S T A T E O F N E W Y O R K

5568

2011-2012 Regular Sessions

I N S E N A T E

June 2, 2011

Introduced by Sen. MARTINS -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

AN ACT to amend the general municipal law and the legislative law, in relation to mandate relief

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The general municipal law is amended by adding a new article 19-C to read as follows:

ARTICLE 19-C
MANDATE RELIEF

SECTION 991. SHORT TITLE.
992. LEGISLATIVE FINDINGS AND DETERMINATIONS.
993. NEW YORK STATE MANDATE RELIEF COUNCIL.
993-A. POWERS AND DUTIES OF THE COUNCIL.
993-B. ASSISTANCE OF OTHER AGENCIES.
994. DETERMINATION OF UNFUNDED MANDATE.
994-A. REQUEST BY A CITY, TOWN, VILLAGE OR COUNTY GOVERNMENT.
994-B. REQUEST BY A SCHOOL DISTRICT.
994-C. REQUEST BY A FIRE DISTRICT, WATER DISTRICT OR OTHER SPECIAL DISTRICT.
994-D. NEW REGULATIONS PROPOSED BY STATE GOVERNMENT.
995. CONSIDERATION OF THE ISSUE OF REPEAL OF AN UNFUNDED MANDATE.
995-A. REPEAL OF UNFUNDED MANDATES CONTAINED IN CURRENT REGULATIONS.
995-B. REPEAL OF UNFUNDED MANDATES CONTAINED IN PROPOSED REGULATIONS.
995-C. REPEAL OF UNFUNDED MANDATES CONTAINED IN STATUTE.
996. REPORTS AND RECOMMENDATIONS OF THE NEW YORK STATE MANDATE RELIEF COUNCIL.
997. COMPTROLLER REPORT OF UNFUNDED MANDATES.

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

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998. FISCAL NOTES FOR BILLS ENACTING MANDATES UPON LOCAL GOVERNMENTS.
999. SEVERABILITY.

S 991. SHORT TITLE. THIS ARTICLE SHALL BE KNOWN AND MAY BE CITED AS THE "NEW YORK STATE MANDATE RELIEF ACT".

S 992. LEGISLATIVE FINDINGS AND DETERMINATIONS. THE LEGISLATURE HEREBY FINDS AND DETERMINES THAT UNFUNDED MANDATES ESTABLISHED BY THE STATE UPON ITS LOCAL GOVERNMENTS, SCHOOL DISTRICTS, AND FIRE DISTRICTS, PRESENT A TREMENDOUS FINANCIAL BURDEN UPON THESE LOCALITIES, AS WELL AS THE PEOPLE OF THE STATE OF NEW YORK.

THE LEGISLATURE HEREBY FURTHER FINDS AND DETERMINES THAT THE COST OF THESE UNFUNDED MANDATES HAS SERIOUSLY CONTRIBUTED TO THE FINANCIAL CHALLENGES OF THESE LOCAL GOVERNMENTS, SCHOOL DISTRICTS, AND FIRE DISTRICTS, AND HAVE COST THE TAXPAYERS OF THE STATE OF NEW YORK AN ENORMOUS BURDEN IN REAL PROPERTY TAXES, AS WELL AS LIMITING THE ABILITY OF THESE LOCAL GOVERNMENTS, SCHOOL DISTRICTS, AND FIRE DISTRICTS TO ENACT MEASURES WHICH WOULD SAVE BOTH TAXPAYER DOLLARS AND RESPONSIVELY PROVIDE FOR IMPROVED COMMUNITY SERVICES.

THE LEGISLATURE HEREBY ADDITIONALLY FINDS AND DETERMINES THAT THERE IS A PRESSING NEED TO DEVELOP COMPREHENSIVE LEGISLATIVE AND ADMINISTRATIVE CHANGES TO END UNFUNDED MANDATES AND ACCOMPLISH MANDATE RELIEF, AND THAT IMPORTANT MANDATE RELIEF MEASURES ARE IMMEDIATELY NECESSARY IN ORDER TO ACCOMPLISH THIS GOAL. THAT IS THE GOAL OF THIS LEGISLATION, IN ESTABLISHING THE COUNCIL ON MANDATE RELIEF, TO CREATE AN EFFECTIVE MECHANISM TO ELIMINATE UNFUNDED MANDATES, AND TO BEGIN TO RELIEVE LOCAL GOVERNMENTS, SCHOOL DISTRICTS, AND FIRE DISTRICTS, AND THE TAXPAYERS THEY REPRESENT, OF THE CRUSHING BURDEN THAT REAL PROPERTY TAXES CURRENTLY PLACE UPON ALL NEW YORKERS.

S 993. NEW YORK STATE MANDATE RELIEF COUNCIL. THERE SHALL BE A COUNCIL OF MANDATE RELIEF, WHICH SHALL BE INDEPENDENT OF THE LEGISLATIVE, EXECUTIVE AND JUDICIAL BRANCHES OF STATE GOVERNMENT. THE COUNCIL SHALL CONSIST OF ELEVEN MEMBERS APPOINTED BY THE GOVERNOR, UPON ADVICE AND CONSENT OF THE SENATE, AS FOLLOWS:

1. FIVE MEMBERS UPON NOMINATION OF THE GOVERNOR;
2. TWO MEMBERS UPON NOMINATION OF THE TEMPORARY PRESIDENT OF THE SENATE;
3. TWO MEMBERS UPON NOMINATION OF THE SPEAKER OF THE ASSEMBLY;
4. ONE MEMBER UPON NOMINATION OF THE MINORITY LEADER OF THE SENATE; AND
5. ONE MEMBER UPON NOMINATION OF THE MINORITY LEADER OF THE ASSEMBLY.

OF THE MEMBERS APPOINTED UPON NOMINATION OF THE GOVERNOR, NO MORE THAN TWO SHALL BE APPOINTED FROM THE SAME POLITICAL PARTY. THE TERM OF OFFICE OF THE MEMBERS OF THE COUNCIL SHALL BE FIVE YEARS. VACANCIES IN THE COUNCIL OCCURRING OTHERWISE THAN BY EXPIRATION OF TERM, SHALL BE FILLED FOR THE UNEXPIRED TERM IN THE SAME MANNER AS THEIR ORIGINAL APPOINTMENT. THE COUNCIL SHALL ELECT A CHAIR AND VICE-CHAIR FROM AMONG ITS MEMBERS. THE CHAIR SHALL BE THE EXECUTIVE OFFICER OF THE COUNCIL. THE CHAIR, WITHIN BUDGET APPROPRIATIONS THEREFORE, MAY APPOINT SUCH EMPLOYEES, PRESCRIBE THEIR DUTIES, AND FIX THEIR COMPENSATION, AS NECESSARY FOR THE SUCCESSFUL OPERATION OF THE COUNCIL. NO MEMBER OF THE COUNCIL SHALL RECEIVE A SALARY, BUT MAY BE REIMBURSED FOR THEIR NECESSARY AND REASONABLE EXPENSES.

