had the guts to come to the meeting."

Nelson Barber, president of the Samson State School chapter, one of the hardest hit in the austerity cutback program, said he was told by Senator Day and Assemblyman Joseph Finley (R-129 A.D.) that the closing at Samson was "strictly political." Barber said nothing has been done to block the closing of the institution despite repeated appeals to Senator Day and Assemblyman Finley. Barber said he was told by Senator Day that he had requested that department commissioners be cut whenever possible and not the "little people."

Day, Barber said, told him he was doubtful that he would be able to get enough votes to replace many of the jobs slated to be cut in the supplemental budget without the possibility of being forced to vote for a more damaging proposal in return.

At the dinner-dance Saturday evening, "loving cups" were pre-

sented to former Binghamton chapter officers Florence Drew, Hazel Van Tassell, Cleo Bobb, Michael Sallby, Barbara McBride, Ernest Hemstock, Joseph Burke, Eleanor Korchak, Dave Krom, Mary Ann Joyce, Nancy Werner, Alice Dundon, Boyd Van Tassell, Clement Joyce, Charles Evnon and Pat Molyneaux in recognition of their service to the Binghamton chapter.

Conference president Ecker also presented Binghamton chapter president Yaney with a similar token of recognition.

## More Awards

Binghamton chapter representatives on the State University of New York at Binghamton campus were also presented with special gifts in recognition of their devotion to duty. Those receiving the awards were Barbara McBride, Cleo Cobb and Eleanor Korchak, who was presented a separate award by the other recipients for her guidance. The awards were presented by Dave Krom.

A special highlight of the evening was a stirring presentation by Statewide CSEA president Theodore C. Wenzl.

Commenting on the austerity measures ordered by the State, Wenzl told the some 350 persons present that New York has had a "liberal Republican Governor for the past 12 years, piling program on top of program while constantly hiring personnel while being re-elected time and again."

"Many, many people supported him," Wenzl said. "Many people left their jobs in private industry to work for him."

"Yet, the direction of leadership did not see the impending fiscal crisis gripping our great country."

## Scapegoat Situation

"We, the workers," Wenzl said, "are not responsible for the present conditions. We, like all citizens, look to the elected leadership for guidance. We cannot have new programs constantly, then have our leaders say 8,250 are all of a sudden to be fired."

"We will not stand for this action."

Wenzl continued, "If there is a financial problem it is not going to be handled in this fashion, dumping the problem into the laps of the Legislature, which says this one goes, that one goes and miraculously the budget is balanced."

"We are not," Wenzl declared, "going to be the fall guys or the whipping boys for the present fiscal situation. The Legislature cannot balance the budget by destroying people, and such reasoning is an absolute fraud against the people of this State."

"The budget," Wenzl said, "is two-sided, income and outgo. If this action is permitted to continue, the income portion will be decreased by unemployment and the loss of mortgages and other payments by out-of-work employees which depletes the already drained treasury. This," he said, "is losing income to the State, not saving money."

"On the other side," Wenzl continued, "is outgo, relief payments, welfare benefits, lawsuits and the creation of new departments."

Wenzl cited the case of one upper echelon State employee, who found himself out of a job

because of the abolition of his agency at a loss of \$36,000 a year in salary, only to find himself in another job as deputy commissioner of a special department to handle layoffs of State employees at a new salary of \$38,000 a year.

"In a year or two," Wenzl said, "this action will cost the taxpayers far more than if the Legislature had scrapped the plan and cut consultants from the payroll along with superfluous personnel and unnecessary services."

"In the State of New York," Wenzl said, "there are 200 people within the Governor's so-called inner circle of elite. California, the largest state, only has 60 and Illinois only 16. Yet," he added, "none of those 200 have been laid off. This can only be described as an unbelievable disgrace."

"The 8,250 people scheduled to lose their jobs will not be turned into the streets. It is up to us to see to that."

"How many of you," Wenzl asked, "would be willing to join in the fight against this dreadful possibility?"

A majority of those present responded to Wenzl's appeal by standing.

Wenzl also leveled a verbal blast at the cost of the Albany

South Mall project as a prime example of waste, and asked rhetorically, "What are they going to put in there, mummies?"

