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

5983

2011-2012 Regular Sessions

I N A S S E M B L Y

March 3, 2011

Introduced by M. of A. BURLING, CALHOUN, KOLB, GIGLIO, HAWLEY, FINCH, P. LOPEZ, CASTELLI, CORWIN, PALMESANO, D. MILLER -- Multi-Sponsored by -- M. of A. BARCLAY, BUTLER, DUPREY, GOODELL, JORDAN, McDONOUGH, MOLINARO, MONTESANO, OAKS, RAIA, SAYWARD, SPANO, TEDISCO, THIELE -- 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

Section 1. Resolved (if the Senate concur), That article 9 of the constitution be amended by adding a new section 4 to read as follows:

S 4. THE LEGISLATURE SHALL PROVIDE STATE FUNDING TO REIMBURSE CITIES, COUNTIES, TOWNS, AND/OR VILLAGES FOR THE COSTS ASSOCIATED WITH EXPENDITURES MADE AS A REQUIREMENT FOR ANY LAW, GENERAL OR SPECIAL, EFFECTIVE THE FIRST DAY OF JANUARY SUCCEEDING THE APPROVAL OF THE VOTERS, WHICH MANDATES THE UNDERTAKING OF A NEW PROGRAM OR INCREASES THE LEVEL OF SERVICE OF AN EXISTING PROGRAM BY A CITY, COUNTY, TOWN, OR VILLAGE. THE LEGISLATURE SHALL ESTABLISH PROCEDURES FOR THE ALLOCATION OF FUNDS AMONG THE CITIES, COUNTIES, TOWNS, AND/OR VILLAGES.

THIS REQUIREMENT SHALL NOT APPLY WHERE FEDERAL REIMBURSEMENT OR MATCHING FUNDS ARE AVAILABLE AND SUCH PROVISION WOULD DISQUALIFY A MUNICIPALITY, OR IMPAIR A MUNICIPALITY'S ABILITY, TO PARTICIPATE IN OR RECEIVE SUCH FEDERAL FUNDS. THE LEGISLATURE SHALL, IN ITS DISCRETION, DETERMINE IF STATE FUNDING SHALL BE PROVIDED FOR THE SUPPORT OF SUCH FEDERAL PROGRAMS PROVIDED BY A MUNICIPALITY.

S 2. Resolved (if the Senate concur), That the foregoing amendment be referred to the first regular legislative session convening after the next succeeding general election of members of the assembly, and, in conformity with section 1 of article 19 of the constitution, be 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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