

**LOCAL LAWS
OF
THE CITY OF NEW YORK**

FOR THE YEAR 1997

No. 21

Introduced by Council Member Berman (by the request of the Mayor); also Council Members Fisher, Povman and Ognibene. (Preconsidered on April 16, 1997) (passed under a Message of Necessity from the Mayor).

A LOCAL LAW

In relation to the date of issuance and publication by the Mayor of a ten-year capital strategy, the date of submission by the Mayor of the proposed executive budget and budget message, the date of submission by the Borough Presidents of recommendations in response to the Mayor's executive budget, the date of publication of a report by the director of the independent budget office analyzing the executive budget, the date by which the Council hearings pertaining to the executive budget shall conclude, the date by which if the expense budget has not been adopted, the expense budget and tax rate adopted as modified for the current fiscal year shall be deemed to have been extended for the new fiscal year until such time as a new expense budget has been adopted, the date by which if a capital budget and a capital program have not been adopted, the unutilized portion of all prior capital appropriations shall be deemed reappropriated, the dates of mayoral disapprovals of Council action and Council overrides thereof, the date of submission by the Mayor of an estimate of the probable amount of receipts, the date by which any person or organization may submit an official alternative estimate of revenues, the date by which if the Council has not fixed the tax rates for the ensuing fiscal year, the commissioner of finance shall be authorized to complete the assessment rolls using estimated rates, and related matters, relating to the fiscal year nineteen hundred ninety-eight.

Be it enacted by the Council as follows:

Section 1. During the calendar year 1997 and in relation to the 1998 fiscal year:

1. Notwithstanding any inconsistent provisions of section 248 of the New York City Charter, as added by vote of the electors on November 7, 1989, the Mayor shall pursuant to such section issue and publish a ten-year capital strategy as therein described not later than May 8, 1997.

2. Notwithstanding any inconsistent provisions of section 249 of such charter, as added by vote of the electors on November 7, 1989, the Mayor shall pursuant to such section submit a proposed executive budget and budget message as therein described not later than May 8, 1997.

3. Notwithstanding any inconsistent provisions of section 251 of such charter, as added by vote of the electors on November 7, 1989, each borough president shall pursuant to such section submit recommendations in response to the Mayor's executive budget as therein described not later than May 19, 1997.

4. Notwithstanding any inconsistent provisions of section 252 of such charter, as added by vote of the electors on November 7, 1989, the director of the independent budget office shall pursuant to such section publish a report analyzing the executive budget as therein described not later than May 27, 1997.

5. Notwithstanding any inconsistent provisions of section 253 of such charter, as added by vote of the electors on November 7, 1989, the Council shall pursuant to such section hold hearings on the executive budget as therein described which shall conclude by May 30, 1997.

6. Notwithstanding any inconsistent provisions of subdivision d of section 254 of such charter, as added by vote of the electors on November 7, 1989, and subdivision b of section 1516 of such charter, as amended by vote of the electors on November 7, 1989, if an expense budget has not been adopted by June 10, 1997 pursuant to subdivisions a and b of section 254, the expense budget and tax rate adopted as modified for the current fiscal year shall be deemed to have been extended for the new fiscal year until such time as a new expense budget has been adopted.

7. Notwithstanding any inconsistent provisions of subdivision e of section 254 of such charter, as added by vote of the electors on November 7, 1989, if a capital budget and a capital program have not been adopted by June 10, 1997 pursuant to subdivisions a and b of such section, the unutilized portion of all prior capital appropriations shall be deemed reappropriated.

8. Notwithstanding any inconsistent provisions of subdivision a of section 255 of such charter, as added by vote of the electors on November 7, 1989, the Mayor may pursuant to such subdivision make any disapproval provided for therein no later than four days following the adoption of an expense budget, capital budget and capital program and, notwithstanding any inconsistent provisions of subdivision b of such section, as added by vote of the electors on November 7, 1989, the Council may pursuant to such subdivision override any such disapproval provided for therein no later than eight days following any such disapproval.

9. Notwithstanding any inconsistent provisions of subdivision a of section 1515 of such charter, as amended by vote of the electors on November 7, 1989, 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 June 10, 1997.

10. Notwithstanding any inconsistent provisions of subdivision d of section 1515 of such charter, as added by vote of the electors on November 7, 1989, any person or organization may pursuant to such subdivision submit an official alternative estimate of revenues as described therein at any time prior to June 3, 1997.

11. Notwithstanding any inconsistent provisions of subdivision a of section 1516-a of such charter, as amended by vote of the electors on November 7, 1989, if the Council has not fixed the tax rates for the ensuing fiscal year on or before June 10, 1997, the commissioner of finance shall pursuant to such subdivision be authorized to complete the assessment rolls using estimated rates and to collect the sums therein mentioned according to law. The estimated rates shall equal the tax rates for the current fiscal year.

12. Notwithstanding any inconsistent provisions of subdivision b of section 1516-a of such charter, as amended by vote of the electors on November 7, 1989, if, subsequent to June 10, 1997, the Council shall, pursuant to section 1516 of such charter, fix the tax rates for the ensuing fiscal year at percentages differing from the estimated rates, real estate tax payments shall nevertheless be payable in accordance with subdivision a of section 1516-a of such charter at the estimated rates, where the commissioner of finance has exercised the authority granted by subdivision a of section 1516-a of such charter to complete the assessment rolls using estimated rates and to collect the sums therein mentioned according to law. However, in such event, prior to the first day of January in such fiscal year, the commissioner of finance shall cause the completed assessment rolls to be revised to reflect the tax rates fixed by the Council pursuant to section 1516 of such charter, and an amended bill for the installment or installments for such fiscal year due and payable on or after the first day of January shall be submitted to each taxpayer in which whatever adjustment may be required as a result of the estimated bill previously submitted to the taxpayer shall be reflected.

§ 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 16, 1997, and approved by the Mayor on April 25, 1997.

CARLOS CUEVAS, City Clerk, Clerk of the 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 21 of 1997, Council Int. No. 938) contains the correct text and:

Received the following vote at the meeting of the New York City Council on April 16, 1997: 45 for, 0 against.

Was approved by the Mayor on April 25, 1997.

Was returned to the City Clerk on April 25, 1997.

JEFFREY D. FRIEDLANDER, Acting Corporation Counsel