

5492

2015-2016 Regular Sessions

I N   S E N A T E

May 14, 2015

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Introduced by Sen. MARCELLINO -- (at request of the State Comptroller)  
-- read twice and ordered printed, and when printed to be committed to  
the Committee on Finance

AN ACT to amend the state finance law, in relation to tax check-off  
funds

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

1     Section 1. Subdivision (a) of section 83 of the state finance law is  
2     amended by adding a new paragraph 1-a to read as follows:  
3     1-A. ON OR BEFORE THE FIRST DAY OF FEBRUARY EACH YEAR, THE COMMISSION-  
4     ER OF THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION SHALL PROVIDE A WRIT-  
5     TEN REPORT TO THE TEMPORARY PRESIDENT OF THE SENATE, SPEAKER OF THE  
6     ASSEMBLY, CHAIR OF THE SENATE FINANCE COMMITTEE, CHAIR OF THE ASSEMBLY  
7     WAYS AND MEANS COMMITTEE, CHAIR OF THE SENATE COMMITTEE ON HEALTH, CHAIR  
8     OF THE ASSEMBLY HEALTH COMMITTEE, THE STATE COMPTROLLER AND THE PUBLIC.  
9     SUCH REPORT SHALL INCLUDE HOW THE MONIES OF THE FUND RECEIVED PURSUANT  
10    TO SECTION SIX HUNDRED TWENTY-FIVE OF THE TAX LAW WERE UTILIZED DURING  
11    THE PRECEDING CALENDAR YEAR, AND SHALL INCLUDE:  
12    (I) THE AMOUNT OF MONEY DISPERSED FROM THE FUND AND THE AWARD PROCESS  
13    USED FOR SUCH DISBURSEMENTS;  
14    (II) RECIPIENTS OF AWARDS FROM THE FUND;  
15    (III) THE AMOUNT AWARDED TO EACH;  
16    (IV) THE PURPOSES FOR WHICH SUCH AWARDS WERE GRANTED; AND  
17    (V) A SUMMARY FINANCIAL PLAN FOR SUCH MONIES WHICH SHALL INCLUDE ESTI-  
18    MATES OF ALL RECEIPTS AND ALL DISBURSEMENTS FOR THE CURRENT AND SUCCEED-  
19    ING FISCAL YEARS, ALONG WITH THE ACTUAL RESULTS FROM THE PRIOR FISCAL  
20    YEAR.  
21    S 2. Section 84 of the state finance law is amended by adding a new  
22    subdivision 2-a to read as follows:  
23    2-A. ON OR BEFORE THE FIRST DAY OF FEBRUARY EACH YEAR, THE CHAIRPERSON  
24    OF THE NEW YORK STATE OLYMPIC REGIONAL DEVELOPMENT AUTHORITY SHALL

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

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1 PROVIDE A WRITTEN REPORT TO THE TEMPORARY PRESIDENT OF THE SENATE,  
2 SPEAKER OF THE ASSEMBLY, CHAIR OF THE SENATE FINANCE COMMITTEE, CHAIR OF  
3 THE ASSEMBLY WAYS AND MEANS COMMITTEE, CHAIR OF THE SENATE COMMITTEE ON  
4 HEALTH, CHAIR OF THE ASSEMBLY HEALTH COMMITTEE, THE STATE COMPTROLLER  
5 AND THE PUBLIC. SUCH REPORT SHALL INCLUDE HOW THE MONIES OF THE FUND  
6 WERE UTILIZED DURING THE PRECEDING CALENDAR YEAR, AND SHALL INCLUDE:

7 (I) THE AMOUNT OF MONEY DISPERSED FROM THE FUND AND THE AWARD PROCESS  
8 USED FOR SUCH DISBURSEMENTS;

9 (II) RECIPIENTS OF AWARDS FROM THE FUND;

10 (III) THE AMOUNT AWARDED TO EACH;

11 (IV) THE PURPOSES FOR WHICH SUCH AWARDS WERE GRANTED; AND

12 (V) A SUMMARY FINANCIAL PLAN FOR SUCH MONIES WHICH SHALL INCLUDE ESTI-  
13 MATES OF ALL RECEIPTS AND ALL DISBURSEMENTS FOR THE CURRENT AND SUCCEED-  
14 ING FISCAL YEARS, ALONG WITH THE ACTUAL RESULTS FROM THE PRIOR FISCAL  
15 YEAR.