"We need," Wenzl said, "taxpayer support and we are getting it. Political action is needed too. We will not forget those in office who were responsible for this travesty."

"It is up to us," Wenzl concluded, "to get busy and do something . . . to hound your legislators to death until they have been brought to their senses."

Wenzl thereupon left the podium to a thunderous round of applause.

He was later called upon to swear in the newly elected slate of officers for the Binghamton chapter.

Wenzl administered the oath, calling upon those elected to "before God" do their utmost to preserve the rights so painstakingly won at the bargaining table, so that each employee may share a better life and uphold the ideals of the CSEA.

Taking the oath of office were: president, Stanley Yaney; first vice-president, Eleanor Korchak; second vice-president, Alice Dundon; third vice-president, Boyd Van Tassell; secretary, Hazel Van Tassel, and treasurer, Florence Drew.

Delegates sworn in were: Joseph Burke, Ernie Hemstock, Cleo Cobb, Mary Ann Joyce, Lou Viscko and Margaret Waring.

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# Lackawanna Board of Education Hit With Unfair Labor Charges Against 178 Non-Teaching Aides

(From Leader Correspondent)

LACKAWANNA — With a list of seven grievances in hand, the Lackawanna unit of the Civil Service Employees Assn. plans to bring unfair labor practice charges against the City's Board of Education.

Edward J. Morgan, president of the union that represents 178 non-teaching workers in the school system, said the Board "stood us up" at a meeting scheduled to discuss the complaints.

"They didn't even have enough numbers there for a quorum, so we left," Morgan said.

Among the grievances were group complaints charging the Board with hiring personnel without first considering present employees for the job and issuing unsigned directives Morgan called "a direct violation of the contract."

Specifically, he said, one directive required written notice of illness from a physician for any absence of three days or more. "Our contract specifically calls for verification only when the absence occurs over five working days," Morgan said.

The other grievances involve individual CSEA members docked for what the CSEA contends were authorized absences and paid holidays.

Morgan and six other CSEA members of a grievance panel left abruptly when the latest meeting with the Board of Education turned up only three of seven Board members supposed to appear for the scheduled talks.

The CSEA grievance delegation, Morgan said, has had "numerous appointments to meet with the Board, but a quorum has never been present to conduct official business."

## Capital Conference News Notes

By Jean Gray

Near the town of Coopers-town, home of Baseball's Hall of Fame, The Farmers' Museum, Otsego Lake and many other historically interesting sites, the Capital District Conference on June 4, 5 and 6 will hold its annual meeting and workshop.

An interesting part of this year's meeting will be the election of Conference officers for the next two years.

The site of the Conference meeting will be the O-Te-Sa-Ga Hotel. An informative workshop is planned on the State Dental Plan. The reception committee will consist of the following: Mildred Wands, social committee chairman. Jean Gray, activities and publicity chairman, Nonnie Kepner and Gertrude Ogden. Invitations will be issued shortly to all Statewide officers and Conference presidents.

Other activities planned at this time by the social-activities-publicity committee for Conference members are: Colonie Coliseum Summer theatre party, October workshop and a bus trip to Boston on June 19. A "Night in the Orient" is in the works at Suchi's in New Lebanon. So the Conference is looking forward to a busy social

## Nominating Procedures Set For CSEA Statewide Posts

ALBANY—Nominating procedures have been set up by the Civil Service Employees Assn. for CSEA's 1971 Statewide elections in which members will elect a president, five vice-presidents, secretary, treasurer and the members of the CSEA State Executive committee.

Two candidates will be nominated for each Statewide office. Nominees must be CSEA members in good standing on or before June 1, 1970.

For independent nominations for Statewide officers, a petition signed by not less than five percent of members of the Association must be filed with the CSEA secretary at least 50 days prior to the annual meeting or July 20, 1971.

Candidates for the State Executive committee must be CSEA members in good standing on or before June 1, 1970. Each State department is entitled to at least one representative on this committee. In addition, each department with more than 10,000 members as of June 1, 1971, shall be entitled to one representative on the State Executive committee for each additional 10,000 members or major fraction thereof.

In the Mental Hygiene Dept., one representative shall be elected by the members from each of the following geographical areas: Metropolitan Conference; Long Island Conference; Southern and Capital District Conferences, and Central and Western Conferences. Independent nominations for

season.

