

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 1988**

No. 23

Introduced by Council Member DeMarco (by request of the Mayor); also Council Member Dryfoos.

A LOCAL LAW

In relation to dates for submission of the expense budget, expense budget hearings, approval of the expense budget by the board of estimate and council, disapproval by the mayor of certain portions of the expense budget and override thereof, certification of the expense budget, certification of debt and reserves for the capital projects, submission of the capital budget and program, recommendations by the comptroller and city planning commission on the capital budget and program, capital budget and program hearings, adoption of the capital budget and program by the board of estimate and council, disapproval by the mayor of certain portions of the capital budget and program and override thereof, certification of the assessment roll, the estimate by the mayor of receipts and submission of a statement setting forth the amount of the capital budget, and fixing of the tax rate, relating to the fiscal year nineteen hundred eighty-nine.

Be it enacted by the Council as follows:

Section one. During the calendar year nineteen hundred eighty-eight and in relation to the nineteen hundred eighty-nine fiscal year:

1. Notwithstanding any inconsistent provisions of section one hundred sixteen of the New York City Charter, the mayor shall pursuant to such section submit a proposed expense budget and budget message as therein described not later than the ninth day of May, nineteen hundred eighty-eight.

2. Notwithstanding any inconsistent provisions of section one hundred nineteen of such charter, the board of estimate and the council shall conclude public hearings on the expense budget by the seventh day of June, nineteen hundred eighty-eight.

3. Notwithstanding any inconsistent provisions of subdivision b of section one hundred twenty of such charter, the single expense budget adopted pursuant to such subdivision shall be returned to the mayor not later than the sixteenth day of June, nineteen hundred eighty-eight.

4. Notwithstanding any inconsistent provisions of subdivision c of section one hundred twenty of such charter, if a single expense budget has not been adopted as therein described by the sixteenth day of June, nineteen hundred eighty-eight, the expense budget and tax rate adopted as modified for the nineteen hundred eighty-eight fiscal year shall be deemed to have been extended for the nineteen hundred eighty-nine fiscal year until such time as a new budget is adopted.

5. Notwithstanding any inconsistent provisions of subdivision a of section one hundred twenty-one of such charter, the mayor may pursuant to such subdivision disapprove certain parts of the expense budget as therein described not later than the twenty-second day of June, nineteen hundred eighty-eight, and shall return the expense budget to the board of estimate and the council setting forth his objections in writing by that date.

6. Notwithstanding any inconsistent provisions of subdivision b of section one hundred twenty-one of such charter, the board of estimate and the council shall pursuant to such subdivision act and the expense budget shall be adopted not later than the twenty-ninth day of June, nineteen hundred eighty-eight. In the event the board of estimate and the council fail to act by that date, the expense budget as modified by the disapprovals by the mayor is adopted.

7. Notwithstanding any inconsistent provisions of section one hundred twenty-two of such charter, the mayor, the comptroller and the city clerk shall pursuant to such section certify the expense budget as therein described not later than the thirtieth day of June, nineteen hundred eighty-eight.

8. Notwithstanding any inconsistent provisions of section two hundred thirteen of such charter, the mayor shall pursuant to such section issue and publish a certificate as to the maximum amount of debt and reserves which may be incurred for capital projects and projects financed by capital debt as therein described not later than the ninth day of May, nineteen hundred eighty-eight.

9. Notwithstanding any inconsistent provisions of subdivision a of section two hundred nineteen of such charter, the mayor shall pursuant to such subdivision submit a proposed capital budget, capital program and explanatory message, as therein described, not later than the ninth day of May, nineteen hundred eighty-eight.

10. Notwithstanding any inconsistent provisions of section two hundred twenty of such charter, the comptroller and city planning commission shall pursuant to such section submit reports containing comments and recommendations as therein described not later than the twentieth day of May, nineteen hundred eighty-eight.

