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

4349

2013-2014 Regular Sessions

I N S E N A T E

March 21, 2013

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

AN ACT to amend the tax law, the state finance law and the executive law, in relation to creating a veterans' outreach advisory board and authorizing a tax check-off for gifts to such board

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

Section 1. The tax law is amended by adding a new section 625-a to read as follows:

S 625-A. GIFTS TO THE VETERANS' OUTREACH ADVISORY BOARD. EFFECTIVE FOR ANY TAXABLE YEAR COMMENCING ON OR AFTER JANUARY FIRST, TWO THOUSAND FOURTEEN, AN INDIVIDUAL IN ANY TAXABLE YEAR MAY ELECT TO CONTRIBUTE TO THE VETERANS' OUTREACH ADVISORY BOARD FOR FINANCIAL SUPPORT FOR VETERANS' ORGANIZATIONS. SUCH CONTRIBUTION SHALL BE IN ANY WHOLE DOLLAR AMOUNT AND SHALL NOT REDUCE THE AMOUNT OF STATE TAX OWED BY SUCH INDIVIDUAL. THE COMMISSIONER SHALL INCLUDE SPACE ON THE PERSONAL INCOME TAX RETURN TO ENABLE A TAXPAYER TO MAKE SUCH CONTRIBUTION. NOTWITHSTANDING ANY OTHER PROVISION OF LAW ALL REVENUES COLLECTED PURSUANT TO THIS SECTION SHALL BE CREDITED TO THE GIFTS TO VETERANS' OUTREACH ADVISORY BOARD FUND AND USED ONLY FOR THOSE PURPOSES SET FORTH IN SECTION EIGHTY-TWO OF THE STATE FINANCE LAW.

S 2. The state finance law is amended by adding a new section 82 to read as follows:

S 82. GIFTS TO VETERANS' OUTREACH ADVISORY BOARD FUND. 1. THERE IS HEREBY ESTABLISHED A GIFTS TO VETERANS' OUTREACH ADVISORY BOARD FUND.

2. SUCH FUND SHALL CONSIST OF ALL MONEYS RECEIVED BY THE DEPARTMENT OF TAXATION AND FINANCE FROM GIFTS TO THE VETERANS' OUTREACH ADVISORY BOARD PURSUANT TO SECTION SIX HUNDRED TWENTY-FIVE-A OF THE TAX LAW, AND ALL OTHER MONEYS APPROPRIATED, CREDITED, OR TRANSFERRED THERETO FROM ANY OTHER FUND OR SOURCE PURSUANT TO LAW. NOTHING CONTAINED HEREIN SHALL

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

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PREVENT THE STATE FROM RECEIVING GRANTS, GIFTS OR BEQUESTS FOR THE PURPOSES OF THE FUND AS DEFINED IN THIS SECTION AND DEPOSITING THEM INTO THE FUND ACCORDING TO LAW.

3. SUCH MONEYS, AFTER APPROPRIATION BY THE LEGISLATURE, SHALL BE AVAILABLE TO THE VETERANS' OUTREACH ADVISORY BOARD TO CARRY OUT THE PURPOSES SET FORTH IN SECTION THREE HUNDRED SIXTY-NINE OF THE EXECUTIVE LAW, INCLUDING THE DISTRIBUTION OF COMPETITIVE GRANTS TO VETERANS' ORGANIZATIONS WITHIN THIS STATE TO PROMOTE ACTIVITIES, PROGRAMS AND PROJECTS OF SUCH ORGANIZATIONS.

4. MONIES SHALL BE PAYABLE FROM THE FUND ON THE AUDIT AND WARRANT OF THE COMPTROLLER ON VOUCHERS APPROVED AND CERTIFIED BY THE DIRECTOR OF VETERANS' AFFAIRS.

S 3. The executive law is amended by adding a new section 369 to read as follows:

S 369. VETERANS' OUTREACH ADVISORY BOARD. 1. THERE IS HEREBY ESTABLISHED WITHIN THE DIVISION A VETERANS' OUTREACH ADVISORY BOARD. THE MEMBERSHIP OF THE BOARD SHALL CONSIST OF ONE COUNTY VETERANS' AFFAIRS DIRECTOR FROM EACH OF THE JUDICIAL DISTRICTS OF THE STATE AND THE DIRECTOR, WHO SHALL SERVE AS THE CHAIR OF SUCH BOARD. EACH COUNTY VETERANS' AFFAIRS DIRECTOR SHALL BE CHOSEN FROM THE COUNTY VETERANS' AFFAIRS DIRECTORS WITHIN THE JUDICIAL DISTRICT SERVED BY SUCH COUNTY DIRECTOR AND SHALL SERVE FOR A TERM OF FOUR YEARS. VACANCIES IN OFFICE SHALL BE FILLED IN THE SAME MANNER AS THE REGIONAL APPOINTMENT.

2. THE MEMBERS OF THE BOARD SHALL RECEIVE NO COMPENSATION FOR THEIR SERVICES AS MEMBERS OF THE BOARD, BUT EACH OF THEM SHALL BE ALLOWED THE NECESSARY AND ACTUAL EXPENSES WHICH HE OR SHE SHALL INCUR IN THE PERFORMANCE OF HIS OR HER DUTIES UNDER THIS SECTION. THE DIVISION SHALL PROVIDE STAFF AND SUPPORT NECESSARY FOR THE BOARD TO CARRY OUT ITS DUTIES AND RESPONSIBILITIES.

3. THE BOARD SHALL MEET AT SUCH TIMES AS THE CHAIR MAY DIRECT. A MAJORITY OF THE MEMBERS OF THE BOARD SHALL CONSTITUTE A QUORUM.

4. THE VETERANS' OUTREACH ADVISORY BOARD SHALL BE AUTHORIZED AND EMPOWERED TO:

A. MAKE SUCH REASONABLE RULES AND REGULATIONS AS MAY BE NECESSARY FOR THE PROPER OPERATION OF SUCH BOARD;

B. PROVIDE COMPETITIVE GRANTS TO VETERANS' ORGANIZATIONS WITHIN THIS STATE TO PROMOTE ACTIVITIES, PROGRAMS AND PROJECTS OF SUCH ORGANIZATIONS WHILE ALSO PROMOTING REGIONAL ECONOMIC DEVELOPMENT WITHIN THE STATE;

C. TO HAVE ALL OTHER POWERS WHICH MAY BE REASONABLY IMPLIED FROM THE GRANTING OF EXPRESS POWERS BY THIS SECTION, TOGETHER WITH SUCH OTHER POWERS AS MAY BE INCIDENT TO OR NECESSARY FOR THE CARRYING OUT OF THE PURPOSES OF THIS SECTION; AND

D. REPORT TO THE GOVERNOR AND TO THE LEGISLATURE CONCERNING ITS ACTIVITIES AT LEAST ONCE ANNUALLY.

S 4. This act shall take effect immediately.