

2009-2010 Regular Sessions

I N   A S S E M B L Y

(PREFILED)

January 7, 2009

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Introduced by M. of A. JOHN, COLTON, SCHROEDER, SPANO, LUPARDO, PERRY --  
Multi-Sponsored by -- M. of A. BOYLAND, DESTITO, LATIMER, PHEFFER --  
read once and referred to the Committee on Labor

AN ACT to amend the state finance law, in relation to the dedicated  
occupational safety and health training and education and occupational  
health clinic programs fund

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

1     Section 1. Section 97-c of the state finance law, as added by chapter  
2     886 of the laws of 1985, subdivisions 3 and 4 as amended by chapter 309  
3     of the laws of 1996, is amended to read as follows:  
4     S 97-c. [Training and education program on occupational safety and  
5     health fund] DEDICATED OCCUPATIONAL SAFETY AND HEALTH TRAINING AND  
6     EDUCATION AND OCCUPATIONAL HEALTH CLINIC PROGRAMS FUND. 1. There is  
7     hereby established in the custody of the state comptroller the [training  
8     and education program on occupational safety and health fund] DEDICATED  
9     OCCUPATIONAL SAFETY AND HEALTH TRAINING AND EDUCATION AND OCCUPATIONAL  
10    HEALTH CLINIC PROGRAMS FUND.  
11    2. Such fund shall consist of moneys collected from special compen-  
12    sation assessments collected pursuant to the provisions of section one  
13    hundred fifty-one of the workers' compensation law FOR THE TRAINING  
14    PROGRAM ON OCCUPATIONAL SAFETY AND HEALTH AND THE OCCUPATIONAL HEALTH  
15    CLINIC NETWORK.  
16    3. Moneys of the fund shall be available to the New York state occupa-  
17    tional safety and health hazard abatement board for purposes of carrying  
18    out the provisions of article twenty-nine of the labor law and to the  
19    department of labor for worker protection activities under its jurisdic-  
20    tion, AND TO THE DEPARTMENT OF HEALTH FOR SERVICES RELATED TO THE OCCU-  
21    PATIONAL HEALTH CLINIC NETWORK.

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

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1 4. The moneys shall be paid out of the fund on the audit and warrant  
2 of the comptroller on vouchers certified or approved by the chairperson  
3 of the board or his or her designee or by the commissioner of labor or  
4 his or her designee, OR BY THE COMMISSIONER OF HEALTH OR HIS OR HER  
5 DESIGNEE. NO FUNDS SHALL BE PAID FOR ANY PURPOSE OTHER THAN THOSE  
6 ENUMERATED IN SUBDIVISION TWO OR THREE OF THIS SECTION.

7 5. Notwithstanding the provisions of any general or special law, no  
8 moneys shall be available from the fund until a certificate of allo-  
9 cation and a schedule of amounts to be available therefor shall have  
10 been issued by the director of the budget, and a copy of such certif-  
11 icate filed with the comptroller. BEGINNING ON APRIL FIRST, TWO THOUSAND  
12 ELEVEN, AND FOR EACH SUCCEEDING YEAR, THE SCHEDULE OF AMOUNTS AVAILABLE  
13 FOR THE TRAINING PROGRAM ON OCCUPATIONAL SAFETY AND HEALTH AND THE OCCU-  
14 PATIONAL HEALTH CLINIC NETWORK SHALL REFLECT A PERCENTAGE INCREASE OVER  
15 THE PREVIOUS YEAR'S FUNDING EQUAL TO OR GREATER THAN THE PERCENTAGE  
16 INCREASE IN THE MAXIMUM RATE FOR WORKERS' COMPENSATION BENEFITS PURSUANT  
17 TO PARAGRAPH (A) OF SUBDIVISION SIX OF SECTION FIFTEEN OF THE WORKERS'  
18 COMPENSATION LAW. Such certificate may be amended from time to time by  
19 the director of the budget and a copy of each such amendment shall be  
20 filed with the comptroller.

21 S 2. This act shall take effect immediately.