

Legislative Law Article 5-A (§§82-83) – Legislative Commissions

Legislative Law §83-h. Legislative commission on state-local relations.

1. (a) The legislature hereby finds that a strong relationship between the state and its counties, cities, towns, villages, school districts and other units of government is central to the effective provision of government services for the benefit of the people of the state. This relationship encompasses state mandates on local governments to provide certain services and perform certain activities; state limits on the ability of local governments to provide services, raise revenue and incur debt; and state programs of assistance to relieve local governments of a portion of the responsibility for raising revenues to meet the costs of local services. Categorical programs of state assistance help local governments finance specific services of importance to the people of the state, while programs of state general purpose aid provide local governments with general assistance in meeting the costs of services, including state mandated activities.

(b) The legislature further finds that proposals to amend state categorical or general purpose assistance programs, to shift costs or responsibilities between the state and local governments, or to alter or impose local taxing, borrowing or spending limits should be evaluated in the context of all the various elements of state-local relations. The variation among local governments, including fiscal condition, local economy and demand for services, should be considered, and opportunities for intergovernmental cooperation and efficiencies should be identified.

2. A legislative commission on state-local relations is hereby established to examine, evaluate and make recommendations concerning the state's system of aid to localities, the division of state and local responsibilities, state mandates on local governments and limits on the ability of local governments to raise revenue, incur debt and manage resources. The commission shall make such recommendations as it may deem necessary to provide an equitable system of state aid to local governments, to encourage the most effective use of state and local resources, to preserve the fiscal integrity of both state and local governments and otherwise to strengthen the partnership between the state and its local governments.

3. The commission shall consist of ten members to be appointed as follows: three members of the senate shall be appointed by the temporary president of the senate; three members of the assembly shall be appointed by the speaker of the assembly; two members of the senate shall be appointed by the minority leader of the senate; and two members of the assembly shall be appointed by the minority leader of the assembly. From among the members so appointed, a chairman and a vice chairman shall be designated by the joint action of the temporary president of the senate and the speaker of the assembly. Any vacancy that occurs in the commission or in the chairmanship or vice chairmanship shall be filled in the same manner in which the original appointment or designation was made. No member, officer, or employee of the commission shall be disqualified from holding any other public office or employment, nor shall he forfeit any such office or employment by reason of his appointment hereunder, notwithstanding the provisions of any general, special, or local law, ordinance, or city charter.

4. The commission may employ and at pleasure remove such personnel as it may deem necessary for the performance of the commission's functions and fix their compensation within the amounts made available therefor.

5. Employees of the commission shall be considered to be employees of the legislature for all purposes.

6. The commission in addition to the above mentioned powers shall have all the powers and privileges of a legislative committee pursuant to this chapter.

7. For the accomplishment of its purpose, the commission shall be authorized and empowered to undertake any study, inquiry, survey, or analysis it may deem relevant through its own personnel in cooperation with or by agreement with any other public or private agency.

8. The commission may require and shall receive from any department, board, bureau, commission, authority, office, or other instrumentality of the state, and from any county, city, town or village of this state, such facilities, assistance, and data, as it deems necessary or desirable for proper execution of its powers and duties.

9. The commission may hold public or private hearings and shall have full powers to subpoena witnesses and all records or data it shall deem necessary or desirable pursuant to this chapter.

10. The members of the commission shall receive no compensation for their services but shall be allowed their actual and necessary expenses incurred in the performance of their duties.