

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

9713--B

I N A S S E M B L Y

January 19, 2010

A BUDGET BILL, submitted by the Governor pursuant to article seven of the Constitution -- read once and referred to the Committee on Ways and Means -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the mental hygiene law, in relation to the advisory council on alcoholism and substance abuse services; to amend the social services law, in relation to the coordinated children's services for children with cross-system needs; to amend the executive law, in relation to the advisory council on interactive media and youth violence; to amend chapter 178 of the laws of 2006 relating to establishing an advisory council on children's environmental health and safety, in relation to the effectiveness thereof; to amend the public health law, in relation to medical record access review committees; to amend chapter 521 of the laws of 1994 amending the public health law relating to immunizations for vaccine-preventable diseases, in relation to the effectiveness of certain provisions thereof; to amend the public health law, in relation to the commissioner's powers to promulgate rules and regulations pertaining to the practice of radiologic technology; to amend chapter 387 of the laws of 2004 amending the environmental conservation law relating to restricting the use of certain flame retardants, in relation to the effectiveness of certain provisions thereof; to amend chapter 356 of the laws of 2005 amending the public health law relating to establishing the New York state toxic mold task force, in relation to the effectiveness thereof; to amend the public health law, in relation to the state council on home care services; to amend the public health law, in relation to the powers and duties of the tick-borne disease institute; to amend the highway law, in relation to the New York state scenic byways program; to amend the environmental conservation law, in relation to the creation of the New York state oil, natural gas and solution mining advisory board; to amend the environmental conservation law, the state finance law, the agriculture and markets law and the county law, in relation to making technical corrections; to amend the executive law, in relation to specialized hazardous materials emergency response training and firefighting and code enforcement training; to amend the

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

LBD12675-04-0

executive law, in relation to the emergency services coordinating council; to amend the general business law, in relation to the advisory committee on fire alarm systems and making technical amendments thereto; to amend the general business law, in relation to the armored car carrier advisory board; to amend the real property law, in relation to the state home inspection council; to amend the real property law, in relation to abolishing the state home inspection council; to amend the elder law, in relation to the naturally occurring retirement community supportive service program and replaces the term "elderly" with "older adult"; to repeal section 554 of the executive law relating to the advisory council on interactive media and youth violence; to repeal section 372-a of the social services law relating to the child welfare research advisory panel; to repeal sections 401 and 402 of the state technology law relating to the statewide wireless network advisory council and its powers and duties; to repeal section 2707 of the public health law relating to the osteoporosis advisory council; to repeal title 1-C of article 24 of the public health law relating to prostate and testicular cancer detection and education; to repeal subdivision 13 of section 3501 of the public health law relating to the definition of board; to repeal section 3503 of the public health law relating to the radiologic technologist advisory board; to repeal section 2 of chapter 41 of the laws of 1992 containing health care provider reimbursement rates relating to the work group to review the provision of and payment for certain adult day services; to repeal chapter 554 of the laws of 1996 creating the Brookhaven National Laboratory local oversight and monitoring committee relating thereto; to repeal section 18 of chapter 537 of the laws of 1998 amending the public health law relating to modifying the use of prescription forms for dispensing controlled substances relating to the task force appointed therefore; to repeal subdivision 7 of section 502 of the public health law relating to the environmental laboratories advisory board; to repeal section 123 of chapter 1 of the laws of 1999 enacting the New York Health Care Reform Act of 2000 relating to the commission on financially distressed residential health care facilities; to repeal section 3604 of the public health law relating to the state council on home care services; to repeal subdivision 4 of section 3222 of the public health law relating to the recombinant DNA advisory committee; to repeal section 3702 of the public health law relating to the advisory council on physician's assistants and specialist's assistants; to repeal section 1399-uu of the public health law relating to the technical advisory committee on the regulation of sharps; to repeal sections 2796 and 2799 of the public health law relating to the tick-borne disease institute research council; to repeal section 2799-a of the public health law relating to the tick-borne disease institute advisory council; to repeal section 349-cc of the highway law relating to the New York state scenic byways advisory board; to repeal certain provisions of the environmental conservation law relating to the New York invasive species advisory committee, the New York state oil, gas and solution mining advisory board, the regional and state forest practice boards and the solid waste management board, the surf clam/ocean quahog management advisory board; to repeal certain provisions of the agriculture and markets law, in relation to the New York state veterinary diagnostic laboratory, the plant industry advisory committee, the advisory council on petroleum product standards, the statewide direct marketing advisory council and the Hudson Valley agricultural advisory council; to repeal chapter 868 of the laws of

1976 establishing the organic food advisory committee; to repeal section 7 of chapter 654 of the laws of 1994 creating the agricultural transportation review panel; to repeal certain provisions of the executive law relating to the temporary advisory committee on the restoration and display of New York state's military battle flags; to repeal certain sections of the executive law relating to the fire safety advisory board, the fire fighting and code enforcement personnel standards and education commission, the commission rules and regulations promulgated by the governor and the Long Island Sound coastal advisory commission; to repeal certain provisions of the general business law relating to an advisory committee on fire alarm systems, the armored car carrier advisory board; to repeal subdivision 5 of section 89-bbb, section 89-mmm and subdivision 5 of section 89-ppp of the general business law relating to the armored car carrier advisory board; to repeal section 433-a of the general business law relating to the barbers board; to repeal subdivision 1 of section 444-b of the real property law relating to the state home inspection council; to repeal section 844-a of the executive law relating to the New York statewide law enforcement telecommunications committee; to repeal section 216 of the elder law relating to the creation of the advisory council to the recreation program for the elderly; to repeal article 3 of the elder law relating to mature worker initiatives; to repeal article 28 of the executive law, in relation to the upstate and downstate tourism council; and to repeal section 216-b of the vehicle and traffic law relating to the tow truck advisory board

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

- 1 Section 1. Intentionally omitted.
- 2 S 2. Subdivision (c) of section 19.05 of the mental hygiene law, as
- 3 added by chapter 208 of the laws of 1996, is amended to read as follows:
- 4 (c) The council shall meet at least [four] TWO times in each full
- 5 calendar year. The council shall meet at the request of its chairman or
- 6 the commissioner.
- 7 S 3. Intentionally omitted.
- 8 S 4. Intentionally omitted.
- 9 S 5. Intentionally omitted.
- 10 S 6. Section 372-a of the social services law is REPEALED.
- 11 S 7. Sections 401 and 402 of the state technology law are REPEALED.
- 12 S 8. Intentionally omitted.
- 13 S 9. Intentionally omitted.
- 14 S 10. Intentionally omitted.
- 15 S 11. Intentionally omitted.
- 16 S 12. Intentionally omitted.
- 17 S 13. Intentionally omitted.
- 18 S 14. Intentionally omitted.
- 19 S 15. Intentionally omitted.
- 20 S 16. Section 483-c of the social services law, as added by section 2
- 21 of part F2 of chapter 62 of the laws of 2003, is amended to read as
- 22 follows:
- 23 S 483-c. Coordinated children's services for children with [emotional
- 24 and/or behavioral disorders] CROSS-SYSTEM NEEDS. 1. Purpose. The
- 25 purpose of this section shall be to [establish] ENSURE a coordinated
- 26 system of care for children [with emotional and behavioral disorders]

1 AND YOUTH, and their families, who require assistance from multiple
2 agency systems to [appropriately maintain] ENABLE such children AND
3 YOUTH TO REMAIN with their families, in their communities and in their
4 local school systems, AND TO THEREBY REDUCE INAPPROPRIATE AND COSTLY
5 OUT-OF-HOME PLACEMENTS. Such INTEGRATED system of care shall provide A
6 FRAMEWORK for the effective collaboration among state and local health,
7 mental hygiene, education, CHILD WELFARE, juvenile justice, probation
8 [of care] and other human services agencies [directed at improving] TO
9 IMPROVE outcomes for children [with emotional and/or behavioral disor-
10 ders and their families leading to full participation in their communi-
11 ties and schools. This shall include children with co-occurring disor-
12 ders. The absence of coordinated care often results in inappropriate and
13 costly institutional placements and limited community-based services
14 that support maintaining the child in the community] AND YOUTH WHOSE
15 SIGNIFICANT EMOTIONAL, DEVELOPMENTAL, INTELLECTUAL, PHYSICAL, SOCIAL
16 AND/OR BEHAVIORAL CHALLENGES REQUIRE THE INTEGRATION OF FAMILY-CENTERED
17 INDIVIDUALIZED SUPPORTS AND SERVICES ACROSS MULTIPLE CHILD-SERVING
18 SYSTEMS. SUCH SYSTEM OF CARE SHALL BE DESIGNED TO BE CULTURALLY AND
19 LINGUISTICALLY COMPETENT AT EVERY LEVEL OF CARE. [Establishing the] THE
20 coordinated children's services initiative statewide is intended to
21 improve the manner in which services of multiple systems are delivered
22 and to eliminate barriers to a coordinated system of care.