16 S 3. Subdivision 2-b of section 97-yy of the state finance law, as  
17 added by section 5-b of part A of chapter 60 of the laws of 2014, is  
18 amended to read as follows:

19 2-b. On or before the first day of February each year, the commission-  
20 er of health shall provide a written report to the temporary president  
21 of the senate, speaker of the assembly, chair of the senate finance  
22 committee, chair of the assembly ways and means committee, chair of the  
23 senate committee on health, [and] chair of the assembly health  
24 committee, THE STATE COMPTROLLER AND THE PUBLIC. Such report shall  
25 include how the monies of the fund were utilized during the preceding  
26 calendar year, and shall include:

27 (i) the amount of money dispersed from the fund AND THE AWARD PROCESS  
28 USED FOR SUCH DISBURSEMENTS;

29 (ii) recipients of awards from the fund;

30 (iii) the amount awarded to each; [and]

31 (iv) the purposes for which such awards were granted; AND

32 (V) A SUMMARY FINANCIAL PLAN FOR SUCH MONIES WHICH SHALL INCLUDE ESTI-  
33 MATES OF ALL RECEIPTS AND ALL DISBURSEMENTS FOR THE CURRENT AND SUCCEED-  
34 ING FISCAL YEARS, ALONG WITH THE ACTUAL RESULTS FROM THE PRIOR FISCAL  
35 YEAR.

36 S 4. Section 97-mmmmm of the state finance law is amended by adding a  
37 new subdivision 2-a to read as follows:

38 2-A. ON OR BEFORE THE FIRST DAY OF FEBRUARY EACH YEAR, THE DIRECTOR OF  
39 THE NEW YORK STATE DIVISION OF VETERANS' AFFAIRS SHALL PROVIDE A WRITTEN  
40 REPORT TO THE TEMPORARY PRESIDENT OF THE SENATE, SPEAKER OF THE ASSEM-  
41 BLY, CHAIR OF THE SENATE FINANCE COMMITTEE, CHAIR OF THE ASSEMBLY WAYS  
42 AND MEANS COMMITTEE, CHAIR OF THE SENATE COMMITTEE ON HEALTH, CHAIR OF  
43 THE ASSEMBLY HEALTH COMMITTEE, THE STATE COMPTROLLER AND THE PUBLIC.  
44 SUCH REPORT SHALL INCLUDE HOW THE MONIES OF THE FUND WERE UTILIZED  
45 DURING THE PRECEDING CALENDAR YEAR, AND SHALL INCLUDE:

46 (I) THE AMOUNT OF MONEY DISPERSED FROM THE FUND AND THE AWARD PROCESS  
47 USED FOR SUCH DISBURSEMENTS;

48 (II) RECIPIENTS OF AWARDS FROM THE FUND;

49 (III) THE AMOUNT AWARDED TO EACH;

50 (IV) THE PURPOSES FOR WHICH SUCH AWARDS WERE GRANTED; AND

51 (V) A SUMMARY FINANCIAL PLAN FOR SUCH MONIES WHICH SHALL INCLUDE ESTI-  
52 MATES OF ALL RECEIPTS AND ALL DISBURSEMENTS FOR THE CURRENT AND SUCCEED-  
53 ING FISCAL YEARS, ALONG WITH THE ACTUAL RESULTS FROM THE PRIOR FISCAL  
54 YEAR.

1 S 5. Section 99-v of the state finance law, as added by chapter 428 of  
2 the laws of 2014, is amended by adding a new subdivision 2-a to read as  
3 follows:

4 2-A. ON OR BEFORE THE FIRST DAY OF FEBRUARY EACH YEAR, THE DIRECTOR OF  
5 THE NEW YORK STATE DIVISION OF VETERANS' AFFAIRS SHALL PROVIDE A WRITTEN  
6 REPORT TO THE TEMPORARY PRESIDENT OF THE SENATE, SPEAKER OF THE ASSEM-  
7 BLY, CHAIR OF THE SENATE FINANCE COMMITTEE, CHAIR OF THE ASSEMBLY WAYS  
8 AND MEANS COMMITTEE, CHAIR OF THE SENATE COMMITTEE ON HEALTH, CHAIR OF  
9 THE ASSEMBLY HEALTH COMMITTEE, THE STATE COMPTROLLER AND THE PUBLIC.  
10 SUCH REPORT SHALL INCLUDE HOW THE MONIES OF THE FUND WERE UTILIZED  
11 DURING THE PRECEDING CALENDAR YEAR, AND SHALL INCLUDE:

12 (I) THE AMOUNT OF MONEY DISPERSED FROM THE FUND AND THE AWARD PROCESS  
13 USED FOR SUCH DISBURSEMENTS;

14 (II) RECIPIENTS OF AWARDS FROM THE FUND;

15 (III) THE AMOUNT AWARDED TO EACH;

16 (IV) THE PURPOSES FOR WHICH SUCH AWARDS WERE GRANTED; AND

17 (V) A SUMMARY FINANCIAL PLAN FOR SUCH MONIES WHICH SHALL INCLUDE ESTI-  
18 MATES OF ALL RECEIPTS AND ALL DISBURSEMENTS FOR THE CURRENT AND SUCCEED-  
19 ING FISCAL YEARS, ALONG WITH THE ACTUAL RESULTS FROM THE PRIOR FISCAL  
20 YEAR.