S 993-A. POWERS AND DUTIES OF THE COUNCIL. THE COUNCIL SHALL HAVE THE FOLLOWING POWERS AND DUTIES:

1. TO MAKE A DETERMINATION, UPON A REVIEW, PURSUANT TO SECTION NINE HUNDRED NINETY-FOUR OF THIS ARTICLE, AS TO WHETHER A STATUTE, REGU-

LATION, RULE OR ORDER IDENTIFIED IN THE RESOLUTION, CONSTITUTES AN UNFUNDED MANDATE;

2. TO REPEAL A REGULATION, RULE, OR ORDER, DETERMINED, ACCORDING TO SECTION NINE HUNDRED NINETY-FOUR OF THIS ARTICLE, TO BE AN UNFUNDED MANDATE, PURSUANT TO SECTION NINE HUNDRED NINETY-FIVE, SECTION NINE HUNDRED NINETY-FIVE-A AND/OR SECTION NINE HUNDRED NINETY-FIVE-B OF THIS ARTICLE;

3. TO RECOMMEND TO THE STATE LEGISLATURE TO REPEAL A STATUTE, DETERMINED ACCORDING TO SECTION NINE HUNDRED NINETY-FOUR OF THIS ARTICLE TO BE AN UNFUNDED MANDATE, PURSUANT TO SECTION NINE HUNDRED NINETY-FIVE AND SECTION NINE HUNDRED NINETY-FIVE-C OF THIS ARTICLE;

4. TO ISSUE REPORTS AND RECOMMENDATIONS TO THE GOVERNOR AND MEMBERS OF THE LEGISLATURE REGARDING MANDATE RELIEF, PURSUANT TO SECTION NINE HUNDRED NINETY-SIX OF THIS ARTICLE;

5. TO MEET AS A PUBLIC BODY NOT LESS THAN TWICE A MONTH FOR THE ACCOMPLISHMENT OF THE PURPOSES AND PROVISIONS OF THIS ARTICLE;

6. TO ESTABLISH RULES, REGULATIONS AND PROCEDURES AS NECESSARY TO ACCOMPLISH THE PURPOSES AND PROVISIONS OF THIS ARTICLE;

7. TO ENTER INTO CONTRACTS, WITHIN AMOUNTS APPROPRIATED THEREFOR, WITH INDIVIDUALS, PARTNERSHIPS, CORPORATIONS OR ORGANIZATIONS AS NECESSARY TO ACCOMPLISH THE PURPOSES AND PROVISIONS OF THIS ARTICLE;

8. TO MAKE AND SIGN ANY AGREEMENTS, AND TO DO AND TO PERFORM ANY ACTS, THAT MAY BE NECESSARY, DESIRABLE OR PROPER TO CARRY OUT THE PURPOSES OF THIS ARTICLE;

9. TO MAINTAIN AN OFFICIAL RECORD OF ITS MEETINGS, DISCUSSIONS, DELIBERATIONS AND DETERMINATIONS;

10. TO MAINTAIN AN OFFICIAL WEBSITE AND EMAIL ADDRESSES FOR ITS MEMBERS;

11. TO ACCEPT GIFTS, CONTRIBUTIONS AND BEQUESTS OF UNRESTRICTED FUNDS FROM INDIVIDUALS, PARTNERSHIPS, CORPORATIONS OR ORGANIZATIONS AS NECESSARY TO ACCOMPLISH THE PURPOSES AND PROVISIONS OF THIS ARTICLE; AND

12. TO EXERCISE AND PERFORM SUCH OTHER POWERS AND DUTIES AS NECESSARY TO ACCOMPLISH THE PURPOSES AND PROVISIONS OF THIS ARTICLE.

S 993-B. ASSISTANCE OF OTHER AGENCIES. TO EFFECTUATE THE PURPOSES OF THIS ARTICLE, THE COUNCIL MAY REQUEST FROM ANY DEPARTMENT, BOARD, BUREAU, COMMISSION OR OTHER AGENCY OF THE STATE, AND THE SAME ARE AUTHORIZED TO PROVIDE, SUCH ASSISTANCE, SERVICES AND DATA AS WILL ENABLE THE COUNCIL PROPERLY TO CARRY OUT ITS POWERS AND DUTIES AS PROVIDED IN SUBDIVISION TWO OF THIS SECTION.

S 994. DETERMINATION OF UNFUNDED MANDATE. 1. UPON THE REQUEST OF THE GOVERNING BODY OF A CITY, TOWN, VILLAGE OR COUNTY GOVERNMENT, PURSUANT TO SECTION NINE HUNDRED NINETY-FOUR-A OF THIS ARTICLE, OR UPON A REQUEST OF A SCHOOL DISTRICT, PURSUANT TO SECTION NINE HUNDRED NINETY-FOUR-B OF THIS ARTICLE, OR UPON A REQUEST OF A FIRE DISTRICT, WATER DISTRICT OR OTHER SPECIAL DISTRICT PURSUANT TO SECTION NINE HUNDRED NINETY-FOUR-C OF THIS ARTICLE, THE COUNCIL SHALL MAKE A DETERMINATION AS TO WHETHER A STATUTE, REGULATION, RULE OR ORDER IS AN UNFUNDED MANDATE.

2. UPON THE SUBMISSION OF A DEPARTMENT, DIVISION, OFFICE, BUREAU OR OTHER AGENCY OF STATE GOVERNMENT, PURSUANT TO SECTION NINE HUNDRED NINETY-FOUR-D OF THIS ARTICLE, THE COUNCIL SHALL MAKE A DETERMINATION AS TO WHETHER A STATUTE, REGULATION, RULE OR ORDER IS AN UNFUNDED MANDATE.