23 2. Definitions. As used in this section:

24 (a) "Child [with an emotional and/or behavioral disorder] OR YOUTH
25 WITH CROSS-SYSTEM NEEDS" shall mean a person [under eighteen years of
26 age, or a person under twenty-one years of age who has not completed
27 secondary school, who has a mental illness, as defined in subdivision
28 twenty of section 1.03 of the mental hygiene law, or is classified as a
29 student with a disability pursuant to article eighty-nine of the educa-
30 tion law or section 504 of the federal rehabilitation act, or is consid-
31 ered to have a serious emotional or behavioral problem, as considered by
32 a tier I and/or tier II team representative pursuant to this section.
33 Such term shall include children with co-occurring disorders] WHO HAS
34 SIGNIFICANT EMOTIONAL, DEVELOPMENTAL, INTELLECTUAL, PHYSICAL, SOCIAL
35 AND/OR BEHAVIORAL CHALLENGES THAT REQUIRE THE INTEGRATION OF FAMILY-CEN-
36 TERED INDIVIDUALIZED SUPPORTS AND SERVICES UNDER THE JURISDICTION OF TWO
37 OR MORE STATE DEPARTMENTS OR AGENCIES.

38 (b) "Individualized family support plan" shall mean a plan developed
39 in conjunction with the family through a strength-based child and family
40 assessment containing a summary of the strengths, needs and goals of a
41 child OR YOUTH with [an emotional and/or behavioral disorder] CROSS-SYS-
42 TEM NEEDS, and the services and supports agreed to by the child OR
43 YOUTH, family and the [tier I] FAMILY-BASED team representatives. SUCH
44 PLAN SHALL BE CULTURALLY AND LINGUISTICALLY COMPETENT.

45 (c) "Family" shall mean, when appropriate, a child OR YOUTH with [an
46 emotional and/or behavioral disorder] CROSS-SYSTEM NEEDS, his or her
47 parents or those in parental relationship to the child OR YOUTH, blood
48 relatives and extended family, including non-relatives identified by the
49 child OR YOUTH and/or HIS OR HER parents OR THOSE IN A PARENTAL
50 RELATIONSHIP TO HIM OR HER. Nothing in this section shall be construed
51 to deny the child OR YOUTH, his or her parents or those persons in
52 parental relationship to [the] SUCH child OR YOUTH of any rights [they
53 are] HE OR SHE IS otherwise entitled to by law.

54 (d) "County" shall mean a county, except in the case of a county that
55 is wholly included within a city, such term shall mean such city.

1 (e) "Family [support] representative" shall mean [a volunteer who is
2 also] a parent [or primary caregiver of] OR PERSON IN A PARENTAL
3 RELATIONSHIP TO a child OR YOUTH with [an emotional and/or behavioral
4 disorder] CROSS-SYSTEM NEEDS. The family [support] representative shall
5 assist families throughout the process of developing and implementing
6 [an] individualized family support [plan] PLANS as defined in this
7 section.

8 (F) "SYSTEM OF CARE" SHALL MEAN A COORDINATED NETWORK OF
9 COMMUNITY-BASED SERVICES AND SUPPORTS THAT ARE CREATED BY CHILDREN,
10 YOUTH AND FAMILIES WORKING IN PARTNERSHIP WITH PUBLIC AND PRIVATE AGEN-
11 CIES TO BUILD ON THE STRENGTHS OF INDIVIDUALS AND THAT ADDRESS EACH
12 PERSON'S CULTURAL AND LINGUISTIC NEEDS.

13 (G) "YOUTH REPRESENTATIVE" SHALL MEAN A YOUTH WHO IS CURRENTLY, OR WAS
14 PREVIOUSLY, ENGAGED WITH ONE OR MORE CHILD- AND FAMILY-SERVING HUMAN
15 SERVICE SYSTEMS. THE YOUTH REPRESENTATIVE SHALL ASSIST YOUTH AND FAMI-
16 LIES IN THE DEVELOPMENT OF INDIVIDUALIZED FAMILY SUPPORT PLANS AS
17 DEFINED IN THIS SECTION.

18 3. [Interagency] COORDINATED CHILDREN'S SERVICES INITIATIVE structure;
19 ROLES AND RESPONSIBILITIES. (a) [There shall be established a three
20 tiered interagency structure, as follows:

21 (i) State tier III team. There is hereby established a state team
22 designated as the "tier III team", which shall consist of the chair of
23 the council, the commissioners of children and family services, mental
24 health, health, education, alcohol and substance abuse services, and
25 mental retardation and developmental disabilities, and the director of
26 probation and correctional alternatives, or their designated represen-
27 tatives, and representatives of families of children with emotional
28 and/or behavioral disorders. Other representatives may be added at the
29 discretion of such team.

30 (ii) County tier II team. A] THE EXECUTIVE DIRECTOR OF THE COUNCIL ON
31 CHILDREN AND FAMILIES SHALL OVERSEE AND COORDINATE THE IMPLEMENTATION OF
32 THE COORDINATED CHILDREN'S SERVICES INITIATIVE WITH THE COMMISSIONER OF
33 CHILDREN AND FAMILY SERVICES, THE COMMISSIONER OF MENTAL HEALTH, THE
34 COMMISSIONER OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES, THE
35 COMMISSIONER OF HEALTH, THE COMMISSIONER OF EDUCATION, THE COMMISSIONER
36 OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES, THE COMMISSIONER OF TEMPO-
37 RARY AND DISABILITY ASSISTANCE, THE DIRECTOR OF PROBATION AND CORREC-
38 TIONAL ALTERNATIVES, THE CHAIR OF THE COMMISSION ON QUALITY OF CARE AND
39 ADVOCACY FOR PERSONS WITH DISABILITIES, AND YOUTH AND FAMILIES REPRES-
40 ENTING CHILDREN WITH CROSS-SYSTEM NEEDS WHO SHALL BE CHOSEN BY THE
41 PARTICIPATING STATE AGENCIES. UNDER THE LEADERSHIP OF THE COUNCIL ON
42 CHILDREN AND FAMILIES, THE STATE LEVEL COORDINATED CHILDREN'S SERVICES
43 INITIATIVE REPRESENTATIVES SHALL:

44 (I) ESTABLISH CROSS-SYSTEMS PRIORITIES;

45 (II) DEVELOP SHARED PRINCIPLES OF OPERATION, INCLUDING BUT NOT LIMITED
46 TO A SYSTEM OF CARE THAT IS CULTURALLY AND LINGUISTICALLY COMPETENT;

47 (III) ADDRESS CROSS-SYSTEMS BARRIERS; AND

48 (IV) DEVELOP A REPORTING MECHANISM IN COLLABORATION WITH THE REGIONAL
49 AND COUNTY TEAMS TO TRACK OUTCOMES ACHIEVED BY THE COORDINATED CHIL-
50 DREN'S SERVICES INITIATIVE.

51 (B) COORDINATED CHILDREN'S SERVICES REGIONAL TEAMS (HEREINAFTER
52 REFERRED TO IN THIS SECTION AS "REGIONAL TEAMS"). EXCEPT AS PROVIDED IN
53 PARAGRAPH (C) OF THIS SUBDIVISION, MEMBERSHIP ON REGIONAL TEAMS SHALL
54 INCLUDE REGIONAL STAFF OF PARTICIPATING STATE AGENCIES, AS WELL AS FAMI-
55 LY AND YOUTH REPRESENTATIVES. THE REGIONAL TEAMS SHALL:

(I) ACT AS A LIAISON BETWEEN THE COUNCIL ON CHILDREN AND FAMILIES AND COUNTY TEAMS;

(II) ASSIST WITH THE RESOLUTION OF CROSS-SYSTEMS BARRIERS;

(III) PROVIDE CROSS-SYSTEMS TRAINING AND TECHNICAL ASSISTANCE ON A LOCAL AND REGIONAL LEVEL; AND

(IV) PROMOTE SERVICES THAT ARE CULTURALLY AND LINGUISTICALLY COMPETENT.

