S T A T E O F N E W Y O R K

2269

2009-2010 Regular Sessions

I N A S S E M B L Y

January 15, 2009

Introduced by M. of A. JOHN, CHRISTENSEN, MAGNARELLI -- Multi-Sponsored by -- M. of A. ALESSI, ARROYO, BENEDETTO, BENJAMIN, BRADLEY, BRODSKY, CARROZZA, CLARK, COLTON, COOK, CUSICK, CYMBROWITZ, DESTITO, DIAZ, EDDINGTON, ENGLEBRIGHT, ESPAILLAT, FIELDS, GALEF, GIANARIS, GLICK, GOTTFRIED, GREENE, HOOPER, JACOBS, KOON, LAVINE, LENTOL, LIFTON, MARKEY, MAYERSOHN, McENENY, MILLMAN, NOLAN, ORTIZ, PAULIN, PEOPLES, PERRY, POWELL, PRETLOW, REILLY, P. RIVERA, ROBINSON, SCARBOROUGH, SILVER, SWEENEY, TITUS, TOWNS, WEINSTEIN, WEPRIN, ZEBROWSKI -- read once and referred to the Committee on Labor

AN ACT to amend the labor law, in relation to making technical corrections concerning minimum wage

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

Section 1. Paragraph (n) of subdivision 5 of section 651 of the labor law, as amended by chapter 640 of the laws of 2005, is amended to read as follows:

(n) by [a] THE federal[, state or municipal] government [or political subdivision thereof]. The exclusions from the term "employee" contained in this subdivision shall be as defined by regulations of the commissioner; or

S 2. Subdivision 6 of section 651 of the labor law, as amended by chapter 281 of the laws of 2002, is amended to read as follows:

6. "Employer" includes any individual, partnership, association, corporation, limited liability company, business trust, legal representative, STATE OR MUNICIPAL GOVERNMENT OR POLITICAL SUBDIVISION THEREOF, or any organized group of persons acting as employer.

S 3. Paragraph (d) of subdivision 2 of section 671 of the labor law, as added by chapter 552 of the laws of 1969, is amended to read as follows:

(d) an individual employed or permitted to work for [a] THE federal[, state, or a municipal] government [or political subdivision thereof]; or

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

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S 4. Subdivision 3 of section 671 of the labor law, as added by chapter 552 of the laws of 1969, is amended to read as follows:

3. "Employer" includes any individual, partnership, association, corporation, cooperative, business trust, legal representative, STATE OR MUNICIPAL GOVERNMENT OR POLITICAL SUBDIVISION THEREOF, or any organized group of persons acting as an employer of an individual employed or permitted to work on a farm. If a farm labor contractor recruits or supplies farm workers for work on a farm, such farm workers shall, for the purposes of this article, be deemed to be employees of the owner, lessee or operator of such farm.

S 5. This act shall take effect immediately.