On the serious side. The Division of Employment is at this time engaged in a fine project to assist one of their members in Buffalo. They are collecting Betty Crocker coupons to purchase a kidney machine to aid one of their fellow employees in Buffalo. Al Briere, president of the chapter, notes that the General Mills Co. will no longer work on projects of this kind, because of criticism they have received, but since they had already started this collection in Division of Employment, they have agreed to allow them to proceed with this project. It certainly would be a simple thing for every chapter president Statewide to start collecting these coupons. What could be more simple! What could be more worthwhile!

Many worthy projects of this kind should be brought to light within CSEA. With the number of members that we have, something that seems insurmountable to a chapter president could be a cinch to all of us working together. Al Briere's phone number is (518) GL 7-2539 if you would like more information on this project.

the State Executive committee can be made if a petition signed by not less than 10 percent of the members in the department is filed with the CSEA secretary at least 50 days prior to the annual meeting or July 20, 1971.

Members of the nominating committees for Statewide officers selected by the Board of Directors are: Julia Duffy, Pilgrim State Hospital; Salvatore Butero, State Psychiatric Institute; Nicholas Puzifferri, Rockland State Hospital; Ernest Wagner, State Retirement System; Charles Ecker, Syracuse State School, and John Adamski, Roswell Park Memorial Institute, representing, respectively, the Long Island, Metropolitan, Southern, Capital District, Central and Western Conferences.

Also the following members-at-large: Celeste Rosenkranz, Division of Employment, Buffalo; Vito Dandreano, Thruway Authority Headquarters, Amsterdam, and Samuel Emmett, Tax & Finance Dept., New York City.

Also, County Division members: Arthur Bolton, Sullivan County Department of Social Services, Liberty; Joseph Lazarony, Health Center, Troy; Frank Talomie, County Clerk's Office, Canandaigua, and Blanche Rueth, Meadowbrook Hospital, East Meadow, L. I.

Representing past presidents of CSEA on the committee are Mrs. Beulah Bailey Thull, Troy, and John A. Cromie, Albany.

The nominating committee for the State Executive committee will be the same as for Statewide officers, except that County Division members as listed above are not included.

Only State employees in the respective departments will vote to elect their department representatives to this committee.

An outside, impartial election agency selected by the Board of Directors will conduct the election by mail in accordance with CSEA's Constitution and Bylaws and policies adopted by the Board of Directors, including determination of validity of nominating; petitions; counting of ballots and general responsibility for supervision of the election.

### Innes Named As Trustee

John F. Innes, of LeRoy, is a new appointee of the Governor to the Board of Trustees of Genesee County Community College for a term ending June 30, 1974.

# County Delegates

(Continued from Page 1)

War II and was a vice-consul to Ireland during his duty with the U.S. Foreign Service.

The session will be held May 16 through 18 at the Granit Hotel in Kerhonkson.

Three films will be shown relating to grievances and will be followed by group discussions. In addition, there will be meet-

ings of non-teaching school district employee problems and on pertinent matters concerning towns and counties.

Another important aspect of the session will be hearings on restructuring the Civil Service Employees Assn.

The schedule below gives the complete list of events.

### Sunday, May 16

- 2 p.m.-8 p.m. Registration . . . main lobby Information Center . . . Courtesy of Ulster County chapter, Harold DeGraff, president.
- 4:30 - 6 p.m. Group Discussions
  - I—White Collar Grievance (42-minute film) Moderator: Harmon Swits, convention hall "C".
  - II—Case of Insubordination (20-minute film) Moderator: Nels Carlson, convention hall "D"
  - III—The Grievance (32-minute film) Moderator: Manny Vitale, convention hall "E".

### Monday, May 17

- 9 a.m.-5p.m. Registration . . . main lobby Information Center . . . Courtesy of Ulster County chapter.
- 9 a.m. Non-teaching school district employees committee, Edward Perrot, chairman, convention hall "A-1".
- 9 a.m. County problems committee, Joseph Lazarony, chairman, convention hall "A-2".
- 10 a.m.-1 p.m. Committee to study restructuring of CSEA (A room will be assigned to Committee for continuous interviews throughout the day.) A. Victor Costa, chairman, convention hall "D".
- 10 a.m. County executive committee, S. Samuel Borely, chairman, convention hall "E".
- 2 p.m.-5:30 General session . . . all delegates — Theodore C. Wenzl, president, presiding, convention hall, "E".
- 7:30 p.m. Banquet . . . main dining room, Toastmaster: Joseph Roulier, director of public relations, CSEA. Speaker: Congressman Hamilton Fish, Jr., 28th District.