(C) IN A CITY WITH A POPULATION OF MORE THAN ONE MILLION PERSONS, THE MAYOR SHALL ESTABLISH THE REGIONAL TEAM FOR SUCH CITY. THE MEMBERSHIP ON SUCH TEAM SHALL INCLUDE, BUT NOT BE LIMITED TO, THE REQUIRED MEMBERSHIP OF THE REGIONAL TEAM, AS DESCRIBED IN PARAGRAPH (B) OF THIS SUBDIVISION, AND THE COUNTY TEAM, AS DESCRIBED IN PARAGRAPH (D) OF THIS SUBDIVISION. SUCH TEAM SHALL HAVE THE POWERS AND DUTIES ASSIGNED TO A REGIONAL TEAM AND A COUNTY TEAM AS PROVIDED FOR IN THIS SECTION.

(D) COORDINATED CHILDREN'S SERVICES COUNTY TEAMS (HEREINAFTER REFERRED TO IN THIS SECTION AS "COUNTY TEAMS"). WITH THE EXCEPTION OF A CITY WITH A POPULATION OF MORE THAN ONE MILLION, A county, or consortium of counties, choosing to participate in the coordinated children's services initiative shall establish an interagency team consisting of, but not limited to, the local commissioners or leadership assigned by the chief elected official responsible for the local health, mental hygiene, juvenile justice, probation and other human services systems. The education system shall be represented, AT A MINIMUM, by the district superintendent of the board of cooperative educational services, or his or her designee, and in the case of the city of New York, by the chancellor of the city school district of the city of New York, or his or her designee, and appropriate local school district representatives as determined by the district superintendent of the board of cooperative educational services or such chancellor. Such team shall [be sensitive to issues of cultural competence, and shall] include representatives of families of children AND YOUTH with [an emotional and/or behavioral disorder] CROSS-SYSTEM NEEDS. Regional state agency representatives may participate when requested by such team.

[(iii) Family-based tier I team. Tier II] COUNTY TEAMS SHALL COORDINATE THE COORDINATED CHILDREN'S SERVICES INITIATIVE AT THE LOCAL LEVEL. SUCH TEAMS SHALL:

(I) COORDINATE CROSS-SYSTEMS TRAINING AND PROVIDE LINKAGES TO OTHER COUNTY AND SCHOOL DISTRICT PLANNING FOR CHILDREN;

(II) ADDRESS LOCAL AND REGIONAL BARRIERS TO THE COORDINATION OF SERVICES;

(III) REPORT ON STATE LEVEL BARRIERS TO THE EFFECTIVE DELIVERY OF COORDINATED SERVICES;

(IV) REPORT ON OUTCOMES USING THE MECHANISM DEVELOPED BY THE COUNCIL ON CHILDREN AND FAMILIES;

(V) IMPLEMENT THE GOALS AND PRINCIPLES OF THE COORDINATED CHILDREN'S SERVICES INITIATIVE;

(VI) ENSURE THAT SERVICES ARE CULTURALLY AND LINGUISTICALLY COMPETENT; AND

(VII) MAKE MONIES AVAILABLE CONSISTENT WITH SUBDIVISION FIVE OF THIS SECTION.

(E) COORDINATED CHILDREN'S SERVICES FAMILY-BASED TEAMS (HEREINAFTER REFERRED TO IN THIS SECTION AS "FAMILY TEAMS"). COUNTY teams, in cooperation with a child OR YOUTH with [an emotional and/or behavioral disorder] CROSS-SYSTEM NEEDS and his or her family, shall establish interagency FAMILY-BASED teams to work with such child OR YOUTH and family to develop an individualized, strength-based family support plan and coor-

1 dinate interagency services agreed to in such plan. Such teams shall
2 include such child OR YOUTH and family and, based on the needs of the
3 child OR YOUTH and family, should also include a family support repre-
4 sentative, representatives from the mental hygiene, education, CHILD
5 WELFARE, juvenile justice, probation, health, and other county child and
6 family services systems.

7 [(b) Roles and responsibilities of teams. (i) The state tier III team
8 shall coordinate statewide implementation of the coordinated children's
9 services initiative. Such team shall:

10 (A) coordinate planning across the health, mental hygiene, education,
11 juvenile justice, probation and human services systems;

12 (B) address barriers to the effective delivery of local interagency
13 services;

14 (C) coordinate the provision of technical assistance and training for
15 the effective implementation of the coordinated children's services
16 initiative;

17 (D) develop an appropriate reporting mechanism to track the outcomes
18 being achieved. Such mechanism shall be developed in concert with
19 participating counties; and

20 (E) report results and recommendations for change to the governor,
21 legislature and state board of regents, as appropriate.

22 (ii) The tier II teams shall coordinate the coordinated children's
23 services initiative at the local level. Such team shall:

24 (A) coordinate cross-systems training and provide linkages to other
25 county and school district planning for children;

26 (B) address local/regional barriers to the coordination of services;

27 (C) report on state level barriers to the effective delivery of coor-
28 dinated services and recommended changes to the state tier III team;

29 (D) report on outcomes using the mechanism developed by the state tier
30 III team;

31 (E) implement the goals and principles of the coordinated children's
32 services initiative; and

33 (F) make monies available consistent with subdivision five of this
34 section.

35 (iii) Each tier I team shall work collaboratively with the family to
36 develop an individualized family support plan that is:

37 (A) family-focused and family driven;

38 (B) built on child and family strengths; and

39 (C) comprehensive, including appropriate services and supports from
40 appropriate systems and natural supports from the community.] EACH FAMI-
41 LY TEAM SHALL WORK COLLABORATIVELY WITH THE FAMILY TO DEVELOP AN INDI-
42 VIDUALIZED FAMILY SUPPORT PLAN THAT IS:

43 (I) FAMILY FOCUSED AND FAMILY DRIVEN;

44 (II) BUILT ON CHILD AND FAMILY STRENGTHS;

45 (III) CULTURALLY AND LINGUISTICALLY COMPETENT; AND

46 (IV) COMPREHENSIVE, INCLUDING APPROPRIATE SERVICES AND SUPPORTS FROM
47 APPROPRIATE SYSTEMS AND NATURAL SUPPORTS FROM THE COMMUNITY.

48 4. Goals and principles of operation. (a) Goals. The coordinated chil-
49 dren's services initiative shall enable children AND YOUTH with
50 [emotional and/or behavioral disorders] CROSS-SYSTEM NEEDS, whenever
51 appropriate [for the child and family] to:

52 (i) reside with their families;

53 (ii) live and participate successfully in their communities;

54 (iii) attend and be successful in their local school systems; and

55 (iv) grow towards becoming independent, contributing members of the
56 community.

1 (b) Principles of operation. The [tier III and II teams] COORDINATED
2 CHILDREN'S SERVICES INITIATIVE shall provide a system for serving chil-
3 dren AND YOUTH with [emotional and/or behavioral disorders] CROSS-SYSTEM
4 NEEDS that is:

- 5 (i) community-based, allowing children AND YOUTH and families to
6 receive services close to their home;
- 7 (ii) culturally AND LINGUISTICALLY competent;
- 8 (iii) individualized and strengths-based in approach;
- 9 (iv) family friendly, involving the family as full and active partners
10 at every level of decision making, including policy development, plan-
11 ning, treatment and service delivery;
- 12 (v) comprehensive, involving all appropriate parties, including but
13 not limited to the family, child OR YOUTH, YOUTH AND FAMILY REPRESEN-
14 TATIVES, natural supports, provider agencies and other necessary commu-
15 nity services;
- 16 (vi) funded through multiple systems with flexible funding mechanisms
17 that support creative approaches;
- 18 (vii) unconditionally committed to the success of each child OR YOUTH;
19 and
- 20 (viii) accountable with respect to use of agreed on and measured
21 outcomes.

