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

S. 395 A. 1040

2009-2010 Regular Sessions

S E N A T E - A S S E M B L Y

(PREFILED)

January 7, 2009

IN SENATE -- Introduced by Sens. BRESLIN, DUANE, KRUEGER, ONORATO, PERKINS, SCHNEIDERMAN, SMITH, STACHOWSKI -- read twice and ordered printed, and when printed to be committed to the Committee on Finance

IN ASSEMBLY -- Introduced by M. of A. McENENY, CANESTRARI, REILLY -- read once and referred to the Committee on Ways and Means

AN ACT making an appropriation to the department of law for the purpose of investigating and prosecuting public fraud and corruption

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

Section 1. Legislative intent. The legislature hereby reaffirms its commitment to the noble democratic principles of a system of government by the people and for the people, and it further reaffirms its belief that an effective and participative democratic government requires the highest respect of the public trust by its elected public officials. The legislature, therefore, finds that to ensure a continuing public confidence in both government and in elected officials, it is imperative that all elected public officials be held to the highest ethical standards in the discharge of their duties. The legislature finds that because the city and county of Albany is the seat of New York state government, and because the Albany county district attorney has primary jurisdiction for all crimes committed within the city of Albany, it is imperative that the Albany county district attorney has adequate resources to investigate and prosecute, where warranted, criminal activity involving the public trust. The legislature further welcomes the collaborative effort between the office of the state attorney general and the office of the Albany county district attorney to ensure that the Albany county district attorney's office has the assistance it may need from the department of law. The legislature further notes that such collaboration, to be effective, will require an adequate allocation of

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

LBD00952-01-9

resources, and it finds that there is a need for providing adequate funding and cross-designation of resources.

S 2. The sum of two million dollars ($2,000,000), or so much thereof as may be necessary is hereby appropriated out of moneys in the state treasury in the general fund for the purpose of investigating and prosecuting public fraud and corruption. Such moneys shall be payable on the audit and warrant of the comptroller on vouchers certified or approved by the attorney general, and shall be dispersed as follows:

(a) One million dollars ($1,000,000) to the credit of the department of law, not otherwise appropriated, and made immediately available, for the purpose of investigating and prosecuting public fraud and corruption; and

(b) One million dollars ($1,000,000) to the credit of the public integrity unit of the Albany county office of the district attorney, not otherwise appropriated, and made immediately available, for the purpose of investigating and prosecuting public fraud and corruption.

S 3. This act shall take effect immediately.