21 S 6. Section 92-w of the state finance law is amended by adding a new  
22 subdivision 2-a to read as follows:

23 2-A. ON OR BEFORE THE FIRST DAY OF FEBRUARY EACH YEAR, THE DIRECTOR OF  
24 THE DIVISION OF CRIMINAL JUSTICE SERVICES SHALL PROVIDE A WRITTEN REPORT  
25 TO THE TEMPORARY PRESIDENT OF THE SENATE, SPEAKER OF THE ASSEMBLY, CHAIR  
26 OF THE SENATE FINANCE COMMITTEE, CHAIR OF THE ASSEMBLY WAYS AND MEANS  
27 COMMITTEE, CHAIR OF THE SENATE COMMITTEE ON HEALTH, CHAIR OF THE ASSEM-  
28 BLY HEALTH COMMITTEE, THE STATE COMPTROLLER AND THE PUBLIC. SUCH REPORT  
29 SHALL INCLUDE HOW THE MONIES OF THE FUND WERE UTILIZED DURING THE  
30 PRECEDING CALENDAR YEAR, AND SHALL INCLUDE:

31 (I) THE AMOUNT OF MONEY DISPERSED FROM THE FUND AND THE AWARD PROCESS  
32 USED FOR SUCH DISBURSEMENTS;

33 (II) RECIPIENTS OF AWARDS FROM THE FUND;

34 (III) THE AMOUNT AWARDED TO EACH;

35 (IV) THE PURPOSES FOR WHICH SUCH AWARDS WERE GRANTED; AND

36 (V) A SUMMARY FINANCIAL PLAN FOR SUCH MONIES WHICH SHALL INCLUDE ESTI-  
37 MATES OF ALL RECEIPTS AND ALL DISBURSEMENTS FOR THE CURRENT AND SUCCEED-  
38 ING FISCAL YEARS, ALONG WITH THE ACTUAL RESULTS FROM THE PRIOR FISCAL  
39 YEAR.

40 S 7. Subdivision 2-b of section 89-e of the state finance law, as  
41 added by section 9 of part A of chapter 60 of the laws of 2014, is  
42 amended to read as follows:

43 [(2-b)] 2-B. On or before the first day of February each year, the  
44 commissioner of health shall provide a written report to the temporary  
45 president of the senate, speaker of the assembly, chair of the senate  
46 finance committee, chair of the assembly ways and means committee, chair  
47 of the senate committee on health, [and] chair of the assembly health  
48 committee, THE STATE COMPTROLLER AND THE PUBLIC. Such report shall  
49 include how the monies of the fund were utilized during the preceding  
50 calendar year and shall include:

51 (i) the amount of money dispersed from the fund AND THE AWARD PROCESS  
52 USED FOR SUCH DISBURSEMENTS;

53 (ii) recipients of awards from the fund;

54 (iii) the amount awarded to each; [and]

55 (iv) the purposes for which such awards were granted; AND

1 (V) A SUMMARY FINANCIAL PLAN FOR SUCH MONIES WHICH SHALL INCLUDE ESTI-  
2 MATES OF ALL RECEIPTS AND ALL DISBURSEMENTS FOR THE CURRENT AND SUCCEED-  
3 ING FISCAL YEARS, ALONG WITH THE ACTUAL RESULTS FROM THE PRIOR FISCAL  
4 YEAR.

5 S 8. Paragraph (b) of subdivision 4 of section 95-e of the state  
6 finance law, as added by section 7 of part A of chapter 60 of the laws  
7 of 2014, is amended to read as follows:

8 (b) On or before the first day of February each year, the commissioner  
9 of health shall provide a written report to the temporary president of  
10 the senate, speaker of the assembly, chair of the senate finance commit-  
11 tee, chair of the assembly ways and means committee, chair of the senate  
12 committee on health, [and] chair of the assembly health committee, THE  
13 STATE COMPTROLLER AND THE PUBLIC. Such report shall include how monies  
14 of the fund were utilized during the preceding calendar year and shall  
15 include:

16 (i) the amount of money disbursed from the fund AND THE AWARD PROCESS  
17 USED FOR SUCH DISBURSEMENTS;

18 (ii) recipients of awards from the fund;

19 (iii) the amount awarded to each; [and]

20 (iv) the purposes for which such awards were granted; AND

21 (V) A SUMMARY FINANCIAL PLAN FOR SUCH MONIES WHICH SHALL INCLUDE ESTI-  
22 MATES OF ALL RECEIPTS AND ALL DISBURSEMENTS FOR THE CURRENT AND SUCCEED-  
23 ING FISCAL YEARS, ALONG WITH THE ACTUAL RESULTS FROM THE PRIOR FISCAL  
24 YEAR.