22 5. Funding. Counties and school districts, including boards of cooper-
23 ative educational services as requested by component school districts,
24 choosing to participate in the coordinated children's services initi-
25 ative, unless expressly prohibited by law, shall have the authority to:

- 26 (a) combine state and federal resources of the participating county
27 and educational agencies to provide services to groups or individual
28 children OR YOUTHS and their families necessary to maintain children
29 [with emotional and/or behavioral disorders] AND YOUTH, WHO HAVE SIGNIF-
30 ICANT EMOTIONAL, DEVELOPMENTAL, INTELLECTUAL, PHYSICAL, SOCIAL AND/OR
31 BEHAVIORAL CHALLENGES THAT REQUIRE THE INTEGRATION OF FAMILY-CENTERED
32 INDIVIDUALIZED SUPPORTS AND SERVICES ACROSS MULTIPLE CHILD-SERVING
33 SYSTEMS, in their homes, communities and schools, and support families
34 in achieving this goal, as long as the use of the funds is consistent
35 with the purposes for which they were appropriated; and
- 36 (b) apply flexibility in use of funds, pursuant to an individualized
37 family-support plan, or for collaborative programs, an agreement among
38 the county, city and school districts or the board of cooperative educa-
39 tional services, monies combined pursuant to paragraph (a) of this
40 subdivision may be used to allow flexibility in determining and applying
41 interventions that will address the unique needs of the family. [The
42 tier III team] IN ACCORDANCE WITH THE COORDINATED CHILDREN'S SERVICES
43 INITIATIVE, THE COUNCIL ON CHILDREN AND FAMILIES shall develop guide-
44 lines for the flexible use of funds in implementing an individualized
45 family support plan.

46 6. Administration [and reports. The council shall be responsible for
47 the administration of the provisions of this section].

- 48 (a) [The tier III team shall submit a report to the council detailing
49 the effectiveness in reaching the goals and objectives of the program
50 established by this section. Such report shall include recommendations,
51 based on the experience gained pursuant to the provisions of this arti-
52 cle, for modifying statewide policies, regulations or statutes. The
53 council shall forward such report to the governor, the legislature and
54 the state board of regents on or before the first day of July of each
55 year, including the recommendations of the tier III members regarding
56 the feasibility and implications of implementing the recommendations.

1 (b) The tier III team] IN ACCORDANCE WITH THE COORDINATED CHILDREN'S
2 SERVICES INITIATIVE, THE COUNCIL ON CHILDREN AND FAMILIES shall have
3 authority to receive funds and work within agency structures, as agreed
4 to by [member] PARTICIPATING COORDINATED CHILDREN'S SERVICES INITIATIVE
5 agencies, to administer funds for the purposes of carrying out its
6 responsibilities.

7 [(c) Parents and representatives of families] (B) YOUTH AND FAMILY
8 REPRESENTATIVES, who are not compensated for [attendance] PARTICIPATION
9 as part of their employment, shall be compensated for their [tier III
10 team] COORDINATED CHILDREN'S SERVICES INITIATIVE participation AT THE
11 STATE LEVEL and reimbursed for actual expenses, including, but not
12 limited to, child care.

13 7. Confidentiality. (a) Notwithstanding any other provision of state
14 law to the contrary, [tier I, II and III] STATE AGENCY REPRESENTATIVES
15 AND REGIONAL, COUNTY, AND FAMILY team participants in the coordinated
16 children's services system shall have access to case record and related
17 treatment information as necessary to support the purposes of this
18 section, to the extent permitted by federal law.

19 (b) [Tier I, II and III team] ALL COORDINATED CHILDREN'S SERVICES
20 participants shall protect the confidentiality of all individual identi-
21 fying case record and related treatment information, and prevent access
22 thereto, by, or the distribution thereof to, other persons not author-
23 ized by State or federal law.

24 S 17. Intentionally omitted.

25 S 18. Intentionally omitted.

26 S 19. Intentionally omitted.

27 S 20. Intentionally omitted.

28 S 21. Intentionally omitted.

29 S 22. Section 554 of the executive law is REPEALED.

30 S 23. Section 3 of chapter 178 of the laws of 2006 relating to estab-
31 lishing an advisory council on children's environmental health and safe-
32 ty, is amended to read as follows:

33 S 3. This act shall take effect on the one hundred eightieth day
34 after it shall have become a law AND SHALL EXPIRE AND BE DEEMED REPEALED
35 ON APRIL 1, 2010; provided that the commissioners of health, education
36 and environmental conservation are authorized to promulgate any and all
37 rules and regulations and take any other measures necessary to implement
38 this act on its effective date on or before such date.

39 S 24. Intentionally omitted.

40 S 25. Intentionally omitted.

41 S 26. Intentionally omitted.

42 S 27. Intentionally omitted.

43 S 28. Intentionally omitted.

44 S 29. Intentionally omitted.

45 S 30. Subdivision 4 of section 18 of the public health law, as added
46 by chapter 497 of the laws of 1986, is amended to read as follows:

47 4. Medical record access review committees. The commissioner shall
48 [appoint] DESIGNATE medical record access review committees to hear
49 appeals of the denial of access to patient information as provided in
50 paragraph (e) of subdivision three of this section. [Members of such
51 committees shall be appointed by the commissioner from a list of nomi-
52 nees submitted by statewide associations of providers in the particular
53 licensed profession involved; provided, however, that, with respect to
54 patient information maintained by a psychiatrist, the list of nominees
55 shall be composed of psychiatrists. In the case of the licensed physi-
56 cians, such association shall be the medical society of the state of New

1 York. Such medical record access review committees shall consist of no
2 less than three nor more than five licensed professionals.] The commis-
3 sioner shall promulgate rules and regulations necessary to effectuate
4 the provisions of this subdivision.

5 S 31. Section 12 of chapter 521 of the laws of 1994 amending the
6 public health law relating to immunizations for vaccine-preventable
7 diseases, as amended by chapter 81 of the laws of 2007, is amended to
8 read as follows:

9 S 12. This act shall take effect immediately; provided however, that
10 sections one, two, three, four, five, six and seven of this act shall
11 apply only to children beginning with their enrollment in the seventh
12 grade in any public, private or parochial intermediate or middle school
13 on or after September 1, 2000, and, to children born on or after January
14 1, 1993, beginning with their enrollment in any public, private or paro-
15 chial kindergarten, elementary, intermediate or secondary school, and,
16 to children born on or after January 1, 1995, beginning with their
17 enrollment in any school, as defined in paragraph a of subdivision 1 of
18 section 2164 of the public health law and SECTION TEN OF THIS ACT SHALL
19 EXPIRE AND BE DEEMED REPEALED APRIL 1, 2010 AND section eleven of this
20 act shall expire and be deemed repealed December 31, 2007.

21 S 31-a. Intentionally omitted.

22 S 32. Section 2707 of the public health law is REPEALED.

23 S 33. Intentionally omitted.

24 S 34. Intentionally omitted.

25 S 35. Title 1-C of article 24 of the public health law is REPEALED.

26 S 36. Subdivision 13 of section 3501 of the public health law is
27 REPEALED.

28 S 37. Section 3503 of the public health law is REPEALED.

29 S 38. Section 3504 of the public health law, as added by chapter 175
30 of the laws of 2006, is amended to read as follows:

31 S 3504. Rules and regulations. The commissioner shall have power to
32 make such rules and regulations, not inconsistent with law, as may be
33 necessary to carry out the provisions of this article, including but not
34 limited to, the availability of emergency equipment appropriate to
35 provide treatment in the event of an unanticipated reaction to the
36 administration of contrast media. [In promulgating such rules and regu-
37 lations, the commissioner shall act with benefit of advice of the
38 board.]

39 S 39. Subdivision 1 of section 3511 of the public health law, as added
40 by chapter 175 of the laws of 2006, is amended to read as follows:

41 1. Proceedings against any licensee under this section shall be begun
42 by filing with the department a written charge or charges in the form of
43 a petition under oath against such licensee. The charges may be
44 preferred by any person, corporation, association or public officer, or
45 by the department in the first instance. [A copy thereof, together with
46 a report of such investigation as the department shall deem proper,
47 shall be referred to the board for its recommendation to the commission-
48 er.]

49 S 40. Intentionally omitted.

50 S 41. Section 4 of chapter 387 of the laws of 2004 amending the envi-
51 ronmental conservation law relating to restricting the use of certain
52 flame retardants, is amended to read as follows:

53 S 4. This act shall take effect immediately; provided, however, that
54 sections one and two of this act shall take effect January 1, 2006;
55 provided, however that effective immediately, the addition, amendment
56 and/or repeal of any rule or regulation necessary for the implementation

1 of this act on its effective date is authorized and directed to be made
2 and completed on or before such effective date; AND PROVIDED, HOWEVER
3 THAT SECTION THREE OF THIS ACT SHALL REMAIN IN FULL FORCE AND EFFECT
4 UNTIL APRIL 1, 2013 WHEN UPON SUCH DATE THE PROVISIONS OF SUCH SECTION
5 SHALL EXPIRE AND BE DEEMED REPEALED.

