

2387

2013-2014 Regular Sessions

I N S E N A T E

January 17, 2013

Introduced by Sen. ADAMS -- read twice and ordered printed, and when printed to be committed to the Committee on Finance

AN ACT to amend the executive law, in relation to establishing a sensitivity training program for persons in active military service of the state

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 192 to
2 read as follows:
3 S 192. SENSITIVITY TRAINING PROGRAM; MILITARY SERVICE. 1. FOR PURPOSES
4 OF THIS SECTION THE FOLLOWING TERMS SHALL HAVE THE FOLLOWING MEANINGS:
5 A. "SENSITIVITY TRAINING PROGRAM" SHALL MEAN A PROGRAM DESIGNED TO
6 DEVELOP A PERSON'S AWARENESS AND UNDERSTANDING OF HIM OR HER SELF, OTHER
7 INDIVIDUALS AND THE RELATIONSHIP BETWEEN THE TWO, INCLUDING THE AWARE-
8 NESS AND UNDERSTANDING OF SUCH PERSON'S PREJUDICES AND INTOLERANCE
9 TOWARD OTHERS.
10 B. "NEW YORK NATIONAL GUARD" SHALL HAVE THE SAME MEANING AS SUCH TERM
11 IS DEFINED IN SUBDIVISION ONE OF SECTION ONE OF THE MILITARY LAW.
12 C. "THE NAVAL MILITIA" SHALL HAVE THE SAME MEANING AS SUCH TERM IS
13 DEFINED IN SUBDIVISION TWO OF SECTION ONE OF THE MILITARY LAW.
14 D. "FORCE OF THE ORGANIZED MILITIA" SHALL HAVE THE SAME MEANING AS
15 SUCH TERM IS DEFINED IN SUBDIVISION NINE OF SECTION ONE OF THE MILITARY
16 LAW.
17 E. "MILITARY SERVICE OF THE STATE" SHALL HAVE THE SAME MEANING AS SUCH
18 TERM IS DEFINED IN SUBDIVISION FIVE OF SECTION ONE OF THE MILITARY LAW.
19 F. "ACTIVE MILITARY SERVICE OF THE UNITED STATES" SHALL HAVE THE SAME
20 MEANING AS SUCH TERM IS DEFINED IN SUBDIVISION EIGHT OF SECTION ONE OF
21 THE MILITARY LAW.
22 2. THE DIVISION OF MILITARY AND NAVAL AFFAIRS IS AUTHORIZED AND
23 DIRECTED TO DEVELOP AND IMPLEMENT A SENSITIVITY TRAINING PROGRAM FOR
24 EVERY PERSON IN ACTIVE SERVICE WITH THE NEW YORK NATIONAL GUARD, THE

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

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1 NAVAL MILITIA, OR ANY OTHER FORCE OF THE ORGANIZED MILITIA, OR WHO IS
2 OTHERWISE IN THE MILITARY SERVICE OF THE STATE, AND ANY EMPLOYEE OF THE
3 DIVISION OF MILITARY AND NAVAL AFFAIRS THAT THE ADJUTANT GENERAL SHALL
4 REQUIRE. SUCH DIVISION IS AUTHORIZED TO PROMULGATE RULES AND REGULATIONS
5 NECESSARY TO IMPLEMENT SUCH PROGRAM, PROVIDED, THAT:

6 A. SUCH PROGRAM SHALL BE ATTENDED BY EVERY PERSON OR EMPLOYEE SUBJECT
7 TO THE PROVISIONS OF THIS SECTION WITHIN SIX MONTHS AFTER THE EFFECTIVE
8 DATE OF THIS SECTION;

9 B. ANY SUCH PERSON OR EMPLOYEE WHO IS FIRST APPOINTED, ENLISTED OR
10 EMPLOYED TO SERVE IN ANY SUCH ORGANIZATION OR WORK IN SUCH DIVISION
11 SHALL ATTEND SUCH TRAINING PROGRAM WITHIN SIXTY DAYS OF SUCH APPOINT-
12 MENT, ENLISTMENT OR EMPLOYMENT; AND

13 C. EVERY PERSON OR EMPLOYEE SUBJECT TO THE PROVISIONS OF THIS SECTION
14 SHALL PERIODICALLY RECEIVE SUCH TRAINING, PROVIDED THAT SUCH PERIOD
15 SHALL NOT EXCEED TWO YEARS.

16 3. TO THE EXTENT PRACTICABLE AND NOT INCONSISTENT WITH FEDERAL LAW,
17 EVERY RESIDENT OF THIS STATE WHO IS IN ACTIVE MILITARY SERVICE OF THE
18 UNITED STATES SHALL ATTEND THE SENSITIVITY TRAINING PROGRAM REQUIRED BY
19 THIS SECTION.

20 S 2. Severability. If any clause, sentence, paragraph, section of part
21 of this act shall be adjudged by any court of competent jurisdiction to
22 be invalid, the judgment shall not affect, impair, or invalidate the
23 remainder thereof, but shall be confined in its operation to the clause,
24 sentence, paragraph, section or part thereof directly involved in the
25 controversy in which the judgment shall have been rendered.

26 S 3. This act shall take effect on the one hundred twentieth day after
27 it shall have become a law; provided, however, that effective immediate-
28 ly, the addition, amendment and/or repeal of any rule or regulation
29 necessary for the implementation of this act on its effective date is
30 authorized to be made and completed on or before such date.