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

2255

2011-2012 Regular Sessions

I N A S S E M B L Y

January 14, 2011

Introduced by M. of A. BRENNAN, CLARK, GALEF, REILLY -- Multi-Sponsored by -- M. of A. WEISENBERG -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the legislative law, in relation to necessary transportation expenses and per diem expenses of members of the legislature

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

Section 1. Subdivision 2 of section 5 of the legislative law, as amended by section 1 of part M-1 of chapter 407 of the laws of 1999, is amended to read as follows:

2. Each member of the legislature shall receive payment of actual and necessary transportation expenses and a per diem equivalent to the most recent federal per diem rates published by the General Services Administration and set forth in 41 CFR (Code of Federal Regulations) Part 301, App. A, while in travel status in the performance of his or her duties; and such other reasonable expenses as may be necessary for the performance of the member's responsibilities as determined by the temporary president of the senate or speaker of the assembly for their respective houses. The per diem allowances, including partial per diem allowances, shall be made pursuant to regulations promulgated by the temporary president of the senate and the speaker of the assembly for their respective houses, on audit and warrant of the comptroller on vouchers approved by the temporary president of the senate or his or her designee and the speaker of the assembly or his or her designee for their respective houses. WHEN FILING A VOUCHER FOR THE PER DIEM ALLOWANCE, EACH MEMBER OF THE LEGISLATURE SHALL FILE A CERTIFICATION INCLUDED IN SUCH VOUCHER STATING THAT SUCH EXPENSES WERE INCURRED IN THE RENDERING OF LEGISLATIVE DUTIES, AND THAT THE VOUCHER IS JUST, TRUE AND CORRECT, AND THAT THE BALANCE SHOWN IS ACTUALLY DUE AND OWING, AND THE TAXES FROM WHICH THE STATE IS EXEMPT ARE EXCLUDED THEREFROM AND THE VOUCHER SUBMITTED IN

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

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ACCORDANCE WITH RULES PROMULGATED BY THE SPEAKER OF THE ASSEMBLY OR THE TEMPORARY PRESIDENT OF THE SENATE.

FOR THE PAYMENT OF ACTUAL AND NECESSARY TRANSPORTATION EXPENSES THE MEMBER SHALL FILE A CERTIFICATION ON SUCH VOUCHER STATING THAT SUCH MEMBER OF THE LEGISLATURE INCURRED SUCH TRANSPORTATION EXPENSES FROM HIS OR HER OWN PERSONAL FUNDS, AND WAS NOT REIMBURSED OR PAID FROM ANY OTHER SOURCE FOR SUCH TRANSPORTATION EXPENSES, THAT SUCH EXPENSES WERE INCURRED IN THE RENDERING OF LEGISLATIVE DUTIES, AND THAT THE VOUCHER IS JUST, TRUE, AND CORRECT, AND THAT THE BALANCE SHOWN IS ACTUALLY DUE AND OWING.

S 2. This act shall take effect on the thirtieth day after it shall have become a law.