6 S 42. Intentionally omitted.

7 S 43. Section 3 of chapter 356 of the laws of 2005 amending the public
8 health law relating to establishing the New York state toxic mold task
9 force, is amended to read as follows:

10 S 3. This act shall take effect immediately AND SHALL REMAIN IN FULL
11 FORCE AND EFFECT UNTIL APRIL 1, 2012 WHEN UPON SUCH DATE THE PROVISIONS
12 OF THIS ACT SHALL EXPIRE AND BE DEEMED REPEALED.

13 S 44. Section 2 of chapter 41 of the laws of 1992 containing health
14 care provider reimbursement rates, is REPEALED.

15 S 45. Chapter 554 of the laws of 1996 creating the Brookhaven National
16 Laboratory local oversight and monitoring committee, is REPEALED.

17 S 46. Section 18 of chapter 537 of the laws of 1998 amending the
18 public health law relating to modifying the use of prescription forms
19 for dispensing controlled substances, is REPEALED.

20 S 47. Subdivision 7 of section 502 of the public health law is
21 REPEALED and subdivisions 8, 9 and 10 are renumbered subdivisions 7, 8
22 and 9.

23 S 48. Section 123 of chapter 1 of the laws of 1999 enacting the New
24 York Health Care Reform Act of 2000, is REPEALED.

25 S 49. Section 3604 of the public health law is REPEALED.

26 S 50. Subdivision 9 of section 3607 of the public health law, as
27 amended by chapter 831 of the laws of 1985 and as renumbered by chapter
28 891 of the laws of 1990, is amended to read as follows:

29 9. The commissioner, [after consultation with the state council on
30 home care services,] shall promulgate rules and regulations necessary to
31 administer this section. [The state council on home care services shall
32 advise the department of the availability and quality of home care
33 services and on the methods that may be used to enhance the availabili-
34 ty, appropriate utilization and coordination of home care services
35 through the implementation of the grant program.]

36 S 51. Subdivision 4 of section 3609 of the public health law, as
37 amended by chapter 831 of the laws of 1985, is amended to read as
38 follows:

39 4. The grant applications shall include such information as required
40 by the commissioner[, after consultation with the state council on home
41 care services].

42 S 52. Subdivision 5 of section 3612 of the public health law, as
43 amended by chapter 622 of the laws of 1988, is amended to read as
44 follows:

45 5. The [state hospital review and planning council, by a majority vote
46 of its members,] COMMISSIONER shall adopt and amend rules and regu-
47 lations, [subject to the approval of the commissioner,] to effectuate
48 the provisions and purposes of this article with respect to certified
49 home health agencies, providers of long term home health care programs
50 and providers of AIDS home care programs, including, but not limited to,
51 (a) the establishment of requirements for a uniform statewide system of
52 reports and audits relating to the quality of services provided and
53 their utilization and costs; (b) establishment by the department of
54 schedules of rates, payments, reimbursements, grants and other charges;
55 (c) standards and procedures relating to certificates of approval and
56 authorization to provide long term home health care programs and AIDS

1 home care programs; (d) uniform standards for quality of care and
2 services to be provided by certified home health agencies, providers of
3 long term home health care programs and providers of AIDS home care
4 programs; (e) requirements for minimum levels of staffing, taking into
5 consideration the size of the agency, provider of a long term home
6 health care program or provider of an AIDS home care program, the type
7 of care and service provided, and the special needs of the persons
8 served; (f) standards and procedures relating to contractual arrange-
9 ments between home care services agencies; (g) requirements for the
10 establishment of plans for the coordination of home care services and
11 discharge planning for former patients or residents of facilities under
12 the regulatory jurisdiction of the department, the departments of social
13 services or mental hygiene, the board of social welfare, or the office
14 for the aging; (h) requirements for uniform review of the appropriate
15 utilization of services; and (i) requirements for minimum qualifications
16 and standards of training for personnel as appropriate. The commissioner
17 [and the state council on home care services] may propose rules and
18 regulations and amendments thereto [for consideration by the council].

19 S 53. Subdivision 10 of section 3615 of the public health law, as
20 amended by chapter 884 of the laws of 1990, is amended to read as
21 follows:

22 10. The commissioner is authorized to promulgate such rules and regu-
23 lations, [in consultation with the state council on home care services,]
24 as are necessary to carry out the provisions of this section. Such
25 rules and regulations may include, but not be limited to, minimum and
26 maximum grant levels.

27 S 54. Subdivision 4 of section 3222 of the public health law is
28 REPEALED and subdivisions 5, 6, 7, 8 and 9 are renumbered subdivisions
29 4, 5, 6, 7 and 8.

30 S 55. Section 3702 of the public health law is REPEALED.

31 S 56. Section 1399-uu of the public health law is REPEALED.

32 S 57. Section 2796 of the public health law, as added by chapter 550
33 of the laws of 1988, is REPEALED.

34 S 57-a. The opening paragraph of section 2798 of the public health
35 law, as added by chapter 550 of the laws of 1988, is amended to read as
36 follows:

37 The TICK-BORNE DISEASE institute ESTABLISHED BY SECTION TWENTY-SEVEN
38 HUNDRED NINETY-SEVEN OF THIS ARTICLE shall have the following powers and
39 duties:

40 S 58. Section 2799-a of the public health law is REPEALED.

41 S 59. Section 2799 of the public health law is REPEALED.

42 S 60. Intentionally omitted.

43 S 61. Intentionally omitted.

44 S 62. Intentionally omitted.

45 S 63. Intentionally omitted.

46 S 64. Intentionally omitted.

47 S 65. Intentionally omitted.

48 S 66. Intentionally omitted.

49 S 67. Intentionally omitted.

50 S 67-a. Intentionally omitted.

51 S 68. Intentionally omitted.

52 S 69. Intentionally omitted.

53 S 70. Intentionally omitted.

54 S 71. Intentionally omitted.

55 S 72. Intentionally omitted.

56 S 73. Section 349-cc of the highway law is REPEALED.

1 S 73-a. Section 349-bb of the highway law, as added by chapter 556 of
2 the laws of 1992, subdivision 3 as amended by section 5 of part Z of
3 chapter 383 of the laws of 2001, is amended to read as follows:

4 S 349-bb. New York state scenic byways program. 1. The commissioner
5 shall establish within the department a program to be known as the New
6 York state scenic byways program (hereinafter referred to as scenic
7 byways program or program) to encourage and coordinate state actions and
8 the activities of others which relate to the development, protection,
9 promotion and management of scenic byways. For the purposes of this
10 article, a "scenic byway" is a transportation route and adjacent area of
11 particular scenic, historic, recreational, cultural or archeological
12 characteristics which is managed to protect such characteristics and to
13 encourage economic development through tourism and recreation.

14 2. To carry out the purposes of the scenic byways program, the commis-
15 sioner is authorized:

16 (a) to plan, design, and develop the New York state scenic byways
17 system;

18 (b) to make safety improvements to a highway designated as a scenic
19 byway under this article to the extent such improvements are necessary
20 to accommodate increased traffic, and changes in the types of vehicles
21 using the highway due to such designation;

22 (c) to construct along the highway facilities for the use of pedestri-
23 ans and bicyclists, rest areas, turnouts, highway shoulder improvements,
24 passing lanes, overlooks, and interpretive facilities;

25 (d) to improve the highway to enhance access to an area for the
26 purpose of recreation, including water-related recreation;

27 (e) to protect historical and cultural resources in areas adjacent to
28 the highway; [and]

29 (f) to develop and provide tourist information to the public, includ-
30 ing interpretive information about the scenic byway; AND

31 (G) TO EVALUATE, ADVISE AND RECOMMEND TO THE GOVERNOR AND THE LEGISLA-
32 TURE AMENDMENTS OF THE STATUTES AND REGULATIONS RELEVANT TO THE FURTHER-
33 ANCE OF A COHESIVE AND COORDINATED SYSTEM OF SCENIC BYWAYS.

34 [2.] 3. The commissioner is hereby authorized to apply for funding
35 from any appropriate sources to further the purposes of the scenic
36 byways program.

37 [3.] 4. The commissioner is hereby authorized to enter into contracts
38 with qualified, responsible not-for-profit organizations involved in
39 scenic byways activities and the upstate New York tourism council for
40 services relating to the development of the New York state scenic byways
41 program or services relating to the operation, development or promotion
42 of a specific scenic byway.

