

7352

I N S E N A T E

May 13, 2014

Introduced by Sen. MARTINS -- (at request of the State Comptroller) --
read twice and ordered printed, and when printed to be committed to
the Committee on Local Government

AN ACT to amend the local finance law, in relation to encouraging
certain municipalities to adopt multi-year financial planning and
providing for the payment of such planning from monies appropriated to
the financial restructuring board for local governments

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

1 Section 1. Paragraph 3 of section 160.05 of the local finance law, as
2 added by chapter 67 of the laws of 2013, is amended to read as follows:
3 3. (A) Upon the request of a fiscally eligible municipality, by resol-
4 ution of the governing body of such municipality with the concurrence of
5 the chief executive of such municipality, the financial restructuring
6 board for local governments may undertake a comprehensive review of the
7 operations, finances, management practices, economic base and any other
8 factors that in its sole discretion it deems relevant to be able to make
9 findings and recommendations on reforming and restructuring the oper-
10 ations of the fiscally eligible municipality. As part of such recommen-
11 dations, the board may propose that such municipality agree to fiscal
12 accountability measures, as determined by the board, including, but not
13 limited to, multi-year financial planning. It may also identify cost-
14 saving measures, recommend consolidation of functions or agencies within
15 such municipality or between such municipality and other municipalities,
16 consistent with existing law, identify and make available, to the extent
17 otherwise permitted by law, grants and loans on such terms and condi-
18 tions as it deems appropriate, and make such other recommendations as
19 the board may deem just and proper but in no event shall the sum of all
20 awards made by the board to a single fiscally eligible municipality be
21 greater than five million dollars. If such award is a loan, it may not
22 be for a term longer than ten years. In the event a grant or loan is
23 made, the board may condition such award on the fiscally eligible muni-
24 cipality submitting a report or reports on such actions taken by the
25 fiscally eligible municipality pursuant to the board's recommendations,

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

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1 and the board shall require that the eligible municipality must adopt
2 and implement all the board's recommendations as a condition to receiv-
3 ing an award or awards. Before making final recommendations, the board
4 shall consult with the fiscally eligible municipality. Such recommenda-
5 tions shall not be final and binding on a fiscally eligible municipality
6 unless it formally agrees to abide by and implement such recommendations
7 in which event such recommendations and the terms provided thereunder
8 shall be final and binding on such municipality.

9 (B) NOTWITHSTANDING PARAGRAPH T OF SUBDIVISION TEN OF SECTION
10 FIFTY-FOUR OF THE STATE FINANCE LAW AND IRRESPECTIVE OF WHETHER THERE
11 HAS BEEN A DETERMINATION OR FINDING OF FISCAL ELIGIBILITY UNDER THIS
12 SECTION, UPON THE REQUEST OF ANY COUNTY, CITY, EXCLUDING A CITY WITH A
13 POPULATION OF GREATER THAN ONE MILLION, TOWN, OR VILLAGE WHICH (1) HAS
14 ELECTED TO ENGAGE IN MULTI-YEAR PLANNING WITH THE ASSISTANCE OF AN
15 EXTERNAL FINANCIAL ADVISOR, AND (2) HAS BEEN IDENTIFIED AS EXPERIENCING
16 FISCAL STRESS, THE FINANCIAL RESTRUCTURING BOARD FOR LOCAL GOVERNMENTS
17 MAY DETERMINE THAT ALL OR PART OF THE COST TO THE COUNTY, CITY, TOWN, OR
18 VILLAGE FOR SUCH EXTERNAL ADVISOR SHALL BE SUBJECT TO REIMBURSEMENT FROM
19 MONIES APPROPRIATED TO SUCH BOARD FOR THE MAKING OF GRANTS AND LOANS.

20 S 2. This act shall take effect immediately.