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

1051

2011-2012 Regular Sessions

I N S E N A T E

(PREFILED)

January 5, 2011

Introduced by Sen. PARKER -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations

AN ACT to amend the legislative law, in relation to freezing per diems for legislators with secondary incomes exceeding 20 percent of their legislative salaries

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. NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, THE PER DIEM RATE RECEIVED BY LEGISLATORS WITH SECONDARY INCOMES THAT EXCEED TWENTY PERCENT OF THEIR LEGISLATIVE SALARIES, SHALL NOT EXCEED THE PER DIEM RATE ESTABLISHED FOR THE TWO THOUSAND NINE-TWO THOUSAND TEN STATE FISCAL YEAR.

S 2. This act shall take effect immediately.

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

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