3. THE COUNCIL, UPON RECEIPT OF THE REQUEST OR SUBMISSION PURSUANT TO SECTION NINE HUNDRED NINETY-FOUR-A, SECTION NINE HUNDRED NINETY-FOUR-B, SECTION NINE HUNDRED NINETY-FOUR-C OR NINE HUNDRED NINETY-FOUR-D OF THIS ARTICLE SHALL HAVE NINETY DAYS TO MAKE A DETERMINATION AS TO WHETHER THE STATUTE, REGULATION, RULE OR ORDER CONTAINED IN THE REQUEST OR

SUBMISSION SHALL BE DEEMED TO CONSTITUTE AN UNFUNDED MANDATE. IN MAKING SUCH DETERMINATION, THE COUNCIL SHALL CONSIDER IF THE STATUTE, REGULATION, RULE OR ORDER LEGALLY REQUIRES THE CITY, TOWN, VILLAGE OR COUNTY GOVERNMENT, SCHOOL DISTRICT, FIRE DISTRICT, WATER DISTRICT OR OTHER SPECIAL DISTRICT TO PERFORM AN ACT, OR REFRAIN FROM ACTING, IN A MATERIAL MANNER AND WITH A MATERIAL COST. IN FURTHER MAKING ITS DETERMINATION, THE COUNCIL SHALL FURTHER CONSIDER IF THE COST INCURRED AS A RESULT OF THE GOVERNMENT OR DISTRICT COMPLYING WITH THE STATUTE, REGULATION, RULE OR ORDER IS NOT REIMBURSED TO THE GOVERNMENT OR DISTRICT BY EITHER THE FEDERAL OR STATE GOVERNMENT, OR IF SUCH GOVERNMENT OR DISTRICT IS NOT OTHERWISE PROVIDED WITH THE ABILITY TO COLLECT A FEE OR OTHER MONIES IN RETURN FOR THE COMPLIANCE WITH SUCH STATUTE, REGULATION, RULE OR ORDER.

4. THE COUNCIL NEED NOT CONSIDER A REQUEST FOR DETERMINATION PURSUANT TO SUBDIVISION ONE OF THIS SECTION IF THE COUNCIL HAS PREVIOUSLY MADE A DETERMINATION WITHIN FIVE YEARS OF THE REQUEST, REGARDING THE SAME EXACT STATUTORY PROVISION OR REGULATION. IN THE EVENT THAT THE COUNCIL DECLINES TO CONSIDER A REQUEST FOR A DETERMINATION PURSUANT TO SUBDIVISION ONE OF THIS SECTION, THE COUNCIL SHALL NOTIFY THE CITY, TOWN, VILLAGE OR COUNTY, IN WRITING, OF ITS DECLINATION TO CONSIDER THE REQUEST, AND SHALL PROVIDE THE CITY, TOWN, VILLAGE OR COUNTY WITHIN SUCH NOTIFICATION WITH A COPY OF THE COUNCIL'S PREVIOUS DETERMINATION ON THE SAME EXACT STATUTORY PROVISION OR REGULATION.

5. THE COUNCIL SHALL MAKE ITS DETERMINATION AS TO WHETHER THE STATUTE, REGULATION, RULE OR ORDER CONTAINED IN THE REQUEST OR SUBMISSION CONSTITUTES AN UNFUNDED MANDATE, BY MEANS OF A MAJORITY VOTE OF ALL THE MEMBERS OF THE COUNCIL, AFTER DUE CONSIDERATION OF THE FACTS AND UPON DUE DELIBERATION AND DISCUSSION OF THE MEMBERS. THE MEETING TO CONSIDER WHETHER A REQUESTED STATUTE, REGULATION, RULE OR ORDER CONTAINED IN THE REQUEST CONSTITUTES AN UNFUNDED MANDATE, AND ALL THE DELIBERATIONS AND DISCUSSIONS AT SUCH MEETING, SHALL BE SUBJECT TO THE PROVISIONS OF ARTICLE SEVEN OF THE PUBLIC OFFICERS LAW. IN THE EVENT THAT THE COUNCIL DETERMINES THAT THE STATUTE, REGULATION, RULE OR ORDER CONSTITUTES AN UNFUNDED MANDATE, IT SHALL NOTIFY THE GOVERNMENT OR DISTRICT WHO MADE THE REQUEST, OR THE DEPARTMENT, DIVISION, OFFICE, BUREAU OR OTHER AGENCY OF STATE GOVERNMENT THAT MADE THE SUBMISSION, AND POST AND PUBLISH A RECORD OF SUCH DETERMINATION ON THE OFFICIAL WEBSITE OF THE COUNCIL.

6. NOTWITHSTANDING ANYTHING IN THIS SUBDIVISION TO THE CONTRARY, THE FOLLOWING CATEGORIES OF STATUTES, REGULATIONS, RULES OR ORDERS, SHALL NOT BE CONSIDERED UNFUNDED MANDATES:

A. THOSE WHICH ARE REQUIRED TO COMPLY WITH FEDERAL LAWS OR RULES OR TO MEET ELIGIBILITY STANDARDS FOR FEDERAL ENTITLEMENTS;

B. THOSE WHICH REPEAL, REVISE OR EASE AN EXISTING REQUIREMENT OR MANDATE OR WHICH REAPPORTION THE COSTS OF ACTIVITIES BETWEEN BOARDS OF EDUCATION, COUNTIES, AND MUNICIPALITIES;

C. THOSE WHICH STEM FROM FAILURE TO COMPLY WITH PREVIOUSLY ENACTED LAWS OR RULES OR REGULATIONS ISSUED PURSUANT TO LAW;

D. THOSE WHICH IMPLEMENT THE PROVISIONS OF THE STATE CONSTITUTION; AND

E. THOSE STATUTES WHICH ARE ENACTED AFTER A PUBLIC HEARING, HELD AFTER PUBLIC NOTICE THAT UNFUNDED MANDATES WILL BE CONSIDERED, FOR WHICH A FISCAL ANALYSIS IS AVAILABLE AT THE TIME OF THE PUBLIC HEARING AND WHICH, IN ADDITION TO COMPLYING WITH ALL OTHER CONSTITUTIONAL REQUIREMENTS WITH REGARD TO THE ENACTMENT OF LAWS, ARE PASSED BY AN AFFIRMATIVE VOTE OF THE MEMBERS OF EACH HOUSE OF THE LEGISLATURE AND SIGNED INTO LAW BY THE GOVERNOR.

