S T A T E O F N E W Y O R K

1716

2015-2016 Regular Sessions

I N S E N A T E

January 14, 2015

Introduced by Sen. CARLUCCI -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

AN ACT to amend the town law, in relation to the director of finance

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

Section 1. Subdivision 1 of section 52 of the town law, as added by chapter 1009 of the laws of 1962, is amended to read as follows:

1. Appoint, and at pleasure remove, a director of finance who shall assist the supervisor in the preparation of the preliminary budget and the capital budget, if any, and in the administration of other fiscal operations of the town for which the supervisor is responsible; PROVIDED, HOWEVER, THAT UNDER NO CIRCUMSTANCES SHALL THE SUPERVISOR APPOINT HIMSELF OR HERSELF TO SUCH POSITION.

S 2. The town law is amended by adding a new section 43 to read as follows:

S 43. ISSUANCE OF CERTIFICATES OF QUALIFICATION. 1. THE STATE COMPTROLLER SHALL, BY REGULATION, PRESCRIBE MINIMUM QUALIFICATIONS FOR DIRECTORS OF FINANCE APPOINTED IN ACCORDANCE WITH SUBDIVISION ONE OF SECTION FIFTY-TWO OF THIS CHAPTER. SUCH QUALIFICATIONS MAY INCLUDE FACTORS SUCH AS COLLEGE DEGREE OBTAINED, RELEVANT COURSEWORK COMPLETED, RELEVANT WORK EXPERIENCE, AND ANY OTHER FACTORS WHICH THE STATE COMPTROLLER DEEMS APPROPRIATE. THE STATE COMPTROLLER MAY ESTABLISH SEPARATE QUALIFICATIONS FOR DIRECTOR OF FINANCE IN TOWNS OF THE FIRST CLASS AND TOWNS OF THE SECOND CLASS.

2. THE STATE COMPTROLLER SHALL ISSUE A CERTIFICATE OF QUALIFICATION TO ANY PERSON WHO MEETS SUCH MINIMUM QUALIFICATIONS AND WHO OTHERWISE DEMONSTRATES TO THE STATE COMPTROLLER THAT SUCH PERSON POSSESSES THE CHARACTER, COMPETENCE, TRAINING AND ABILITY TO ADMINISTER PROPERLY THE RESPONSIBILITIES OF THE POSITION.

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

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3. APPLICATION FOR A CERTIFICATE OF QUALIFICATION SHALL BE MADE ON A FORM PROVIDED BY THE STATE COMPTROLLER AND SHALL CONTAIN ALL RELEVANT INFORMATION WHICH THE STATE COMPTROLLER DEEMS NECESSARY.

4. THE CERTIFICATE SHALL BE VALID FOR A PERIOD OF NOT MORE THAN FIVE YEARS FROM THE DATE OF ISSUANCE AND MAY BE RENEWED FOR SUCCESSIVE FIVE YEAR PERIODS THEREAFTER. THE STATE COMPTROLLER MAY, IN HIS OR HER DISCRETION, IMPOSE A FEE NOT TO EXCEED FIFTY DOLLARS ON EACH ORIGINAL AND RENEWAL APPLICATION.

5. NOTWITHSTANDING THE PROVISIONS OF THIS SECTION, THE STATE COMPTROLLER MAY ISSUE A TEMPORARY CERTIFICATE OF QUALIFICATION TO ANY PERSON PENDING THE ISSUANCE OF A CERTIFICATE AS PROVIDED IN THIS SECTION.

S 3. This act shall take effect immediately.