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4004--A

Cal. No. 347

2013-2014 Regular Sessions

I N   S E N A T E

March 4, 2013
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Introduced by Sens. MAZIARZ, RITCHIE -- read twice and ordered printed,
   and when printed to be committed to the Committee on Energy and Tele-
   communications -- reported favorably from said committee, ordered to
   first and second report, ordered to a third reading, amended and
   ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the public authorities law, in relation to qualified
   installers under the state apprenticeship training program

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

 1   Section 1. The public authorities law is amended by adding a new
 2 section 1884 to read as follows:
 3   S 1884. QUALIFIED INSTALLERS. 1. NOTWITHSTANDING ANY LAW, RULE, REGU-
 4 LATION OR POLICY TO THE CONTRARY, WITH RESPECT TO ANY SOLICITATION
 5 OFFERED BY THE AUTHORITY, ANY INDIVIDUAL ACCREDITED THROUGH AN APPREN-
 6 TICESHIP PROGRAM PURSUANT TO ARTICLE TWENTY-THREE OF THE LABOR LAW SHALL
 7 BE DEEMED TO BE A QUALIFIED INSTALLER FOR ANY SUCH SOLICITATION THAT
 8 FALLS SUBSTANTIALLY WITHIN THE TRADE OR AREA FOR WHICH SUCH INDIVIDUAL
 9 HAS COMPLETED AN APPRENTICESHIP PROGRAM PURSUANT TO ARTICLE TWENTY-THREE
10 OF THE LABOR LAW.
11   2. THE AUTHORITY IS PROHIBITED FROM REQUIRING ADDITIONAL COURSES OR
12 CERTIFICATIONS FOR SUCH QUALIFIED INDIVIDUALS, PROVIDED THAT THE WORK
13 THAT IS BEING DONE FALLS SUBSTANTIALLY WITHIN THE TRADE OR AREA FOR
14 WHICH SUCH INDIVIDUAL HAS COMPLETED AN APPRENTICESHIP PROGRAM PURSUANT
15 TO ARTICLE TWENTY-THREE OF THE LABOR LAW.
16   3. FOR THE PURPOSES OF THIS SECTION, THE PHRASE "SUBSTANTIALLY WITHIN
17 THE TRADE OR AREA" SHALL MEAN WITHIN THE SCOPE OF WORK AS DEFINED BY THE
18 DEPARTMENT OF LABOR FOR THAT TRADE OR AREA PURSUANT TO ARTICLE EIGHT OF
19 THE LABOR LAW.
20   S 2. This act shall take effect immediately and shall be applied
21 retroactively to any solicitation of the New York state energy research
22 and development authority where work has not already commenced.

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