7. NOTWITHSTANDING THE DETERMINATION OF ANY COURT OF COMPETENT JURISDICTION, THE COUNCIL SHALL RESOLVE ANY DISPUTE REGARDING WHETHER SUCH A

STATUTE, REGULATION, RULE OR ORDER CONSTITUTES SUCH AN UNFUNDED MANDATE. THE DECISIONS OF THE COUNCIL WITH RESPECT TO WHETHER A STATUTE, REGULATION, RULE OR ORDER, WHICH CONSTITUTES AN UNFUNDED MANDATE SHALL NOT BE JUDICIAL DETERMINATIONS.

S 994-A. REQUEST BY A CITY, TOWN, VILLAGE OR COUNTY GOVERNMENT. ANY CITY, TOWN, VILLAGE OR COUNTY GOVERNMENT MAY MAKE A REQUEST OF THE COUNCIL TO REVIEW A STATUTE, REGULATION, RULE OR ORDER OF STATE GOVERNMENT, TO DETERMINE WHETHER SUCH STATUTE, REGULATION, RULE OR ORDER CONSTITUTES AN UNFUNDED STATE MANDATE. THE REQUEST FOR A DETERMINATION SHALL BE MADE BY MEANS OF A RESOLUTION PASSED BY A MAJORITY OF THE TOTAL MEMBERS OF THE GOVERNING BODY OF THE CITY, TOWN, VILLAGE OR COUNTY AND TRANSMITTED TO THE COUNCIL WITHIN NINETY DAYS OF THE PASSING OF SUCH RESOLUTION. THE REQUEST OF THE GOVERNING BODY SHALL ALSO SPECIFICALLY IDENTIFY THE STATUTE, REGULATION, RULE OR ORDER IN QUESTION. A REQUEST OF THE GOVERNING BODY SHALL FURTHER CONTAIN ONLY ONE STATUTE, REGULATION, RULE OR ORDER UPON WHICH A DETERMINATION IS SOUGHT. NO CITY, TOWN, VILLAGE OR COUNTY GOVERNMENT, SHALL MAKE MORE THAN TEN REQUESTS OF THE COUNCIL FOR A DETERMINATION IN ANY CALENDAR YEAR.

S 994-B. REQUEST BY A SCHOOL DISTRICT. ANY SCHOOL DISTRICT MAY MAKE A REQUEST OF THE COUNCIL TO REVIEW A STATUTE, REGULATION, RULE OR ORDER OF STATE GOVERNMENT, TO DETERMINE WHETHER SUCH STATUTE, REGULATION, RULE OR ORDER CONSTITUTES AN UNFUNDED STATE MANDATE. THE REQUEST FOR A DETERMINATION SHALL BE MADE BY MEANS OF A RESOLUTION PASSED BY A MAJORITY OF THE TOTAL MEMBERS OF THE GOVERNING BODY OF THE SCHOOL DISTRICT AND TRANSMITTED TO THE COUNCIL WITHIN NINETY DAYS OF THE PASSING OF SUCH RESOLUTION. THE REQUEST OF THE GOVERNING BODY SHALL ALSO SPECIFICALLY IDENTIFY THE STATUTE, REGULATION, RULE OR ORDER IN QUESTION. A REQUEST OF THE GOVERNING BODY SHALL FURTHER CONTAIN ONLY ONE STATUTE, REGULATION, RULE OR ORDER UPON WHICH A DETERMINATION IS SOUGHT. NO SCHOOL DISTRICT, SHALL MAKE MORE THAN FIVE REQUESTS OF THE COUNCIL FOR A DETERMINATION IN ANY CALENDAR YEAR.

S 994-C. REQUEST BY A FIRE DISTRICT, WATER DISTRICT OR OTHER SPECIAL DISTRICT. ANY FIRE DISTRICT, WATER DISTRICT OR OTHER SPECIAL DISTRICT MAY MAKE A REQUEST OF THE COUNCIL TO REVIEW A STATUTE, REGULATION, RULE OR ORDER OF STATE GOVERNMENT, TO DETERMINE WHETHER SUCH STATUTE, REGULATION, RULE OR ORDER CONSTITUTES AN UNFUNDED STATE MANDATE. THE REQUEST FOR A DETERMINATION SHALL BE MADE BY MEANS OF A RESOLUTION PASSED BY A MAJORITY OF THE TOTAL MEMBERS OF THE GOVERNING BODY OF THE FIRE DISTRICT, WATER DISTRICT OR OTHER SPECIAL DISTRICT AND TRANSMITTED TO THE COUNCIL WITHIN NINETY DAYS OF THE PASSING OF SUCH RESOLUTION. THE REQUEST OF THE GOVERNING BODY SHALL ALSO SPECIFICALLY IDENTIFY THE STATUTE, REGULATION, RULE OR ORDER IN QUESTION. A REQUEST OF THE GOVERNING BODY SHALL FURTHER CONTAIN ONLY ONE STATUTE, REGULATION, RULE OR ORDER UPON WHICH A DETERMINATION IS SOUGHT. NO FIRE DISTRICT, WATER DISTRICT OR OTHER SPECIAL DISTRICT, SHALL MAKE MORE THAN TWO REQUESTS OF THE COUNCIL FOR A DETERMINATION IN ANY CALENDAR YEAR.

S 994-D. NEW REGULATIONS PROPOSED BY STATE GOVERNMENT. ALL DEPARTMENTS, DIVISIONS, OFFICES, BUREAUS OR OTHER AGENCIES OF STATE GOVERNMENT, UPON THE PROMULGATION OF A NEW REGULATION, RULE OR ORDER, OR THE AMENDMENT OF AN EXISTING REGULATION, RULE OR ORDER, WHICH WOULD REQUIRE ANY CITY, TOWN, VILLAGE OR COUNTY, SCHOOL DISTRICT, FIRE DISTRICT, WATER DISTRICT OR OTHER SPECIAL DISTRICT, TO TAKE ANY ACTION, PERFORM ANY DUTY, MAKE ANY EXPENDITURE, OR INCUR ANY COST, MUST BE SUBMITTED TO THE COUNCIL FOR A DETERMINATION, PURSUANT TO SECTION NINE HUNDRED NINETY-FOUR OF THIS ARTICLE, AS TO WHETHER SUCH NEW REGULATION, RULE OR ORDER, OR THE AMENDMENT OF AN EXISTING REGULATION, RULE OR ORDER CONSTI-

