§ 409-a. Department of health New York city veterans home income fund. 1. There is established in the custody of the comptroller a special account, to be known as the "department of health New York city veterans home income fund", which shall be referred to in this section as "the fund".

2. (a) The commissioner shall, after the first day of July, nineteen hundred ninety-one, pay over moneys received by the department for the care, maintenance and treatment of patients at the New York state home for veterans in the city of New York, together with moneys received from fees, including parking fees, refunds, reimbursements, sales of property and miscellaneous receipts of such home other than gifts, grants, bequests and moneys received under research contracts to the comptroller to be deposited by the comptroller in the fund. Such moneys shall be kept separate and shall not be commingled with any other moneys in the hands of the comptroller. All deposits of such money shall, if required by the comptroller, be secured by obligations of the United States or of the state of market value equal at all times to the amount of the deposit and all banks and trust companies are authorized to give such securities for such deposits.

(b) Subject to the terms of any agreement between the department and the dormitory authority, any such moneys in the fund not required for immediate use, may, in the discretion of the comptroller, be invested by the comptroller in obligations of the United States or the state or obligations the principal and interest of which are guaranteed by the United States or the state.

(c) The comptroller shall at all times maintain on deposit in the fund the aggregate amount of money needed by the department during the next succeeding six calendar months to comply in full with all obligations of the department under the terms of any lease, sublease or agreement of the department with the dormitory authority relating to the New York state home for veterans in the city of New York which is then in effect, including without limitation by the specification thereof, (i) the amount needed to make rental or other payments thereunder during such semiannual period and (ii) the amount needed to establish and maintain reserves thereunder during such period.

(d) The comptroller shall from time to time but in no event later than

the last day of March, June, September and December of each year pay over and deposit in the special revenue funds - other, miscellaneous special revenue fund - 339, New York city veterans' home account, all moneys in the fund in excess of the aggregate amount of money required to be maintained in the department of health New York City veterans home income fund pursuant to paragraph (c) of this subdivision. Prior to making any such transfer, the comptroller shall make and deliver to the director of the budget and to the dormitory authority a certificate stating the aggregate amount to be maintained on deposit in the fund to comply in full with the provision of paragraph (c) of this subdivision. When further directed by the commissioner, the comptroller shall transfer revenues and/or appropriations between and among this account and the special revenue funds - other, miscellaneous special revenue fund - 339, Roswell Park cancer institute account, Helen Hayes hospital account, New York state home for veterans and their dependents at Oxford account, western New York veteran's home account and New York state home for veterans in the lower-Hudson Valley account. For purposes of transferring appropriations it is intended that the following accounts be understood to be part of the same program and same fund for purposes of section fifty-one of the state finance law, thereby authorizing unlimited interchangeability of appropriated amounts between the following accounts in the special revenue funds - other, miscellaneous special revenue fund - 339: Roswell Park Cancer Institute Account, Helen Hayes Hospital Account, New York State Home for Veterans and Their Dependents at Oxford Account, Western New York Veterans' Home Account, New York State Home for Veterans in the lower-Hudson Valley Account, and New York City Veterans' Home Account. The comptroller shall, as determined by the commissioner and consistent with any repayment agreement entered into between the director of the budget and the commissioner, transfer funds from the New York city veteran's home account to the department of health services account to repay all or part of any outstanding liabilities in the health services account attributed to the New York city veterans' home.

3. To secure the payment of any money due or to become due in any year under any lease, sublease or agreement entered into between the department and the dormitory authority relating to the New York state

home for veterans in the city of New York, the commissioner may pledge or assign to the dormitory authority all or any moneys in the fund established pursuant to this section, and any and all moneys which may be receivable by the department and credited to such fund in the future, and any right, title and interest of the department in and to the money in or to be deposited in such fund.

4. The moneys in the fund shall be paid out of such fund on the audit and warrant of the comptroller on vouchers certified or approved by the commissioner, or by an officer or employee of the department designated by the commissioner, notwithstanding the provision of any general or special law to the contrary.