### Tuesday, May 18

- 9:30-12:30 p.m. General session . . . all delegates — Theodore C. Wenzl, presiding, convention hall "E".

## Motor Vehicle Dept. Starts Trial Flexible Work Hour Schedule

ALBANY—Employees of the Accident Report and Research units of the Motor Vehicle Dept. at the 130 Ontario St. offices here will participate in a trial flexible work hours study.

A memorandum from Paul E. Felt of the Division of Personnel details the trial study that could be implemented in the future if the experiment produces satisfactory results. It would allow employees to set their own work schedules. The experiment will work like this:

All employees still must put in a 7½ hour workday each day. However, they may report for work any time between 7:30 and 9 a.m., and, depending on their reporting time of each day, they may leave any time between 3:30 and 5:30 p.m.

Employees will be allowed to choose each day whether to take a lunch period of 30, 45 or 60 minutes, between 11:30 a.m. and 1:30 p.m. Any time used in excess of 60 minutes will be charged to appropriate leave accruals in 15-minute units.

For example, if an employee arrives at work at 8:05 a.m. and takes a 45-minute lunch period that day, his 7½ hour work day will end at 4:20 p.m. If he arrives at 8:30 a.m. and takes a 45-minute lunch period, his work day will end at 5:15 p.m.

According to the Felt memo, the flexible hours program would alleviate traffic congestion at rush hours both in the morning and evening. Results of the trial study will be used to determine the plan's feasibility for the entire Motor Vehicle Dept. and possibly for use for all State employees to be housed in the South Mall in the future.

Felt said that if the program is successful, the department will not have to impose mandatory staggered work hours which would "definitely inconvenience" many employees when they move to the South Mall.

### Rochester Installation

ROCHESTER — The annual dinner-dance and installation of officers for Rochester State Hospital chapter of the Civil Service Employees Assn., has been scheduled for May 21, 1971, at the Carriage Stop, West Henrietta Rd. Cost is \$4 for members and \$7.25 for non-members.

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TIMES-UNION

# CSEA Launches Court Fight to Void \$7.7 Billion State Budget

The Civil Service Employees Association...

By Budget Director Richard...

state constitution was violated...

proved the budget, had no right...

A GROUP OF dissident state...

equal provisions under both the...

those employees who have been...

THE KNICKERBOCKER NEWS  
\*\* UNION-STAR \*\*

Red Head

Vol. 35, No. 237

Albany-Schenectady-Troy-Colonie, N.Y.

Saturday, April 24, 1971

## UNION SEEKS TO REGAIN 8,000 JOBS

# CSEA SUES ROCKEFELLER

By ARVIS CHALMERS  
Capitol Reporter

with against Governor and other state of...

Thomas McDonough, president of the...

sure had violated the state constitution...

Lyle M. Hickey of Albany, machine op...

The CSEA also released a letter it ha...

THE KNICKERBOCKER NEWS  
UNION-STAR

## Wenzl Hits Firings, Vows Suits

By CAROL R. RICHARDS

Gannett News Service

The union representing most state workers today angrily threatened a statewide strike and promised a blizzard of lawsuits to protest the firing of 8,250 state workers.

"We'll accept nothing less than total restoration of all fired state workers," said C. Wenzl, president of the Civil Service Employees Association.

## CSEA Charges 'Coverup' By State On Consultants

ALBANY, N.Y. (AP)—A state several hundred state employees union leader has charged that the state has been covering up the firing of consultants.

TIMES-UNION

### Reverse Earlier Vote

## CSEA Leaders Seek State-wide Walkout

By BOB McMANUS JR.

Leaders of the Civil Service Employees Association Tuesday afternoon voted to seek from the union's 140,000 members authority to order a walkout of all state workers.

