

# NAZI CURBS VOTED BY ALBANY GROUP

## Committee Favors Bills to Bar Aliens From Militia and Re- strict Use of Armories

### ALSO WOULD LIMIT ARMING

## Another Board, Meanwhile, Bans Poletti Consumer Plan and Justice Department

Special to THE NEW YORK TIMES.  
ALBANY, July 8.—The Constitutional Convention's Committee on Military Affairs has approved a series of proposals aimed directly at the German-American Bund.

While no formal announcement came from the committee, it was stated that the vote in committee was five to one in favor of reporting the bills for the consideration of the convention.

The bills approved were the two Bernstein bills, one limiting membership in the militia to citizens, and prohibiting the use of armories by organizations purporting to owe allegiance to foreign governments, or advocating their political principles.

The third bill sponsored by Hamilton Fish Jr., chairman of the committee, provides that the "arming, disciplining and training of individuals for military purposes by organizations, associations, societies or groups not part of the militia is hereby prohibited except as provided by Federal or State statute."

"The Legislature shall enact appropriate laws to prevent offenses against any of the provisions of this section," he said.

The committee's Bund action came after a hearing in Albany, here last week, at which Mr. Kuhn professed one hundred per cent Americanism for his organization, and opponents of it characterized it as a menace to democracy. Mr. Kuhn, to the surprise of the committee members, favored the bills at the hearing.

Meanwhile, the Convention's Committee on the Governor and other State officers killed a number of proposals of general interest. One of these was the Poletti proposal for the setting up of a new State Department for the protection of the consumer. The vote on this was 5 to 4, with one Republican and three Democrats in the minority.

The committee vetoed also proposals for a State Department of Commerce and Industry, for a State Department of Justice, and for a State Department to handle the mortgage situation. The proposal for a Department of Consumers was backed by the American Labor party. The State Department of Justice proposal has been vigorously debated in the past.

Steuer Proposal Is Rejected

The committee also turned down a proposal emanating from Max D. Steuer which would have subjected the Governor's power of removal over elected officials to review by the Court of Appeals. It vetoed the Osborne proposal which would have put the State Department of Agriculture and Markets under the Governor, by constitutional authorization. The department head is now appointed by the Governor only by statutory enactment.

The other bills killed would have made the Attorney General the sole counsel to every State Department and agency and would have required a State Controller's audit of all State funds. Supreme Court Justice Francis Bergan, sponsor of the latter proposal, announced that he would appeal the committee's decision on the matter to the convention itself by means of a motion to discharge.

Another measure reported out of committee today was the Schenck amendment, which would bar the Legislature from requiring that municipally-owned utility plants be non-profit-making. The Public Service Commission had attempted to require that all municipal plants be on the non-profit-making basis, and the Court of Appeals ruled to the contrary less than a year ago.

### Seeks to Uphold Court Ruling

The Schenck proposal is designed to prevent a legislative enactment which might put the Public Service Commission rulings into effect, and thus circumvent the Court of Appeals decision.

Many municipal plants now keep their rates high enough to help pay the ordinary running expenses of their local governments. M. Malwin Fertig of New York, Democrat, and Philip Halpern, Republican, of Buffalo, dissented from the majority of the committee.

One of the most important reports presented today, from the long-range viewpoint, was the report of the Committee on State Finance, of which Abner Lewis Moffat is the chairman. The report recommended that the maximum life of all State bond issues be cut from fifty years to forty.

"This will result in a slightly more rapid paying off of such State debt and the more rapid extinguishment of the gross outstanding debt, with consequent benefit to the credit of the State," the report declared.

Furthermore, forty years more nearly coincides with the life of the generation authorizing such debt.

Another change made in connection with bond issues would give the State the right to insert a call provision in its bonds. The insertion of the provision would be made periodically and the committee suggested that it be used only in times of high interest rates so that when interest rates fall a refunding could be effected.

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