

6760

2009-2010 Regular Sessions

I N   A S S E M B L Y

March 12, 2009

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Introduced by M. of A. BURLING, CALHOUN, KOLB, GIGLIO, HAWLEY, FINCH,  
P. LOPEZ, WALKER -- Multi-Sponsored by -- M. of A. BACALLES, BARCLAY,  
BARRA, BUTLER, DUPREY, ERRIGO, McDONOUGH, MOLINARO, OAKS, RAIA,  
SAYWARD, SPANO, TEDISCO, THIELE, TOWNSEND -- read once and referred to  
the Committee on Ways and Means

CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY

proposing an amendment to article 9 of the constitution, in relation to  
acts of the legislature having fiscal impact on local governments

1     Section 1. Resolved (if the Senate concur), That article 9 of the  
2     constitution be amended by adding a new section 4 to read as follows:  
3     S 4. THE LEGISLATURE SHALL PROVIDE STATE FUNDING TO REIMBURSE CITIES,  
4     COUNTIES, TOWNS, AND/OR VILLAGES FOR THE COSTS ASSOCIATED WITH EXPENDI-  
5     TURES MADE AS A REQUIREMENT FOR ANY LAW, GENERAL OR SPECIAL, EFFECTIVE  
6     THE FIRST DAY OF JANUARY SUCCEEDING THE APPROVAL OF THE VOTERS, WHICH  
7     MANDATES THE UNDERTAKING OF A NEW PROGRAM OR INCREASES THE LEVEL OF  
8     SERVICE OF AN EXISTING PROGRAM BY A CITY, COUNTY, TOWN, OR VILLAGE. THE  
9     LEGISLATURE SHALL ESTABLISH PROCEDURES FOR THE ALLOCATION OF FUNDS AMONG  
10    THE CITIES, COUNTIES, TOWNS, AND/OR VILLAGES.  
11    THIS REQUIREMENT SHALL NOT APPLY WHERE FEDERAL REIMBURSEMENT OR MATCH-  
12    ING FUNDS ARE AVAILABLE AND SUCH PROVISION WOULD DISQUALIFY A MUNICI-  
13    PALITY, OR IMPAIR A MUNICIPALITY'S ABILITY, TO PARTICIPATE IN OR RECEIVE  
14    SUCH FEDERAL FUNDS. THE LEGISLATURE SHALL, IN ITS DISCRETION, DETERMINE  
15    IF STATE FUNDING SHALL BE PROVIDED FOR THE SUPPORT OF SUCH FEDERAL  
16    PROGRAMS PROVIDED BY A MUNICIPALITY.  
17    S 2. Resolved (if the Senate concur), That the foregoing amendment be  
18    referred to the first regular legislative session convening after the  
19    next succeeding general election of members of the assembly, and, in  
20    conformity with section 1 of article 19 of the constitution, be  
21    published for three months previous to the time of such election.

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

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