TUTES AN UNFUNDED MANDATE. THE SUBMISSION BY THE DEPARTMENT, DIVISION, OFFICE, BUREAU OR OTHER AGENCY OF STATE GOVERNMENT, SHALL PROVIDE THE REGULATION, RULE OR ORDER IN QUESTION, TOGETHER WITH AN ANALYSIS AND JUSTIFICATION FOR REGULATION, RULE OR ORDER IN QUESTION, PREPARED BY THE COUNSEL FOR THE DEPARTMENT, DIVISION, OFFICE, BUREAU OR OTHER AGENCY OF THE STATE GOVERNMENT, A COUNSEL WITHIN THE GOVERNOR'S COUNSEL'S OFFICE OR AN ATTORNEY FROM THE NEW YORK STATE DEPARTMENT OF LAW. NO REGULATION, RULE OR ORDER REQUIRED TO BE SUBMITTED PURSUANT TO THIS SECTION SHALL TAKE EFFECT PRIOR TO A DETERMINATION OF THE COUNCIL THAT SUCH REGULATION, RULE OR ORDER IS NOT AN UNFUNDED MANDATE, OR PRIOR TO A DETERMINATION OF THE COUNCIL THAT SUCH REGULATION, RULE OR ORDER IS AN UNFUNDED MANDATE BUT THAT SUCH REGULATION, RULE OR ORDER SHOULD NOT BE REPEALED PURSUANT TO SECTION NINE HUNDRED NINETY-FIVE-B OF THIS ARTICLE, UNLESS THE COUNSEL FOR THE DEPARTMENT, DIVISION, OFFICE, BUREAU OR OTHER AGENCY OF STATE GOVERNMENT, A COUNSEL WITHIN THE GOVERNOR'S COUNSEL'S OFFICE OR AN ATTORNEY FROM THE NEW YORK STATE DEPARTMENT OF LAW, PROVIDES A LEGAL DETERMINATION WITH THE SUBMISSION REQUIRED PURSUANT TO THIS SECTION, THAT THE FAILURE TO IMMEDIATELY ESTABLISH THE REGULATION, RULE OR ORDER WOULD RESULT IN SUBSTANTIAL AND IMMEDIATE HARM TO THE PEOPLE OF THE STATE OF NEW YORK.

S 995. CONSIDERATION OF THE ISSUE OF REPEAL OF AN UNFUNDED MANDATE. WITHIN TWENTY-ONE DAYS OF MAKING A DETERMINATION THAT A STATUTE, REGULATION, RULE OR ORDER CONSTITUTES AN UNFUNDED MANDATE, THE COUNCIL SHALL MEET TO CONSIDER THE ISSUE OF THE REPEAL OF THE STATUTE, REGULATION, RULE OR ORDER. THE MEETING TO CONSIDER THE ISSUE OF THE REPEAL OF THE STATUTE, REGULATION, RULE OR ORDER DETERMINED TO BE AN UNFUNDED MANDATE, AND ALL THE DELIBERATIONS AND DISCUSSIONS AT SUCH MEETING, SHALL BE SUBJECT TO THE PROVISIONS OF ARTICLE SEVEN OF THE PUBLIC OFFICERS LAW.

S 995-A. REPEAL OF UNFUNDED MANDATES CONTAINED IN CURRENT REGULATIONS. UPON MEETING TO CONSIDER THE ISSUE OF A REPEAL OF AN UNFUNDED MANDATE, PURSUANT TO SECTION NINE HUNDRED NINETY-FIVE OF THIS ARTICLE, THE COUNCIL SHALL MAKE ITS DETERMINATION AS TO WHETHER THE REGULATION, RULE OR ORDER DETERMINED TO BE AN UNFUNDED MANDATE PURSUANT TO A REQUEST MADE UNDER SUBDIVISION ONE OF SECTION NINE HUNDRED NINETY-FOUR OF THIS ARTICLE, SHALL BE REPEALED, BY MEANS OF A MAJORITY VOTE OF ALL THE MEMBERS OF THE COUNCIL, AFTER DUE CONSIDERATION OF THE FACTS AND UPON DUE DELIBERATION AND DISCUSSION OF THE MEMBERS. IN THE EVENT THE COUNCIL DETERMINES THAT THE REGULATION, RULE OR ORDER IN QUESTION SHALL BE REPEALED, THE COUNCIL SHALL INFORM, IN WRITING, THE DEPARTMENT, DIVISION, OFFICE, BUREAU OR OTHER AGENCY OF STATE GOVERNMENT WHICH PROMULGATED OR ISSUED THE REGULATION, RULE OR ORDER IN QUESTION, AS WELL AS THE GOVERNMENT OR DISTRICT THAT REQUESTED IT TO BE DETERMINED AN UNFUNDED MANDATE, AND THEREAFTER SUCH REGULATION, RULE OR ORDER SHALL EXPIRE AND BE DEEMED REPEALED, WITHIN SIXTY DAYS OF THE DATE UPON WHICH THE COUNCIL INFORMED, IN WRITING, THE DEPARTMENT, DIVISION, OFFICE, BUREAU OR OTHER AGENCY OF STATE GOVERNMENT WHICH PROMULGATED OR ISSUED THE REGULATION, RULE OR ORDER IN QUESTION. IN NO EVENT SHALL THE DEPARTMENT, DIVISION, OFFICE, BUREAU OR OTHER AGENCY OF STATE GOVERNMENT WHICH PROMULGATED OR ISSUED THE ORIGINAL REGULATION, RULE OR ORDER IN QUESTION, REPROMULGATE, REISSUE OR REINSTATE THE REGULATION, RULE OR ORDER IN QUESTION, WITHOUT HAVING FIRST OBTAINED STATUTORY PERMISSION TO DO THE SAME BY MEANS OF AN ACT OF THE STATE LEGISLATURE.

