

7776

I N S E N A T E

June 18, 2012

Introduced by COMMITTEE ON RULES -- read twice and ordered printed, and
when printed to be committed to the Committee on Rules

AN ACT to amend the public authorities law, in relation to the Nassau
county interim finance authority

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-
BLY, DO ENACT AS FOLLOWS:

1 Section 1. Legislative findings and declaration. The legislature here-
2 by finds and declares that a condition of fiscal difficulties continues
3 to exist in the county of Nassau, as evidenced by the declaration of a
4 control period by the Nassau county interim finance authority (NIFA). In
5 accordance with statutory authority, NIFA has approved the county's
6 2012-2015 multi-year financial plan which provides for borrowings by the
7 county to finance the payment of property tax refunds through 2014 to
8 facilitate the county's transition to a structurally-balanced budget in
9 2015. It is hereby further found and declared that the undertaking of
10 such borrowings is in the public interest of the county and the state.
11 It is in the public interest and is the policy of this state to assist
12 municipalities such as the county of Nassau in attempting to provide,
13 without interruption, services essential to their inhabitants while
14 meeting their obligations to the holders of their outstanding securi-
15 ties. The inability of the county of Nassau to finance the payment of
16 property tax refunds would interrupt the provision of essential services
17 to its inhabitants and is a matter of substantial state concern. Permit-
18 ting the county to utilize pre-existing borrowing authorization will
19 avoid this undesirable result and will allow the county to continue to
20 fund essential services such as those provided by its youth board.

21 S 2. Paragraph (e) of subdivision 2 of section 3669 of the public
22 authorities law, as added by chapter 84 of the laws of 2000, is amended
23 to read as follows:

24 (e) The authority shall review the terms of each proposed long-term
25 and short-term borrowing by the county and any covered organization to
26 be effected during any control period, and no such borrowing shall be
27 made during any control period unless it is approved by the authority,
28 PROVIDED, HOWEVER THAT APPROVAL BY THE AUTHORITY SHALL NOT BE REQUIRED

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets
[] is old law to be omitted.

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1 FOR ONE HUNDRED TWENTY MILLION DOLLARS IN BORROWING BY THE COUNTY TO PAY
2 TAX CERTIORARI SETTLEMENTS OR JUDGMENTS OF ANY KIND AUTHORIZED BY BOND
3 ORDINANCES APPROVED BY THE COUNTY PRIOR TO THE AUTHORITY'S DECLARATION
4 OF A CONTROL PERIOD ON JANUARY TWENTY-SIXTH, TWO THOUSAND ELEVEN.
5 Neither the county nor any covered organization shall be prohibited from
6 issuing bonds or notes to pay outstanding bonds or notes.

7 S 3. Severability. If any provision of this act or if any application
8 thereof to any person or circumstance is held invalid, the remainder of
9 this act and the application of the provision to other persons and
10 circumstances shall not be affected thereby.

11 S 4. This act shall take effect immediately; provided, however, that
12 section two of this act shall not take effect until Nassau county imple-
13 ments budgetary savings initiatives which will result in savings of at
14 least one hundred million dollars during the 2012 county fiscal year,
15 and upon such amount being certified by the budget director of the state
16 of New York; and provided further, that the budget director of the state
17 of New York shall notify the legislative bill drafting commission upon
18 the certification required by this section in order that the commission
19 may maintain an accurate and timely effective data base of the official
20 text of the laws of the state of New York in furtherance of effectuating
21 the provisions of section 44 of the legislative law and section 70-b of
22 the public officers law.