25 S 9. Section 79 of the state finance law is amended by adding a new  
26 subdivision 2-a to read as follows:

27 2-A. ON OR BEFORE THE FIRST DAY OF FEBRUARY EACH YEAR, THE CHAIRMAN OF  
28 THE BOARD OF DIRECTORS OF THE WORLD TRADE CENTER MEMORIAL FOUNDATION  
29 SHALL PROVIDE A WRITTEN REPORT TO THE TEMPORARY PRESIDENT OF THE SENATE,  
30 SPEAKER OF THE ASSEMBLY, CHAIR OF THE SENATE FINANCE COMMITTEE, CHAIR OF  
31 THE ASSEMBLY WAYS AND MEANS COMMITTEE, CHAIR OF THE SENATE COMMITTEE ON  
32 HEALTH, CHAIR OF THE ASSEMBLY HEALTH COMMITTEE, THE STATE COMPTROLLER  
33 AND THE PUBLIC. SUCH REPORT SHALL INCLUDE HOW THE MONIES OF THE FUND  
34 WERE UTILIZED DURING THE PRECEDING CALENDAR YEAR, AND SHALL INCLUDE:

35 (I) THE AMOUNT OF MONEY DISPERSED FROM THE FUND AND THE AWARD PROCESS  
36 USED FOR SUCH DISBURSEMENTS;

37 (II) RECIPIENTS OF AWARDS FROM THE FUND;

38 (III) THE AMOUNT AWARDED TO EACH;

39 (IV) THE PURPOSES FOR WHICH SUCH AWARDS WERE GRANTED; AND

40 (V) A SUMMARY FINANCIAL PLAN FOR SUCH MONIES WHICH SHALL INCLUDE ESTI-  
41 MATES OF ALL RECEIPTS AND ALL DISBURSEMENTS FOR THE CURRENT AND SUCCEED-  
42 ING FISCAL YEARS, ALONG WITH THE ACTUAL RESULTS FROM THE PRIOR FISCAL  
43 YEAR.

44 S 10. Section 99-q of the state finance law is amended by adding a new  
45 subdivision 2-a to read as follows:

46 2-A. ON OR BEFORE THE FIRST DAY OF FEBRUARY EACH YEAR, THE STATE FIRE  
47 ADMINISTRATOR SHALL PROVIDE A WRITTEN REPORT TO THE TEMPORARY PRESIDENT  
48 OF THE SENATE, SPEAKER OF THE ASSEMBLY, CHAIR OF THE SENATE FINANCE  
49 COMMITTEE, CHAIR OF THE ASSEMBLY WAYS AND MEANS COMMITTEE, CHAIR OF THE  
50 SENATE COMMITTEE ON HEALTH, CHAIR OF THE ASSEMBLY HEALTH COMMITTEE, THE  
51 STATE COMPTROLLER AND THE PUBLIC. SUCH REPORT SHALL INCLUDE HOW THE  
52 MONIES OF THE FUND WERE UTILIZED DURING THE PRECEDING CALENDAR YEAR, AND  
53 SHALL INCLUDE:

54 (I) THE AMOUNT OF MONEY DISPERSED FROM THE FUND AND THE AWARD PROCESS  
55 USED FOR SUCH DISBURSEMENTS;

56 (II) RECIPIENTS OF AWARDS FROM THE FUND;

(III) THE AMOUNT AWARDED TO EACH;

(IV) THE PURPOSES FOR WHICH SUCH AWARDS WERE GRANTED; AND

(V) A SUMMARY FINANCIAL PLAN FOR SUCH MONIES WHICH SHALL INCLUDE ESTIMATES OF ALL RECEIPTS AND ALL DISBURSEMENTS FOR THE CURRENT AND SUCCEEDING FISCAL YEARS, ALONG WITH THE ACTUAL RESULTS FROM THE PRIOR FISCAL YEAR.

