

4523--A

2015-2016 Regular Sessions

I N S E N A T E

March 26, 2015

Introduced by Sens. ORTT, PANEPINTO -- read twice and ordered printed, and when printed to be committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the executive law, in relation to a prohibition on diversion of resources from dedicated funds derived from taxes and fees that support the Niagara frontier transportation authority and its subsidiaries in certain instances

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

1 Section 1. The executive law is amended by adding a new section 183 to
2 read as follows:
3 S 183. DIVERSION OF FUNDS DEDICATED TO THE NIAGARA FRONTIER TRANSPOR-
4 TATION AUTHORITY TO THE GENERAL FUND OF THE STATE IS PROHIBITED. THE
5 DIRECTOR SHALL BE PROHIBITED FROM DIVERTING REVENUES DERIVED FROM TAXES
6 AND FEES PAID BY THE PUBLIC INTO ANY FUND CREATED BY LAW INCLUDING, BUT
7 NOT LIMITED TO SECTION NINETY-NINE-H OF THE STATE FINANCE LAW, AS
8 AMENDED BY CHAPTER SEVEN HUNDRED FORTY-SEVEN OF THE LAWS OF TWO THOUSAND
9 SIX, FOR THE PURPOSE OF FUNDING THE NIAGARA FRONTIER TRANSPORTATION
10 AUTHORITY AND ANY OF ITS SUBSIDIARIES INTO THE GENERAL FUND OF THE STATE
11 OR INTO ANY OTHER FUND MAINTAINED FOR THE SUPPORT OF ANOTHER GOVERN-
12 MENTAL PURPOSE. NO DIVERSION OF FUNDS CAN OCCUR CONTRARY TO THIS SECTION
13 BY AN ADMINISTRATIVE ACT OF THE DIRECTOR OR ANY OTHER PERSON IN THE
14 EXECUTIVE BRANCH UNLESS THE GOVERNOR DECLARES A FISCAL EMERGENCY, AND
15 COMMUNICATES SUCH EMERGENCY TO THE TEMPORARY PRESIDENT OF THE SENATE AND
16 SPEAKER OF THE ASSEMBLY, AND A STATUTE IS ENACTED INTO LAW AUTHORIZING A
17 DIVERSION THAT WOULD OTHERWISE BE PROHIBITED BY THIS SECTION.
18 S 2. This act shall take effect immediately.

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

LBD01151-02-5