43 [4.] 5. The commissioner is authorized to promulgate such regulations
44 as may be necessary or desirable to implement the New York state scenic
45 byways program.

46 6. THE COMMISSIONER SHALL REPORT TO THE GOVERNOR AND THE LEGISLATURE
47 BY JANUARY FIRST OF EACH YEAR ON THE IMPLEMENTATION OF THIS PROGRAM.

48 S 74. Intentionally omitted.

49 S 75. Intentionally omitted.

50 S 76. Intentionally omitted.

51 S 77. Intentionally omitted.

52 S 78. Intentionally omitted.

53 S 79. Intentionally omitted.

54 S 80. Intentionally omitted.

55 S 81. Intentionally omitted.

1 S 82. Section 23-0311 of the environmental conservation law is
2 REPEALED and a new section 23-0311 is added to read as follows:

3 S 23-0311. NEW YORK STATE OIL, GAS AND SOLUTION MINING ADVISORY BOARD.

4 1. A FIFTEEN MEMBER NEW YORK STATE OIL, NATURAL GAS AND SOLUTION
5 MINING ADVISORY BOARD SHALL BE CREATED WITHIN THE DEPARTMENT TO ADVISE
6 AND ASSIST THE COMMISSIONER AND OTHER STATE AGENCIES ON ACTIVITIES AND
7 POLICIES RELATED TO THE DEVELOPMENT, OPERATION AND REGULATION OF THE
8 OIL, NATURAL GAS AND SOLUTION MINING INDUSTRY. THIS SHALL INCLUDE, BUT
9 NOT BE LIMITED TO, DISCUSSIONS AND RECOMMENDATIONS ON THE BEST PRACTICES
10 OF THE INDUSTRY, PROTECTION OF WATER SUPPLIES AND RELATED TOPICS. THE
11 MEMBERS SHALL BE APPOINTED BY THE GOVERNOR, WITH A MAJORITY REPRESENTATIVE
12 OF THE RESPECTIVE INDUSTRIES, PROVIDED, HOWEVER, THAT AT LEAST
13 TWO OF THE MEMBERS ARE EITHER (A) LANDOWNERS WITH A CURRENT NATURAL GAS
14 OR OIL LEASE OR (B) MUNICIPAL OFFICERS, AS DEFINED IN SECTION EIGHT
15 HUNDRED OF THE GENERAL MUNICIPAL LAW, OF A MUNICIPALITY IN WHICH THERE
16 IS CURRENT OIL OR NATURAL GAS EXPLORATION OR DRILLING BEING PERFORMED.
17 THREE OF THE MEMBERS SHALL BE APPOINTED UPON RECOMMENDATION OF THE
18 MAJORITY LEADER OF THE SENATE, THREE OF THE MEMBERS SHALL BE APPOINTED
19 UPON RECOMMENDATION OF THE SPEAKER OF THE ASSEMBLY, ONE MEMBER SHALL BE
20 APPOINTED UPON RECOMMENDATION OF THE MINORITY LEADER OF THE SENATE AND
21 ONE MEMBER SHALL BE APPOINTED UPON RECOMMENDATION OF THE MINORITY LEADER
22 OF THE ASSEMBLY. APPOINTMENTS SHALL BE MADE FOR THREE-YEAR TERMS.
23 MEMBERS SHALL CONTINUE IN OFFICE UNTIL THEIR SUCCESSORS HAVE BEEN
24 APPOINTED AND QUALIFIED. THE GOVERNOR SHALL SELECT A CHAIR FROM AMONG
25 THE MEMBERS. THE BOARD SHALL MEET AT LEAST TWICE YEARLY AND THE MEMBERS
26 SHALL RECEIVE REIMBURSEMENT FOR EXPENSES. THE DEPARTMENT SHALL PROVIDE
27 THE BOARD WITH SECRETARIAL SERVICES.

28 2. THE CHAIR OF THE PUBLIC SERVICE COMMISSION, THE PRESIDENT OF THE
29 NEW YORK STATE ENERGY RESEARCH AND DEVELOPMENT AUTHORITY, THE COMMISSIONER
30 OF THE DEPARTMENT OF AGRICULTURE AND MARKETS, THE STATE GEOLOGIST,
31 AND THE COMMISSIONER SHALL SERVE THE BOARD IN AN EX OFFICIO CAPACITY.
32

33 2-A. THE BOARD SHALL ISSUE A REPORT, NOT LATER THAN DECEMBER FIRST,
34 TWO THOUSAND ELEVEN, CONTAINING RECOMMENDATIONS ON INDUSTRY BEST PRACTICES
35 AND PROTECTION OF WATER SUPPLIES TO THE GOVERNOR, THE TEMPORARY
36 PRESIDENT OF THE SENATE, AND THE SPEAKER OF THE ASSEMBLY.

37 3. THE COMMISSIONER SHALL SEEK THE VIEWS OF THE BOARD ON MATTERS WITHIN
38 IN THEIR SCOPE OF CONCERN AND SHALL SPECIFICALLY REQUEST THE BOARD'S
39 PARTICIPATION AT AN EARLY DEVELOPMENTAL STAGE OF ANY NEW RULES, REGULATIONS
40 AND POLICIES BEING CONTEMPLATED OR DEVELOPED. IN ADDITION TO
41 SUCH OTHER DUTIES AS THE COMMISSIONER MAY SUGGEST OR THE BOARD ON ITS
42 OWN VOLITION MAY CHOOSE TO UNDERTAKE, THE BOARD SHALL:

43 A. REVIEW AND COMMENT ON THE CRITERIA TO BE USED BY THE DEPARTMENT IN
44 SELECTING ABANDONED WELLS FOR PLUGGING OR REPLUGGING.

45 B. REVIEW AND COMMENT ON PROPOSED RULES AND REGULATIONS AND DEPARTMENT
46 ACTIVITIES AFFECTING THE INDUSTRY.

47 C. RECOMMEND TO THE GOVERNOR, THE COMMISSIONER, AND OTHER STATE AGENCIES
48 PROGRAM DIRECTIONS OR MODIFICATIONS RELATED TO THE DEVELOPMENT,
49 OPERATION, AND REGULATION OF THE OIL, GAS, AND SOLUTION MINING INDUSTRY.

50 S 83. Intentionally omitted.

51 S 84. Intentionally omitted.

52 S 85. Intentionally omitted.

53 S 86. Intentionally omitted.

54 S 87. Section 9-0705 of the environmental conservation law is
55 REPEALED.

1 S 88. Section 9-0707 of the environmental conservation law is
2 REPEALED.

3 S 89. Section 9-0709 of the environmental conservation law is
4 REPEALED.

5 S 90. Section 9-0711 of the environmental conservation law is
6 REPEALED.

7 S 91. Section 9-0713 of the environmental conservation law, as amended
8 by chapter 386 of the laws of 1980, is amended to read as follows:

9 S 9-0713. State assistance.

10 [Upon the establishment of regional forest practice boards, and upon
11 the adoption and promulgation of] THE COMMISSIONER SHALL ADOPT forest
12 practice standards[, the regional forest practice boards]. THE DEPART-
13 MENT shall notify [all the] owners of forest land [in their regions]
14 that the commissioner is prepared to assist cooperating owners in
15 connection with the application of [approved] forest practice standards.
16 The commissioner shall provide to cooperating forest and farm woodland
17 owners technical services in connection with all phases of forest
18 management including but not limited to, plantation establishment and
19 care, the marking of timber, marketing assistance and silvicultural
20 treatment of immature stands.

21 S 92. Section 27-0702 of the environmental conservation law is
22 REPEALED.

23 S 93. The opening paragraph of subdivision 2 of section 27-0103 of the
24 environmental conservation law, as amended by chapter 55 of the laws of
25 1992, is amended to read as follows:

26 The commissioner shall[, with the advice of the state solid waste
27 management board established pursuant to section 27-0702 of this arti-
28 cle,] biennially review the status of programs and information contained
29 within the plan and make recommendations for legislation or other state
30 action related to:

31 S 94. Paragraph g of subdivision 3 of section 165 of the state finance
32 law, as amended by chapter 95 of the laws of 2000, is amended to read as
33 follows:

34 g. In addition to carrying out the provisions of paragraphs e and f of
35 this subdivision, the commissioner shall identify and implement specific
36 steps which will reduce, to the maximum extent practicable, waste gener-
37 ated in state facilities and maximize the recovery and reuse of second-
38 ary materials from such facilities. Such steps and their implementation
39 shall be reviewed from time to time but no less frequently than annually
40 or upon receiving recommendations for additional steps from [the solid
41 waste management board,] the department of environmental conservation or
42 the environmental facilities corporation.

