

**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 _____ of _____

(county, city, town or village)

CITY

NEW YORK _____ requests the enactment of Senate bill (No. 6784), entitled _____

Assembly

(strike out one)

“AN ACT to amend the general municipal law, in relation to the training of fire officers in cities of one million or more”.

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)

- XX 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)
- XX 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: _____ (Title of chief executive officer)

CLERK'S CERTIFICATION

I, Michael M. McSweeney, do hereby certify that I am Clerk of the CITY

(print or type name)

CITY

(local legislative body)

_____ of _____

NEW YORK and that on the 29th day of April, 2010,

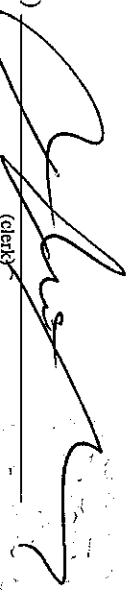
such legislative body, at least a two-thirds of the total membership having voted in favor thereof, approved the foregoing request.

(strike out one)

majority

[SEAL OF LOCAL GOVERNMENT]

(Signed)



(clerk)

Michael M. McSweeney, City Clerk
(Print or type name below signature)

Date: April 29, 2010

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
The Capitol
Albany, N.Y. 12224

To the Assembly:

Home Rule Counsel
Assembly Post Office
The Capitol
Albany, N.Y. 12224

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 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)

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To the Legislature:

Pursuant to Article IX of the Constitution, the _____ CITY _____ of _____

(county, city, town or village)

NEW YORK _____ requests the enactment of ~~Senate~~ bill (No. 9885), entitled _____
Assembly
(strike out one)

“AN ACT to amend the general municipal law, in relation to the training of fire officers in cities of one million or more.”

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)

- XX** 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)
 XX 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: _____

(Title of chief executive officer)

CLERK'S CERTIFICATION

I, Michael M. McSweeney, do hereby certify that I am Clerk of the _____ CITY _____
(print or type name) (local legislative body)
_____ COUNCIL _____ of the _____ CITY _____
_____ of _____
(county, city, town or village)

NEW YORK _____ and that on the 29th day of April, 2010,
such legislative body, at least a two-thirds majority of the total membership having voted in favor thereof, approved the foregoing request.
(strike out one)

[SEAL OF LOCAL GOVERNMENT]

(Signed)



(Clerk)

Michael M. McSweeney, City Clerk
(Print or type name below signature)

Date: April 29, 2010

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