

By Commissioner Anthony

1 municipality; the law requiring such expenditure is approved
2 by two-thirds of the membership in each house of the
3 legislature; the expenditure is required to comply with a law
4 that applies to all persons similarly situated, including the
5 state and local governments; or the law is either required to
6 comply with a federal requirement or required for eligibility
7 for a federal entitlement, which federal requirement
8 specifically contemplates actions by counties or
9 municipalities for compliance.

10 (b) Except upon approval of each house of the
11 legislature by two-thirds of the membership, the legislature
12 may not enact, amend, or repeal any general law if the
13 ~~anticipated~~ effect of doing so would be to reduce the
14 authority that municipalities or counties have to raise
15 revenues ~~in the aggregate~~, as such authority exists on the
16 effective date of any such general law February 1, 1989.

17 (c) Except upon approval of each house of the
18 legislature by two-thirds of the membership, the legislature
19 may not enact, amend, or repeal any general law if the
20 ~~anticipated~~ effect of doing so would be to reduce the
21 percentage of a state tax shared with counties and
22 municipalities as such percentage exists on the effective date
23 of any such general law an aggregate on February 1, 1989. The
24 provisions of this subsection shall not apply to enhancements
25 enacted ~~after February 1, 1989, to state tax sources, or~~
26 during a fiscal emergency declared in a written joint
27 proclamation issued by the president of the senate and the
28 speaker of the house of representatives, or where the
29 legislature provides additional state-shared revenues which
30 are ~~anticipated to be~~ sufficient to replace the ~~anticipated~~
31 ~~aggregate~~ loss of state-shared revenues resulting from the

1 reduction of the percentage of the state tax shared with
2 counties and municipalities, which source of replacement
3 revenues shall be subject to the same requirements for repeal
4 or modification as provided herein for a state-shared tax
5 source existing on February 1, 1989.

6 (d) Except upon approval of each house of the
7 legislature by two-thirds of the membership, the legislature
8 may not enact any general law that provides an exemption from
9 or limitation on any tax authorized by general law to be
10 levied by counties or municipalities. Any such general law in
11 effect on the effective date of this amendment, except general
12 laws governing the distribution of taxes shared between
13 counties and municipalities, is void.

14 (e)(d) Laws adopted to require funding of pension
15 benefits existing on the effective date of this section,
16 criminal laws, election laws, the general appropriations act,
17 special appropriations acts, laws reauthorizing but not
18 expanding then-existing statutory authority, laws having an
19 insignificant fiscal impact on an individual municipality or
20 county, and laws creating, modifying, or repealing noncriminal
21 infractions, are exempt from the requirements of this section.

22 (f)(e) The legislature may enact laws to assist in the
23 implementation and enforcement of this section.

24

25

26

27

28

29

30

31