43 S 95. Intentionally omitted.

44 S 96. Intentionally omitted.

45 S 97. Intentionally omitted.

46 S 98. Intentionally omitted.

47 S 99. Intentionally omitted.

48 S 100. Intentionally omitted.

49 S 101. Intentionally omitted.

50 S 102. Intentionally omitted.

51 S 103. Intentionally omitted.

52 S 104. Section 13-0308 of the environmental conservation law is
53 REPEALED.

54 S 105. The opening paragraph of subdivision 15 of section 13-0309 of
55 the environmental conservation law, as added by chapter 512 of the laws
56 of 1994, is amended to read as follows:

1 Unless and until regulations are adopted implementing a comprehensive
2 long-term management plan for the protection of surf clams and ocean
3 quahogs in New York waters [prepared in conjunction with the surf
4 clam/ocean quahog management advisory board pursuant to section 13-0308,
5 of this title], the following restrictions shall apply in addition to
6 any consistent regulations adopted prior to the date upon which such
7 section shall take effect:

8 S 106. Subparagraph (ii) of paragraph 2 and subparagraph (ii) of para-
9 graph 3 of subdivision (a) of section 83 of the state finance law,
10 subparagraph (ii) of paragraph 2 as amended by section 2 of part A of
11 chapter 82 of the laws of 2002 and subparagraph (ii) of paragraph 3 as
12 amended by section 6 of part A of chapter 58 of the laws of 1998, are
13 amended to read as follows:

14 (ii) Notwithstanding the provisions of subparagraph (i) of this para-
15 graph, moneys arising out of the application of subdivision fourteen of
16 section 13-0309 of the environmental conservation law, shall be deposit-
17 ed in a special account within the conservation fund, to be known as the
18 surf clam/ocean quahog account, and shall be available to the department
19 of environmental conservation, including contracts for such purposes
20 with a New York state institution of higher education currently involved
21 in local marine research, after appropriation, for the research and
22 stock assessment of surf clams and ocean quahogs. The department shall,
23 at a minimum, undertake two stock assessments and issue reports detail-
24 ing the findings of such assessments to the governor and legislature.
25 The first stock assessment shall be due no later than December thirty-
26 first, two thousand two. The second stock assessment shall be due no
27 later than December thirty-first, two thousand four[, and shall be
28 conducted in an area to be determined in consultation with the surf
29 clam/ocean quahog management advisory board].

30 (ii) Notwithstanding the provisions of subparagraph (i) of this para-
31 graph, moneys arising out of the application of subdivision fourteen of
32 section 13-0309 of the environmental conservation law, shall be deposit-
33 ed in a special account within the conservation fund, to be known as the
34 surf clam/ocean quahog account, and shall be available to the department
35 of environmental conservation, including contracts for such purposes
36 with a New York State institution of higher education currently involved
37 in local marine research, after appropriation, for the research and
38 stock assessment of surf clams and ocean quahogs [and the operations of
39 the surf clam/ocean quahog management advisory board].

40 S 107. Subdivisions 6, 7, 8 and 9 of section 73-b of the agriculture
41 and markets law are REPEALED and subdivision 10 is renumbered subdivi-
42 sion 6.

43 S 107-a. Paragraphs (c) and (d) of subdivision 5 of section 73-b of
44 the agriculture and markets law, as added by chapter 276 of the laws of
45 2001, are amended and a new paragraph (e) is added to read as follows:

46 (c) make recommendations to the dean regarding appointment of the
47 director of the laboratory; [and]

48 (d) assess the feasibility of the consolidation, expansion and modern-
49 ization of the current physical facilities of the laboratory[.]; AND

50 (E) PROVIDE ADVICE AND RECOMMENDATIONS TO THE DIRECTOR OF THE DIAGNOS-
51 TIC LABORATORY REGARDING INDUSTRY NEEDS AND THE EFFECTIVENESS OF VETERI-
52 NARY DIAGNOSTIC LABORATORY SERVICES.

53 S 108. Section 169-c of the agriculture and markets law is REPEALED.

54 S 109. Intentionally omitted.

1 S 110. Subdivision 5 of section 192-a of the agriculture and markets
2 law, as added by chapter 716 of the laws of 1989, is amended to read as
3 follows:

4 5. Concurrent enforcement by municipalities. The provisions of this
5 section and the regulations promulgated thereunder may be enforced
6 concurrently by the director of a municipal consumer affairs office
7 and/or a municipal director of weights and measures, except that nothing
8 in this section or in subdivision three, twelve or nineteen of section
9 one hundred seventy-nine of this article or in section one hundred nine-
10 ty-two-b or one hundred ninety-two-c [or one hundred ninety-two-d] of
11 this article shall be construed to prohibit a political subdivision of
12 the state from also continuing to implement and enforce any local law
13 and regulations that were in effect prior to the date this section took
14 effect, and any subsequent amendments thereto, provided such local law
15 and regulations or amendments thereto are not inconsistent with require-
16 ments imposed by the provisions of this section or by regulations
17 adopted pursuant to this section. Notwithstanding the provisions of
18 section forty-five of this chapter, all moneys collected hereunder at
19 the instance of a municipal enforcement officer shall be retained by the
20 municipality.

21 S 111. Subdivision 10 of section 192-b of the agriculture and markets
22 law, as added by chapter 716 of the laws of 1989, is amended to read as
23 follows:

24 10. The provisions of this section and the regulations promulgated
25 thereunder may be enforced concurrently by the director of a municipal
26 consumer affairs office and/or a municipal director of weights and meas-
27 ures, except that nothing in this section or in subdivision three,
28 twelve or nineteen of section one hundred seventy-nine of this article
29 or in section one hundred ninety-two-a or one hundred ninety-two-c [or
30 one hundred ninety-two-d] of this article shall be construed to prohibit
31 a political subdivision of the state from also continuing to implement
32 and enforce any local law and regulations that were in effect prior to
33 the date this section took effect, and any subsequent amendments there-
34 to, provided such local law and regulations or amendments thereto are
35 not inconsistent with requirements imposed by the provisions of this
36 section or by regulations adopted pursuant to this section. Notwith-
37 standing the provisions of section forty-five of this chapter, all
38 moneys collected hereunder at the instance of a municipal enforcement
39 officer shall be retained by the municipality.

40 S 112. Section 192-d of the agriculture and markets law is REPEALED.

41 S 113. Section 285 of the agriculture and markets law is REPEALED.

42 S 114. Section 285-b of the agriculture and markets law is REPEALED.

43 S 115. Chapter 868 of the laws of 1976 establishing the organic food
44 advisory committee is REPEALED.

45 S 116. Section 7 chapter 654 of the laws of 1994 creating the agricul-
46 tural transportation review panel is REPEALED.

47 S 117. Intentionally omitted.

48 S 118. Section 191 of the executive law is REPEALED.

49 S 119. Subdivision 2 of section 236-b of the county law, as added by
50 chapter 339 of the laws of 2009, is amended to read as follows:

51 2. A local law enacted pursuant to this section establishing county
52 licensure of electrical inspectors shall supersede any provision requir-
53 ing electrical inspectors to also obtain a local license promulgated by
54 a city, town or village in the county pursuant to any general, special
55 or local law. Nothing in this section shall be deemed to supersede any
56 of the powers, functions and duties of the [fire fighting and code

1 enforcement personnel standards and education commission, as set forth
2 in article six-C] OFFICE OF FIRE PREVENTION AND CONTROL, AS SET FORTH IN
3 SECTION ONE HUNDRED FIFTY-EIGHT of the executive law, OR ANY SUCCESSOR
4 ENTITY.

5 S 120. Subdivision 1 of section 156-a of the executive law, as amended
6 by section 1 of part D of chapter 1 of the laws of 2004, is amended to
7 read as follows:

8 1. The state fire administrator shall[, in his or her discretion,
9 consult with the fire fighting and code enforcement personnel standards
10 and education commission established pursuant to section one hundred
11 fifty-nine-a of this article, to] establish a specialized hazardous
12 materials emergency response training program for individuals responsi-
13 ble for providing emergency response recovery following incidents
14 involving hazardous materials as defined in accordance with section
15 fourteen-f of the transportation law. The state fire administrator shall
16 inform all fire companies, municipal corporations and districts, includ-
17 ing agencies and departments thereof and all firefighters, both paid and
18 volunteer, and related officers and employees and police officers of the
19 implementation and availability of the hazardous materials emergency
20 response training program and shall, subject to the availability of an
21 appropriation, conduct such training with sufficient frequency to assure
22 adequate response to incidents involving hazardous materials and
23 protection of responders in all geographic areas of the state.