S 995-B. REPEAL OF UNFUNDED MANDATES CONTAINED IN PROPOSED REGULATIONS. UPON MEETING TO CONSIDER THE ISSUE OF A REPEAL OF AN UNFUNDED MANDATE, PURSUANT TO SECTION NINE HUNDRED NINETY-FIVE OF THIS ARTICLE, THE COUNCIL SHALL MAKE ITS DETERMINATION AS TO WHETHER THE REGULATION,

RULE OR ORDER, DETERMINED TO BE AN UNFUNDED MANDATE PURSUANT TO A SUBMISSION MADE UNDER SUBDIVISION TWO OF SECTION NINE HUNDRED NINETY-FOUR OF THIS ARTICLE, SHALL BE REPEALED, BY MEANS OF A MAJORITY VOTE OF ALL THE MEMBERS OF THE COUNCIL, AFTER DUE CONSIDERATION OF THE FACTS AND UPON DUE DELIBERATION AND DISCUSSION OF THE MEMBERS. IN THE EVENT THE COUNCIL DETERMINES THAT THE REGULATION, RULE OR ORDER IN QUESTION SHALL BE REPEALED, THE COUNCIL SHALL INFORM, IN WRITING, THE DEPARTMENT, DIVISION, OFFICE, BUREAU OR OTHER AGENCY OF STATE GOVERNMENT WHICH PROMULGATED OR ISSUED THE REGULATION, RULE OR ORDER IN QUESTION, AND THEREAFTER SUCH REGULATION, RULE OR ORDER SHALL EXPIRE AND BE DEEMED REPEALED, WITHIN SIXTY DAYS OF THE DATE UPON WHICH THE COUNCIL INFORMS, IN WRITING, THE DEPARTMENT, DIVISION, OFFICE, BUREAU OR OTHER AGENCY OF STATE GOVERNMENT WHICH PROMULGATED OR ISSUED THE REGULATION, RULE OR ORDER IN QUESTION. IN NO EVENT SHALL THE DEPARTMENT, DIVISION, OFFICE, BUREAU OR OTHER AGENCY OF STATE GOVERNMENT WHICH PROMULGATED OR ISSUED THE ORIGINAL REGULATION, RULE OR ORDER IN QUESTION, REPROMULGATE, REISSUE OR REINSTATE THE REGULATION, RULE OR ORDER IN QUESTION, WITHOUT HAVING FIRST OBTAINED STATUTORY PERMISSION TO DO THE SAME BY MEANS OF AN ACT OF THE STATE LEGISLATURE.

S 995-C. REPEAL OF UNFUNDED MANDATES CONTAINED IN STATUTE. 1. UPON MEETING TO CONSIDER THE ISSUE OF A REPEAL OF AN UNFUNDED MANDATE, PURSUANT TO SECTION NINE HUNDRED NINETY-FIVE OF THIS ARTICLE, THE COUNCIL SHALL MAKE ITS DETERMINATION AS TO WHETHER THE STATUTE DETERMINED TO BE AN UNFUNDED MANDATE PURSUANT TO SECTION NINE HUNDRED NINETY-FOUR OF THIS ARTICLE, SHOULD BE ENDORSED BY THE COUNCIL FOR REPEAL, BY MEANS OF A MAJORITY VOTE OF ALL THE MEMBERS OF THE COUNCIL, AFTER DUE CONSIDERATION OF THE FACTS AND UPON DUE DELIBERATION AND DISCUSSION OF THE MEMBERS. IN THE EVENT THE COUNCIL DETERMINES THAT THE STATUTE SHOULD BE ENDORSED BY THE COUNCIL FOR REPEAL, THE COUNCIL SHALL INFORM, IN WRITING, ALL THE ENTITIES AFFECTED BY SUCH STATUTE IN QUESTION, AS WELL AS THE GOVERNMENT OR DISTRICT THAT REQUESTED IT TO BE DETERMINED AN UNFUNDED MANDATE PURSUANT TO SECTION NINE HUNDRED NINETY-FOUR OF THIS ARTICLE, AND THEREAFTER THE COUNCIL SHALL FORWARD SUCH STATUTE, TOGETHER WITH ITS ENDORSEMENT, TO THE LEGISLATURE, AS PROVIDED BY THIS SECTION.

2. WHENEVER THE COUNCIL VOTES TO ENDORSE THE REPEAL OF A STATUTE AS AN UNFUNDED MANDATE, PURSUANT TO THE PROCEDURES OF SUBDIVISION ONE OF THIS SECTION, IT SHALL PREPARE A BILL FOR POSSIBLE SUBMISSION TO THE LEGISLATURE, CONCERNING THE REPEAL OF THE STATUTE ENDORSED FOR REPEAL THAT THE COUNCIL DETERMINED TO BE AN UNFUNDED MANDATE PURSUANT TO SECTION NINE HUNDRED NINETY-FOUR OF THIS ARTICLE. SUCH BILL SHALL INCLUDE THE NECESSARY PROVISIONS FOR REPEAL OF SUCH STATUTE, AS WELL AS ANY OTHER PROVISIONS NECESSARY TO EFFECTUATE THE CONTINUED OPERATIONS OF STATE OR LOCAL GOVERNMENT, WHICH WOULD BE REQUIRED AS A RESULT OF THE REPEAL.

3. UPON THE DRAFTING OF THE BILL AS PROVIDED IN SUBDIVISION TWO OF THIS SECTION, THE COUNCIL SHALL CONSIDER WHETHER IT SHOULD PRESENT SUCH BILL TO THE LEGISLATURE AS AN ENDORSED STATUTORY REPEAL BILL. THE MEETING TO CONSIDER WHETHER THE COUNCIL SHALL PRESENT SUCH BILL TO THE STATE LEGISLATURE AS AN ENDORSED STATUTORY REPEAL BILL OF THE COUNCIL, AND ALL THE DELIBERATIONS AND DISCUSSIONS AT SUCH MEETING, SHALL BE SUBJECT TO THE PROVISIONS OF ARTICLE SEVEN OF THE PUBLIC OFFICERS LAW. THE COUNCIL SHALL MAKE ITS DETERMINATION AS TO WHETHER THE COUNCIL SHOULD PRESENT SUCH BILL TO THE LEGISLATURE AS AN ENDORSED STATUTORY REPEAL BILL OF THE COUNCIL, BY MEANS OF A MAJORITY VOTE OF ALL THE MEMBERS OF THE COUNCIL, AFTER DUE CONSIDERATION OF THE FACTS AND UPON DUE DELIBERATION AND DISCUSSION OF THE MEMBERS. IN THE EVENT THE COUNCIL DETERMINES THAT THE COUNCIL SHALL PRESENT SUCH BILL TO THE STATE LEGISLATURE AS AN ENDORSED

STATUTORY REPEAL BILL OF THE COUNCIL, THE COUNCIL SHALL INFORM, IN WRITING, ALL THE ENTITIES AFFECTED BY THE REPEAL OF SUCH STATUTE IN QUESTION, AS WELL AS THE GOVERNMENT OR DISTRICT THAT REQUESTED IT TO BE DETERMINED AN UNFUNDED MANDATE, AND THEREAFTER THE COUNCIL SHALL FORWARD SUCH ENDORSED STATUTORY REPEAL BILL OF THE COUNCIL, TO BOTH HOUSES OF THE LEGISLATURE, BY MEANS OF THE OFFICE OF THE SPEAKER OF THE ASSEMBLY AND BY MEANS OF THE OFFICE OF THE TEMPORARY PRESIDENT OF THE SENATE, TOGETHER WITH COPIES OF SUCH ENDORSED STATUTORY REPEAL BILL OF THE COMMISSION TO THE OFFICE OF THE GOVERNOR AND THE OFFICE OF THE MINORITY LEADER OF THE ASSEMBLY AND THE OFFICE OF THE MINORITY LEADER IN THE SENATE.

