STATE OF NEW YORK

9166

IN SENATE

September 17, 2018

Introduced by Sens. PHILLIPS, BOYLE, FLANAGAN, HANNON, LAVALLE, MARCELLINO -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the state finance law, in relation to establishing the Long Island Rail Road commuter relief fund; to amend the public authorities law, in relation to Long Island Rail Road fares; and providing for the repeal of such provisions upon the expiration thereof

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The state finance law is amended by adding a new section 76-a to read as follows:

§ 76-a. Long Island Rail Road commuter relief fund. 1. There is hereby created in the joint custody of the state comptroller and the state division of the budget a special fund to be known as the "Long Island Rail Road commuter relief fund".

2. Such fund shall consist of not less than sixty million dollars transferred from the general fund, subject to appropriation, using moneys from extraordinary monetary settlement payments currently on deposit with the state division of the budget. Such moneys shall be utilized by the authority for the sole purpose of maintaining fares on the Long Island Rail Road at two thousand eighteen levels as provided in section twelve hundred sixty-six-l of the public authorities law.

§ 2. The public authorities law is amended by adding a new section 1266-l to read as follows:

§ 1266-l. Long Island Rail Road fares. 1. All monies from the Long Island Rail Road commuter relief fund as established by section seventy-six-a of the state finance law shall be utilized by the authority for the sole purpose of maintaining fares on the Long Island Rail Road at two thousand eighteen levels, as approved by the authority pursuant to subdivision three of section twelve hundred sixty-six of this title and ensuring that the operating budget of the authority is sufficiently funded to account for any loss of revenue caused by not increasing fares beyond the two thousand eighteen levels.

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

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2. The authority shall receive a proportionate share of the annualized amount of necessary fare replacement funds provided that the Long Island Rail Road achieves an average monthly systemwide on time performance of ninety-four percent or more. In addition, to remain eligible for the fare replacement funds, the Long Island Rail Road shall be required to increase its overall customer satisfaction score, as measured by the railroad in a regularly conducted customer satisfaction survey, by at least five percent annually, commencing with the next scheduled survey.

3. On time performance, as reported by the Long Island Rail Road, shall be measured by trains that arrive at their final destination within five minutes and fifty-nine seconds of scheduled arrival time.

§ 3. This act shall take effect immediately and shall expire and be deemed repealed on April 1, 2021 or upon the date on which a systemwide transit and commuter railroad fare increase is scheduled to take effect during the year 2021, whichever is later; provided that the metropolitan transportation authority shall notify the legislative bill drafting commission upon the occurrence of such systemwide transit and commuter railroad fare increase in order that the commission may maintain an accurate and timely effective data base of the official text of the laws of the state of New York in furtherance of effectuating the provisions of section 44 of the legislative law and section 70-b of the public officers law.