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

436

2009-2010 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2009

Introduced by M. of A. JOHN -- read once and referred to the Committee on Labor

AN ACT to amend chapter 511 of the laws of 1995, relating to establishing a public work enforcement fund and making an appropriation therefor, in relation to moneys accumulated in the public work enforcement fund

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

Section 1. Sections 1 and 2 of chapter 511 of the laws of 1995, relating to establishing a public work enforcement fund and making an appropriation therefor, as amended by chapter 407 of the laws of 2005, are amended to read as follows:

Section 1. The state comptroller shall establish a public work enforcement fund. Each state agency or public benefit corporation entering into a contract for any construction, reconstruction, renovation, repair, maintenance or other improvement, as defined in subdivision 2 of section 220 of the labor law, shall make a transfer of [0.10] 0.12 of one percent of the total cost of the contract to such fund. All transfers shall be made available to the labor department for labor law enforcement. All moneys transferred to and accumulated in the public work enforcement fund shall be dedicated to enforcement of labor law articles 8 and 9 and all moneys appropriated from such fund shall be used for such purpose. Provided further that such dedicated funds shall be used for training, labor and related costs for investigators, hearing officers and administrative staff to ensure that staffing levels for such personnel are maintained at an appropriate level.

S 2. The sum of two million [four] SIX hundred thousand dollars [($2,400,000)] ($2,600,000), or so much thereof as may be accumulated, is hereby appropriated to the department of labor from any moneys credited to the public work enforcement fund created pursuant to section one

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

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of this act for the purposes of carrying out the provisions of this act. Such sum shall be payable on the audit and warrant of the state comptroller on vouchers certified or approved by the commissioner of labor, or his duly designated representative in the manner provided by law. No expenditure shall be made from this appropriation until a certificate of approval of availability shall have been issued by the director of the budget and filed with the state comptroller and a copy filed with the chair of the senate finance committee and the chair of the assembly ways and means committee. Such certificate may be amended from time to time by the director of the budget and a copy of each such amendment shall be filed with the state comptroller, the chair of the senate finance committee and the chair of the assembly ways and means committee.

S 2. This act shall take effect immediately.