11. Notwithstanding any inconsistent provisions of section two hundred twenty-one of such charter, the board of estimate and council shall conclude public hearings as therein described by the seventh day of June, nineteen hundred eighty-eight.

12. Notwithstanding any inconsistent provisions of subdivision a of section two hundred twenty-two of such charter, the single capital budget and single capital program adopted pursuant to such subdivision shall be returned to the mayor not later than the sixteenth day of June, nineteen hundred eighty-eight.

13. Notwithstanding any inconsistent provisions of subdivision b of section two hundred twenty-two of such charter, if a single capital budget and single capital program have not been adopted as therein described by the sixteenth day of June, nineteen hundred eighty-eight, they shall be deemed adopted so far as acted on by both bodies with the lower amount of any item in dispute between the two bodies in effect.

14. Notwithstanding any inconsistent provisions of subdivision b of section two hundred twenty-three of such charter, the mayor may pursuant to such subdivision disapprove certain parts of the capital budget or capital program as therein described not later than the twenty-second day of June, nineteen hundred eighty-eight, and shall return the capital budget and capital program to the board of estimate and the council setting forth his objections in writing by that date.

15. Notwithstanding any inconsistent provisions of subdivision c of section two hundred twenty-three of such charter, the board of estimate and the council shall pursuant to such subdivision act and the capital budget and capital program shall be adopted not later than the twenty-ninth day of June, nineteen hundred eighty-eight, and in the event the board of estimate and the council fail to act by that date, the capital budget and capital program as modified by the mayor are adopted.

16. Notwithstanding any inconsistent provisions of subdivision d of section two hundred twenty-three of such charter, the capital budget as finally adopted shall pursuant to such subdivision be certified by the mayor and the city clerk as therein described not later than the thirtieth day of June, nineteen hundred eighty-eight.

17. Notwithstanding any inconsistent provisions of subdivision two of section fifteen hundred fourteen of such charter, the commissioner of finance shall pursuant to such subdivision deliver to the council certified assessment rolls as therein described on or before the twenty-ninth day of June, nineteen hundred eighty-eight.

18. Notwithstanding any inconsistent provisions of subdivision a of section fifteen hundred fifteen of such charter, the mayor shall pursuant to such subdivision prepare and submit to the council an estimate of the probable amount of receipts as therein described not later than the sixteenth day of June, nineteen hundred eighty-eight.

19. Notwithstanding any inconsistent provisions of subdivision b of section fifteen hundred fifteen of such charter, if necessary, the mayor shall pursuant to such subdivision submit to the council a statement setting forth the amount of the budget as therein described not later than the thirtieth day of June, nineteen hundred eighty-eight.

20. Notwithstanding any inconsistent provisions of subdivision b of section fifteen hundred sixteen of such charter, if a single budget has not been adopted by the sixteenth day of June, nineteen hundred eighty-eight, pursuant to subdivision three of this local law, the tax rate adopted for the current fiscal year shall be deemed to have been extended for the new fiscal year until such time as a new budget is adopted.

21. Notwithstanding any inconsistent provisions of subdivision c of section fifteen hundred sixteen of such charter, if necessary, the council shall pursuant to such subdivision fix a new annual tax rate as therein described not later than the thirtieth day of June, nineteen hundred eighty-eight.

§2. This local law shall take effect immediately.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on April 7, 1988, and approved by the Mayor on April 20, 1988.

CARLOS CUEVAS, City Clerk, Clerk of Council.

CERTIFICATION PURSUANT TO MUNICIPAL HOME RULE LAW § 27

Pursuant to the provisions of Municipal Home Rule Law § 27, I hereby certify that the enclosed local law (Local Law 23 of 1988, Council Int. No. 1011) contains the correct text and:

Received the following vote at the meeting of the New York City Council on April 7, 1988: 27 for, 0 against.

Was approved by the Mayor on April 20, 1988.

Was returned to the City Clerk on April 21, 1988.

JEFFREY D. FRIEDLANDER, Acting Corporation Counsel.