4. IN NO EVENT SHALL THE COUNCIL PRESENT AN ENDORSED STATUTORY REPEAL BILL TO THE LEGISLATURE:

A. MORE THAN TWICE IN ANY MONTH;

B. IF THE LEGISLATURE IS NOT IN REGULAR SESSION; AND/OR

C. IF MORE THAN SIXTY DAYS HAS ELAPSED SINCE THE VOTE WAS TAKEN BY THE COUNCIL TO ENDORSE THE REPEAL OF THE STATUTE IN QUESTION PURSUANT TO SUBDIVISION ONE OF THIS SECTION.

5. IN THE EVENT THE LEGISLATURE WAS NOT IN REGULAR SESSION WITHIN THE SIXTY DAYS AFTER THE VOTE WAS TAKEN BY THE COUNCIL TO ENDORSE THE REPEAL OF THE STATUTE IN QUESTION, THE COUNCIL MAY PRESENT SUCH ENDORSED STATUTORY REPEAL BILL TO THE LEGISLATURE, IN THE MANNER PROVIDED IN SUBDIVISION THREE OF THIS SECTION, ANY TIME WITHIN THE FIRST SEVEN DAYS THE LEGISLATURE NEXT CONVENES OR RECONVENES IN REGULAR SESSION. IN NO EVENT HOWEVER, MAY THE COUNCIL PRESENT MORE THAN FIFTEEN ENDORSED STATUTORY REPEAL BILLS TO THE LEGISLATURE IN ANY CALENDAR YEAR.

6. UPON ITS PROPER PRESENTMENT TO THE LEGISLATURE, THE ENDORSED STATUTORY REPEAL BILL SHALL BE VOTED ON BY EACH HOUSE OF THE LEGISLATURE, WITHOUT AMENDMENT AS PRESENTED BY THE COUNCIL, WITHIN THIRTY DAYS AFTER ITS PROPER PRESENTMENT. THE COUNCIL MAY AMEND THE ENDORSED STATUTORY REPEAL BILL ONE TIME WITHIN SUCH THIRTY DAY PERIOD, WHEREUPON BOTH HOUSES OF THE LEGISLATURE SHALL THEN HAVE THIRTY DAYS FROM THE SUBMISSION OF SUCH AMENDMENT TO VOTE ON THE AMENDED ENDORSED STATUTORY REPEAL BILL. WITHOUT THE CONSENT OF BOTH HOUSES OF THE LEGISLATURE, NEITHER AN ENDORSED STATUTORY REPEAL BILL, NOR AN AMENDMENT MAY BE SUBMITTED BY THE COUNCIL AFTER THE THIRTIETH DAY OF MAY IN ANY YEAR.

7. UNDER PROVISIONS CONTAINED IN AN ENDORSED STATUTORY REPEAL BILL, A PROVISION OF SUCH BILL MAY BE EFFECTIVE AT A TIME LATER THAN THE DATE ON WHICH THE BILL OTHERWISE IS EFFECTIVE.

S 996. REPORTS AND RECOMMENDATIONS OF THE NEW YORK STATE MANDATE RELIEF COUNCIL. IN ADDITION TO ALL OTHER ACTIVITIES OF THE COUNCIL, IT SHALL ALSO MAKE, UPON A MAJORITY VOTE OF THE MEMBERS OF ITS BOARD, SUCH PUBLIC REPORTS AND RECOMMENDATIONS AS IT DEEMS NECESSARY FOR THE ADVANCEMENT OF ITS POWERS AND DUTIES. ALL MEETINGS TO CONSIDER WHETHER TO MAKE OR ISSUE SUCH A PUBLIC REPORT OR RECOMMENDATION, AND ALL THE DELIBERATIONS AND DISCUSSIONS AT SUCH MEETINGS, SHALL BE SUBJECT TO THE PROVISIONS OF ARTICLE SEVEN OF THE PUBLIC OFFICERS LAW. IN ADDITION TO ALL OTHER REPORTS AND RECOMMENDATIONS THAT THE COUNCIL MAY VOTE TO MAKE, THE COUNCIL SHALL PRODUCE AND PROVIDE AN ANNUAL REPORT OF THE COUNCIL, ITS ACTIVITIES, AND THE ISSUES, STATUTES, REGULATIONS, RULES AND ORDERS WHICH IT EXAMINED AND CONSIDERED. SUCH ANNUAL REPORT SHALL BE PRODUCED AND ISSUED NO LATER THAN THE FIFTEENTH DAY OF DECEMBER, AND SHALL BE PRESENTED TO EACH HOUSE OF THE LEGISLATURE, BY MEANS OF THE OFFICE OF THE SPEAKER OF THE ASSEMBLY AND BY MEANS OF THE OFFICE OF THE TEMPORARY PRESIDENT OF THE SENATE, TOGETHER WITH COPIES OF SUCH ANNUAL REPORT TO THE OFFICE OF THE GOVERNOR AND THE OFFICE OF THE MINORITY LEADER OF THE

ASSEMBLY AND THE OFFICE OF THE MINORITY LEADER IN THE SENATE. THE ANNUAL REPORT OF THE COUNCIL SHALL ALSO BE POSTED FOR PUBLIC REVIEW UPON THE COUNCIL'S WEBSITE.

