

**Business of the Village Board
Village of Saranac Lake**

SUBJECT: Support Home Rule

DATE: 2-13-2023

DEPT OF ORIGIN: Mayor Williams

BILL # 19-2023

DATE SUBMITTED: 2-8-2023

EXHIBITS: _____

APPROVED AS TO FORM:

Village Attorney

Village Administration

EXPENDITURE
REQUIRED

AMOUNT
BUDGETED

APPROPRIATION
REQUIRED:

Support the Home Rule request to support Senate Bill S23 and Assembly Bill A509. The Bills would permit any Village in Franklin County to hire retired members of the State Police as part-time officers.

MOVED BY: Catillaz SECONDED BY: Shapiro

VOTE ON ROLL CALL:

MAYOR WILLIAMS

yes

TRUSTEE BRUNETTE

yes

TRUSTEE CATILLAZ

yes

TRUSTEE SCOLLIN

yes

TRUSTEE SHAPIRO

yes

**IMPORTANT: READ INSTRUCTIONS ON REVERSE SIDE
HOME RULE REQUEST
(Request by a Local Government for Enactment of a Special Law)**

To the Legislature:

Pursuant to Article IX of the Constitution, the **village** of
(county, city, town or village)
Saranac Lake requests the enactment of ~~Senate~~ bill (no. **2455**),
(name) Assembly
(strike out one)

entitled “

Authorizes the villages of Malone, Saranac Lake and Tupper Lake, in the county of Franklin, to employ retired former members of the division of state police as part-time village police officers

”
 It is hereby declared that a necessity exists for the enactment of such legislation, and that the facts establishing such necessity are as follows: (Check appropriate box)

- The local government does not have the power to enact such legislation by local law.
- Other facts, as set forth in the following “Explanation” establish such necessity.

EXPLANATION

(If space below is not sufficient, use separate sheet and attach here)

Such request is made by: (Check appropriate box)

- The chief executive officer of such local government, concurred in by a majority of the total membership of the local legislative body. (See paragraph A below)
- The local legislative body of such local government, at least two-thirds of the total membership thereof having voted in favor of such request. (See paragraph B below)

READ BEFORE SIGNING

- A. If the request is made by the chief executive officer and concurred in by a majority of the total membership of the local legislative body, *both* the chief executive officer *and* the clerk of the local legislative body must sign below. In such case use the word “majority” below even though the vote may have been greater.
- B. If the request is made by the local legislative body, at least two-thirds of the total membership thereof having voted in favor of such request, *only* the clerk of the local legislative body must sign below. In such case use the words “two-thirds” below.

CHIEF EXECUTIVE OFFICER’S SIGNATURE

(Signed).....
(chief executive officer)

.....
(Print or type name below signature)

Date:....., 20.....

.....
(Title of chief executive officer)

CLERK’S CERTIFICATION

INSTRUCTIONS

Copies required:

Two signed copies of this form, specifying the final bill number and title must be filed with *each* House of the Legislature.

Examples:

- (a) If the bill has been introduced in only *one* House of the Legislature, four copies of the request form must be filed, i.e., two with the Senate and two with the Assembly.
- (b) If the identical bill has been introduced in *both* Houses, eight copies of the request form must be filed, i.e., two with the Senate and two with the Assembly for the Senate bill and the same for the Assembly bill.

Date of request:

The signing of a home rule request or the adoption of a resolution by the local legislative body approving such request cannot precede the date on which the bill is actually introduced in the Legislature. In the case of prefiled bills, the actual date of introduction is the first day of the legislative session. The request may be signed or the resolution adopted the same day as the date of introduction.

Amended bills:

Each time the bill is amended a new request must be filed (with the appropriate number of copies) and the new request must correctly identify the bill number as last amended. The signing of the request, and the date of the supporting resolution, cannot precede the date of the amendment.

Transmittal:

The signed forms should be sent as follows:

To the Senate:

Home Rule Counsel
Senate Post Office
208 Legislative Office Building
Albany, N. Y. 12247

To the Assembly:

Home Rule Counsel
Assembly Post Office
210 Legislative Office Building
Albany, N. Y. 12248

Definition of terms:

Chief executive officer.

In the case of a county, the elective or appointive chief executive officer, if there be one, or otherwise the chairman of the board of supervisors; in the case of a city or village, the mayor (not manager); and in the case of a town, the supervisor. (Municipal Home Rule Law §40)

Local legislative body.

The board of supervisors, board of aldermen, common council, council, commission, town board, board of trustees or other elective governing board or body vested by state statute, charter or other law with jurisdiction to initiate and adopt local laws or ordinances. (Municipal Home Rule Law §2)

Local government.

A county, city, town or village (Const. Art. IX, §3; Municipal Home Rule Law §2)

Special law

A state statute which in terms and in effect applies to one or more, but not all, counties (other than those wholly included within a city) cities, towns or villages. (Const. Art. IX §3; Municipal Home Rule Law §2)

Total membership.

The total voting power of a legislative body. (Municipal Home Rule Law, § 20, 40)