

7470

I N S E N A T E

May 23, 2012

Introduced by Sen. CARLUCCI -- read twice and ordered printed, and when printed to be committed to the Committee on Commerce, Economic Development and Small Business

AN ACT to amend the state administrative procedure act, in relation to agency regulatory agendas; and to amend chapter 402 of the laws of 1994, amending the state administrative procedure act relating to requiring certain agencies to submit regulatory agendas for publication in the state register, in relation to extending the expiration of certain provisions of such chapter

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

1 Section 1. Paragraphs (a) and (b) of subdivision 1 of section 202-d of  
2 the state administrative procedure act, as amended by chapter 193 of the  
3 laws of 2008, is amended to read as follows:

4 (a) The departments of health, education, [insurance] FINANCIAL  
5 SERVICES, environmental conservation, labor, [banking,] agriculture and  
6 markets, motor vehicles and state, the offices of children and family  
7 services and temporary and disability assistance, [and] the division of  
8 housing and community renewal, and the workers' compensation board and  
9 any other department specified by the governor or his OR HER designee  
10 shall, and any other agency may, in its discretion, submit to the secre-  
11 tary of state, for publication in the first regular issue of the state  
12 register published during the month of January and the last regular  
13 issue of the state register published in June, a regulatory agenda to  
14 afford the agency an opportunity to solicit comments concerning any rule  
15 which the agency is considering proposing, but for which no notice of  
16 proposed rule making has been submitted pursuant to subdivision one of  
17 section two hundred two of this article.

18 (b) A regulatory agenda shall be comprised of a list and brief  
19 description of subject matter being considered for rule making and the  
20 name, public office, address [and], telephone number AND E-MAIL ADDRESS  
21 of the agency representative, knowledgeable on such regulatory agenda,  
22 from whom any information may be obtained and to whom written comments  
23 may be submitted concerning such regulatory agenda. [An e-mail address

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

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1 for requests for information and submission of comments may also be  
2 included.]

3 S 2. Section 2 of chapter 402 of the laws of 1994, amending the state  
4 administrative procedure act relating to requiring certain agencies to  
5 submit regulatory agendas for publication in the state register, as  
6 amended by chapter 193 of the laws of 2008, is amended to read as  
7 follows:

8 S 2. This act shall take effect on the first day of November next  
9 succeeding the date on which it shall have become a law and shall expire  
10 and be deemed repealed on December 31, [2012] 2016, and upon such date  
11 the provisions of subdivisions 1 and 2 of section 202-d of the state  
12 administrative procedure act as amended by section one of this act shall  
13 revert to and be read as set out in law on the date immediately preced-  
14 ing such effective date.

15 S 3. This act shall take effect on the first of January next succeed-  
16 ing the date on which it shall have become a law; provided, however,  
17 that the amendments to subdivision 1 of section 202-d of the state  
18 administrative procedure act made by section one of this act shall not  
19 affect the expiration of such subdivision and shall be deemed to expire  
20 therewith.