S 997. COMPTROLLER REPORT OF UNFUNDED MANDATES. ON OR BEFORE THE THIRTY-FIRST DAY OF DECEMBER, TWO THOUSAND ELEVEN, AND THEN EVERY FIVE YEARS THEREAFTER, THE OFFICE OF THE STATE COMPTROLLER SHALL ISSUE A REPORT TO THE LEGISLATURE, BY MEANS OF THE OFFICE OF THE SPEAKER OF THE ASSEMBLY AND BY MEANS OF THE OFFICE OF THE TEMPORARY PRESIDENT OF THE SENATE, TOGETHER WITH COPIES OF SUCH ANNUAL REPORT TO THE OFFICE OF THE GOVERNOR AND THE OFFICE OF THE MINORITY LEADER OF THE ASSEMBLY AND THE OFFICE OF THE MINORITY LEADER IN THE SENATE ON THE ISSUE OF UNFUNDED MANDATES BY THE FEDERAL AND STATE GOVERNMENT UPON THE CITIES, TOWNS, VILLAGES AND COUNTY GOVERNMENTS, SCHOOL DISTRICTS, FIRE DISTRICTS, WATER DISTRICTS, AND OTHER SPECIAL DISTRICTS THROUGHOUT NEW YORK STATE. SUCH REPORT SHALL DETAIL, IN SPECIFICITY, THE FINANCIAL IMPLICATIONS OF SUCH MANDATES UPON SUCH GOVERNMENTS AND DISTRICTS, AND THEIR REAL PROPERTY TAXPAYERS, AS WELL AT THE METHODS AND MEANS THAT HAVE BEEN USED BY SUCH GOVERNMENTS AND DISTRICTS TO ADDRESS SUCH MANDATES. SUCH REPORT SHALL FURTHER OFFER RECOMMENDATIONS TO THE STATE LEGISLATURE AND TO CITIES, TOWNS, VILLAGES AND COUNTY GOVERNMENTS, SCHOOL DISTRICTS, FIRE DISTRICTS, WATER DISTRICTS AND OTHER SPECIAL DISTRICTS THROUGHOUT NEW YORK STATE.

S 998. FISCAL NOTES FOR BILLS ENACTING MANDATES UPON LOCAL GOVERNMENTS. ANY BILL WHICH REQUIRES A CITY, TOWN, VILLAGE OR COUNTY GOVERNMENT, SCHOOL DISTRICT, FIRE DISTRICT, WATER DISTRICT OR OTHER SPECIAL DISTRICT TO TAKE ANY ACTION, OR REFRAIN FROM TAKING ANY ACTION, AND WHICH DOES NOT CONTAIN AN APPROPRIATION FOR SUCH CITY, TOWN, VILLAGE OR COUNTY GOVERNMENT, SCHOOL DISTRICT, FIRE DISTRICT, WATER DISTRICT OR OTHER SPECIAL DISTRICT TO COVER THE COST OF TAKING SUCH REQUIRED ACTION, OR REFRAINING FROM TAKING SUCH ACTION, SHALL CONTAIN A FISCAL NOTE, PRINTED ON THE BOTTOM OF THE BILL, STATING THE ESTIMATED ANNUAL COST SUCH CITY, TOWN, VILLAGE OR COUNTY GOVERNMENT, SCHOOL DISTRICT, FIRE DISTRICT, WATER DISTRICT OR OTHER SPECIAL DISTRICT WILL INCUR IN THE EVENT SUCH BILL IS ENACTED, AND THE SOURCE OF SUCH ESTIMATE. FOR THE PURPOSE OF COMPLYING WITH THIS SECTION, THE OFFICE OF THE STATE COMPTROLLER, UPON A REQUEST FROM A MEMBER OF THE SENATE OR ASSEMBLY FOR SUCH A FISCAL NOTE, SHALL ISSUE AND PROVIDE SUCH FISCAL NOTE TO SUCH MEMBER OF THE SENATE OR ASSEMBLY, WITHIN FIFTEEN DAYS OF SUCH REQUEST.

S 999. SEVERABILITY. IF ANY CLAUSE, SENTENCE, PARAGRAPH, SUBDIVISION, SECTION OR PART OF THIS ARTICLE SHALL BE ADJUDGED BY ANY COURT OF COMPETENT JURISDICTION TO BE INVALID, SUCH JUDGMENT SHALL NOT AFFECT, IMPAIR, OR INVALIDATE THE REMAINDER THEREOF, BUT SHALL BE CONFINED IN ITS OPERATION TO THE CLAUSE, SENTENCE, PARAGRAPH, SUBDIVISION, SECTION OR PART THEREOF DIRECTLY INVOLVED IN THE CONTROVERSY IN WHICH SUCH JUDGMENT SHALL HAVE BEEN RENDERED. IT IS HEREBY DECLARED TO BE THE INTENT OF THE LEGISLATURE THAT THIS ARTICLE WOULD HAVE BEEN ENACTED EVEN IF SUCH INVALID PROVISIONS HAD NOT BEEN INCLUDED IN THIS SECTION.

S 2. Section 51 of the legislative law, as added by chapter 985 of the laws of 1983, is amended to read as follows:

S 51. Fiscal impact notes on bills affecting political subdivisions. 1. For the purpose of this section, the term "political subdivision" means any county, city, town, village, special district or school district.

2. [The] IN ADDITION TO THE PROVISIONS OF SECTION NINE HUNDRED NINETY-EIGHT OF THE GENERAL MUNICIPAL LAW, THE legislature [shall] MAY by concurrent resolution of the senate and assembly prescribe rules requiring fiscal notes to accompany, on a separate form, bills and amendments

to bills, except as otherwise prescribed by such rules, which would substantially affect the revenues or expenses, or both, of any political subdivision.

3. [Fiscal] EXCEPT AS TO THE EXTENT REQUIRED IN THE PROVISIONS OF SECTION NINE HUNDRED NINETY-EIGHT OF THE GENERAL MUNICIPAL LAW, FISCAL notes shall not, however, be required for bills: (a) subject to the provisions of section fifty of this chapter, or (b) accompanied by special home rule requests submitted by political subdivisions, or (c) which provide discretionary authority to political subdivisions, or (d) submitted pursuant to section twenty-four of the state finance law.

4. If the estimate or estimates contained in a fiscal note are inaccurate, such inaccuracies shall not affect, impair or invalidate such bill.

S 3. The legislative law is amended by adding a new section 54-c to read as follows:

S 54-C. ENDORSED STATUTORY REPEAL BILLS FROM THE NEW YORK STATE MANDATE RELIEF COUNCIL. THE LEGISLATURE MAY BY CONCURRENT RESOLUTION PRESCRIBE RULES FOR THE CONSIDERATION AND DISPOSITION OF ENDORSED STATUTORY REPEAL BILLS FROM THE NEW YORK STATE MANDATE RELIEF COUNCIL, AS DEFINED IN ARTICLE NINETEEN-C OF THE GENERAL MUNICIPAL LAW.

S 4. This act shall take effect immediately.