Meeting in Albany, the union's leaders reversed an earlier decision to seek strike authority on a chapter-by-chapter basis.

# CSEA FIGHTS LAYOFFS!

### To Fight Budget Cuts

## CSEA Plans Political Action

The Civil Service Employees Association is planning a campaign for the defeat of all senators for the budget cuts and the...

TIMES-UNION

Albany

## CSEA Strike Tally Slated Next Week

By ARVIS CHALMERS  
Capitol Reporter

Ballots in the statewide strike vote being mailed Monday.

### Appeals Court to Review Order Today

## CSEA Wins Temporary Firing Stay From State Supreme Court

By JOE PICCO  
Capitol Correspondent

The Civil Service Employees Association has temporarily prevented the firing of...

Edits J. Staley to have the CSEA show cause why the stay should not be removed.

ARGUMENTS WILL be heard today at 10 a.m. in the Appellate Division.

was sufficiently notified this time.

About 1,200 state employees have already received their...

of Governor Rockefeller's \$7.7 billion state budget.

CSEA contended that the governor's budget and appropriations...

On two previous occasions the governor's budget has been challenged on the question of line items versus lump sum ap...

ditional and the Legislature stayed in session an additional four months to adopt a new package.

JOHN C. RICE and Samuel Jacobs are the attorneys for CSEA.

STOCKS  
SPORTS

THE KNICKERBOCKER NEWS  
\*\* UNION-STAR \*\*

RED STREAK

Two Cents

Vol. 35, No. 247

Published Daily

Albany-Schenectady-Troy-Colonie, N.Y., Wednesday, May 5, 1971

## Hunt Issues Ruling; Lefkowitz to Appeal

# State Budget 'Unconstitutional'

Bulletins

A State Supreme Court Justice today declared New York's \$7.7 billion budget unconstitutional.

The Civil Service Employees Association is declaring in favor of CSEA's position that Gov. Rockefeller had in 1970 violated the constitution by approving...

approved the budget, had no right to approve its constitutionality.

At least once before state courts had declared the budget unconstitutional. That was in 1966, after the Legislature...

keep own appropriations. The budget was declared unconstitutional by a lower court but the state won an appeal to a higher court on a technicality. The higher court did not rule on the...

## The New York Times

### The 'Unconstitutional' Budget

In all the other opprobrious adjectives that outraged critics have used to describe this year's state budget—"don't-give-a-damn" because it ignores urban needs; "double-don't-give-a-damn" because it also relies heavily on borrowed money; "dishonorable" because it runs out on a promised revenue-sharing formula—the State Supreme Court yesterday added another: "unconstitutional."

According to Justice Russell Hunt, the recently adopted \$7.69-billion budget is unconstitutional because the state's basic compact of government requires programmatic appropriations and the budget contains only lump-sum appropriations. No one can be sure what such a budget is buying.

This ruling comes in a suit brought by the Civil Service Employees Association. It is a victory for the association, and for its members who face firings, but it is less a victory for them than it is for the public at large.

If Justice Hunt is upheld on appeal, it would mean that Governor Rockefeller would have to resubmit many of his appropriation bills and that he would have to resubmit them in an easier-to-understand, more meaningful form. In the end, threatened state employees may not win reprieves. The need for some personnel cuts and other economies undoubtedly will remain. Vital urban programs, however, may receive additional sympathetic attention, especially if Republican legislators from urban areas stand firm with minority Democrats and demand concessions. A better budget could emerge.

The association's suit is essentially the same suit as one pressed earlier by Manhattan Assemblyman Peter A. A. Berle. This suit got nowhere because the court felt, wrongly we believe, that Mr. Berle lacked sufficient cause for action. State workers about to lose their jobs cannot be said to fall into such a category; they have an immediate and personal interest in the budget.

It is Mr. Berle's sound view that lump-sum appropriation bills afford legislators too little opportunity to weigh and assess priorities. There is a highway bill; some highway programs may be good, some not so good, some downright bad. As matters now stand, it is impossible to separate them out. A court victory requiring budgetary breakdowns would permit such differentiation. It would inevitably involve the Legislature far more meaningfully in the whole budgetary process. To involve the Legislature would be to involve the public.

And as the adjectives being used this year indicate, the public has been excluded too long.