S 11. Section 99-u of the state finance law, as added by section 2 of part GG of chapter 59 of the laws of 2013, is amended by adding a new subdivision 2-a to read as follows:

2-A. ON OR BEFORE THE FIRST DAY OF FEBRUARY EACH YEAR, THE COMMISSIONER OF HEALTH SHALL PROVIDE A WRITTEN REPORT TO THE TEMPORARY PRESIDENT OF THE SENATE, SPEAKER OF THE ASSEMBLY, CHAIR OF THE SENATE FINANCE COMMITTEE, CHAIR OF THE ASSEMBLY WAYS AND MEANS COMMITTEE, CHAIR OF THE SENATE COMMITTEE ON HEALTH, CHAIR OF THE ASSEMBLY HEALTH COMMITTEE, THE STATE COMPTROLLER AND THE PUBLIC. SUCH REPORT SHALL INCLUDE HOW THE MONIES OF THE FUND WERE UTILIZED DURING THE PRECEDING CALENDAR YEAR, AND SHALL INCLUDE:

(I) THE AMOUNT OF MONEY DISPERSED FROM THE FUND AND THE AWARD PROCESS USED FOR SUCH DISBURSEMENTS;

(II) RECIPIENTS OF AWARDS FROM THE FUND;

(III) THE AMOUNT AWARDED TO EACH;

(IV) THE PURPOSES FOR WHICH SUCH AWARDS WERE GRANTED; AND

(V) A SUMMARY FINANCIAL PLAN FOR SUCH MONIES WHICH SHALL INCLUDE ESTIMATES OF ALL RECEIPTS AND ALL DISBURSEMENTS FOR THE CURRENT AND SUCCEEDING FISCAL YEARS, ALONG WITH THE ACTUAL RESULTS FROM THE PRIOR FISCAL YEAR.

S 12. Subdivision 3 of section 22 of the state finance law is amended by adding a new paragraph j to read as follows:

J. INCLUDE A SUMMARY FINANCIAL PLAN FOR THE FUNDS OF THE STATE RECEIVING TAX CHECK-OFF MONIES WHICH SHALL INCLUDE ESTIMATES OF ALL RECEIPTS AND ALL DISBURSEMENTS FOR THE CURRENT AND SUCCEEDING FISCAL YEARS, ALONG WITH THE ACTUAL RESULTS FROM THE PRIOR FISCAL YEAR.

S 13. The state finance law is amended by adding a new section 71-b to read as follows:

S 71-B. EXPENDITURE OF CHECK-OFF MONIES. 1. TO THE EXTENT PRACTICABLE, FOR EVERY FUND ESTABLISHED PURSUANT TO THIS CHAPTER OR ANY OTHER LAW, FOR WHICH A TAX CHECK-OFF IS A SOURCE OF THE MONIES IN SUCH FUND, THE HEAD OF THE AGENCY OR ENTITY ADMINISTERING THE EXPENDITURE OF SUCH MONIES SHALL ENSURE THAT ALL TAX CHECK-OFF MONIES RECEIVED DURING A FISCAL YEAR ARE EXPENDED PRIOR TO THE END OF SUCH FISCAL YEAR.

2. THE HEAD OF THE AGENCY OR ENTITY ADMINISTERING THE EXPENDITURE OF TAX CHECK-OFF MONIES SHALL REPORT ANNUALLY ON THE USE OF SUCH MONIES TO THE TEMPORARY PRESIDENT OF THE SENATE, SPEAKER OF THE ASSEMBLY, CHAIR OF THE SENATE FINANCE COMMITTEE, CHAIR OF THE ASSEMBLY WAYS AND MEANS COMMITTEE, CHAIR OF THE SENATE COMMITTEE ON HEALTH, CHAIR OF THE ASSEMBLY HEALTH COMMITTEE, THE STATE COMPTROLLER AND THE PUBLIC. SUCH REPORT SHALL INCLUDE THE AMOUNT OF MONEY DISPERSED FROM THE FUND AND THE AWARD PROCESS USED FOR SUCH DISBURSEMENTS, RECIPIENTS OF AWARDS FROM THE FUND, THE AMOUNT AWARDED TO EACH, THE PURPOSES FOR WHICH SUCH AWARDS WERE GRANTED, AND A SUMMARY FINANCIAL PLAN FOR SUCH MONIES WHICH SHALL INCLUDE ESTIMATES OF ALL RECEIPTS AND ALL DISBURSEMENTS FOR THE CURRENT AND SUCCEEDING FISCAL YEARS, ALONG WITH THE ACTUAL RESULTS FROM THE PRIOR FISCAL YEAR.

S 14. This act shall take effect immediately; provided, however, that the provisions of section thirteen of this act shall apply to funds established on and after such date.