



NEW YORK STATE SENATOR

Patrick M. Gallivan

Senate Revises State's Municipal Consolidation Statute

PATRICK M. GALLIVAN May 5, 2011

| ISSUE: **LOCAL GOVERNMENT**

Senator Patrick M. Gallivan (R,C,I - 59th District) announced this week that the Senate passed legislation to clarify the downsizing procedure citizens must follow to force consolidation of local municipalities and taxing districts.

“Citizens are becoming increasingly dissatisfied with the amount and cost of overlapping layers of local government. The Citizen’s Empowerment Act of 2009 was the first honest effort in New York State to empower residents to consolidate and eliminate layers of local government they deemed unnecessary,” said Gallivan.

The current Citizens Empowerment Act, strongly backed by then Attorney General Cuomo, permitted citizens to dissolve a village or taxing district via public referendum. It required 10 percent of registered voters or 5,000 citizens (the lesser of the two) to sign a petition for the referendum to gain ballot access. Upon approval, the local government subject to dissolution is required to submit an action plan for dissolution, which could then be rejected through a similar petition and referendum process, albeit with a greater number of signatures required.

“While the spirit of the original legislation was commendable, in practice, it was a logistical quagmire. Senator Martins’ bill, which I gladly supported, streamlines the process and allows for voters to democratically approve or reject a proposed municipal dissolution plan, rather

than requiring additional referendums,” Gallivan explained.

The Senate bill (S.1824) also establishes timelines to conduct and complete the municipal dissolution petition process, a stipulation the current legislation fails to address.

S.1824 passed the Senate on Monday, May 2, and has been delivered to the Assembly where it is sponsored by Assemblywoman Michelle Schimel of Long Island.

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