24 S 120-a. Section 158 of the executive law is REPEALED and a new
25 section 158 is added to read as follows:

26 S 158. FIREFIGHTING TRAINING. 1. FOR THE PURPOSE OF THIS SECTION, THE
27 TERM FIRE FIGHTER SHALL MEAN A MEMBER OF A FIRE DEPARTMENT WHOSE DUTIES
28 INCLUDE FIRE SERVICE AS DEFINED IN PARAGRAPH D OF SUBDIVISION ELEVEN OF
29 SECTION THREE HUNDRED TWO OF THE RETIREMENT AND SOCIAL SECURITY LAW.

30 2. IN ADDITION TO THE FUNCTIONS, POWERS AND DUTIES OTHERWISE PROVIDED
31 BY THIS ARTICLE, THE STATE FIRE ADMINISTRATOR MAY PROMULGATE RULES AND
32 REGULATIONS WITH RESPECT TO:

33 (A) THE APPROVAL, OR REVOCATION THEREOF, OF FIRE TRAINING PROGRAMS FOR
34 FIRE FIGHTERS;

35 (B) MINIMUM COURSES OF STUDY, ATTENDANCE REQUIREMENTS, AND EQUIPMENT
36 AND FACILITIES TO BE REQUIRED FOR APPROVED FIRE TRAINING PROGRAMS FOR
37 FIRE FIGHTERS;

38 (C) MINIMUM QUALIFICATIONS FOR INSTRUCTORS FOR APPROVED FIRE TRAINING
39 PROGRAMS FOR FIRE FIGHTERS;

40 (D) THE REQUIREMENTS OF MINIMUM BASIC TRAINING WHICH FIRE FIGHTERS
41 APPOINTED TO PROBATIONARY TERMS SHALL COMPLETE BEFORE BEING ELIGIBLE FOR
42 PERMANENT APPOINTMENT, AND THE TIME WITHIN WHICH SUCH BASIC TRAINING
43 MUST BE COMPLETED FOLLOWING SUCH APPOINTMENT TO A PROBATIONARY TERM;

44 (E) THE REQUIREMENTS OF MINIMUM BASIC TRAINING WHICH FIRE FIGHTERS NOT
45 APPOINTED FOR PROBATIONARY TERMS BUT APPOINTED ON OTHER THAN A PERMANENT
46 BASIS SHALL COMPLETE IN ORDER TO BE ELIGIBLE FOR CONTINUED EMPLOYMENT OR
47 PERMANENT APPOINTMENT, AND THE TIME WITHIN WHICH SUCH BASIC TRAINING
48 MUST BE COMPLETED FOLLOWING SUCH APPOINTMENT ON A NON-PERMANENT BASIS;

49 (F) THE REQUIREMENTS FOR IN-SERVICE TRAINING PROGRAMS DESIGNED TO
50 ASSIST FIRE FIGHTERS IN MAINTAINING SKILLS AND BEING INFORMED OF TECHNO-
51 LOGICAL ADVANCES;

52 (G) CATEGORIES OR CLASSIFICATIONS OF ADVANCED IN-SERVICE TRAINING
53 PROGRAMS AND MINIMUM COURSES OF STUDY AND ATTENDANCE REQUIREMENTS WITH
54 RESPECT TO SUCH CATEGORIES OR CLASSIFICATIONS;

55 (H) EXEMPTIONS FROM PARTICULAR PROVISIONS OF THIS ARTICLE IN THE CASE
56 OF ANY COUNTY, CITY, TOWN, VILLAGE OR FIRE DISTRICT, IF IN THE OPINION

1 OF THE STATE FIRE ADMINISTRATOR THE STANDARDS OF FIRE TRAINING ESTAB-
2 LISHED AND MAINTAINED BY SUCH COUNTY, CITY, TOWN, VILLAGE OR FIRE
3 DISTRICT ARE EQUAL TO OR HIGHER THAN THOSE ESTABLISHED PURSUANT TO THIS
4 ARTICLE; OR REVOCATION IN WHOLE OR IN PART OF SUCH EXEMPTION, IF IN HIS
5 OR HER OPINION THE STANDARDS OF FIRE TRAINING ESTABLISHED AND MAINTAINED
6 BY SUCH COUNTY, CITY, TOWN, VILLAGE OR FIRE DISTRICT ARE LOWER THAN
7 THOSE ESTABLISHED PURSUANT TO THIS ARTICLE; AND

8 (I) EDUCATION, HEALTH AND PHYSICAL FITNESS REQUIREMENTS FOR ELIGIBIL-
9 ITY OF PERSONS FOR PROVISIONAL OR PERMANENT APPOINTMENT IN THE COMPET-
10 ITIVE CLASS OF THE CIVIL SERVICE AS FIRE FIGHTERS AS IT DEEMS NECESSARY
11 AND PROPER FOR THE EFFICIENT PERFORMANCE OF SUCH DUTIES;

12 3. IN FURTHERANCE OF HIS OR HER FUNCTIONS, POWERS AND DUTIES AS SET
13 FORTH IN THIS SECTION, THE STATE FIRE ADMINISTRATOR MAY:

14 (A) RECOMMEND STUDIES, SURVEYS AND REPORTS TO BE MADE BY THE STATE
15 FIRE ADMINISTRATOR REGARDING THE CARRYING OUT OF THE OBJECTIVES AND
16 PURPOSES OF THIS SECTION;

17 (B) VISIT AND INSPECT ANY FIRE TRAINING PROGRAMS APPROVED BY THE STATE
18 FIRE ADMINISTRATOR OR FOR WHICH APPLICATION FOR SUCH APPROVAL HAS BEEN
19 MADE; AND

20 (C) RECOMMEND STANDARDS FOR PROMOTION TO SUPERVISORY POSITIONS.

21 4. IN ADDITION TO THE FUNCTIONS, POWERS AND DUTIES OTHERWISE PROVIDED
22 BY THIS SECTION, THE STATE FIRE ADMINISTRATOR SHALL:

23 (A) APPROVE FIRE TRAINING PROGRAMS FOR FIRE FIGHTERS AND ISSUE CERTIF-
24 ICATES OF APPROVAL TO SUCH PROGRAMS, AND REVOKE SUCH APPROVAL OR CERTIF-
25 ICATE;

26 (B) CERTIFY, AS QUALIFIED, INSTRUCTORS FOR APPROVED FIRE TRAINING
27 PROGRAMS FOR FIRE FIGHTERS AND ISSUE APPROPRIATE CERTIFICATES TO SUCH
28 INSTRUCTORS;

29 (C) CERTIFY FIRE FIGHTERS WHO HAVE SATISFACTORILY COMPLETED BASIC
30 TRAINING PROGRAMS AND IN-SERVICE TRAINING PROGRAMS, AND ISSUE APPROPRI-
31 ATE CERTIFICATES TO SUCH FIRE FIGHTERS AND REVOKE SUCH CERTIFICATES;

32 (D) CAUSE STUDIES AND SURVEYS TO BE MADE RELATING TO THE ESTABLISH-
33 MENT, OPERATION, EFFECTIVENESS AND APPROVAL OF FIRE TRAINING PROGRAMS;

34 (E) CAUSE STUDIES AND SURVEYS TO BE MADE RELATING TO THE COMPLETION OR
35 PARTIAL COMPLETION OF TRAINING PROGRAMS BY VIDEO OR COMPUTER TO THE
36 MAXIMUM EXTENT PRACTICABLE; AND

37 (F) CONSULT WITH AND COOPERATE WITH THE STATE UNIVERSITY OF NEW YORK
38 AND PRIVATE UNIVERSITIES, COLLEGES AND INSTITUTES IN THE STATE FOR THE
39 DEVELOPMENT OF SPECIALIZED COURSES OF STUDY FOR FIRE FIGHTERS IN FIRE
40 SCIENCE AND FIRE ADMINISTRATION.

41 S 121. Intentionally omitted.

42 S 122. Section 159-a of the executive law is REPEALED.

43 S 123. Section 159-b of the executive law is REPEALED.

44 S 124. Section 159-c of the executive law is REPEALED.

45 S 125. Section 159-d of the executive law is REPEALED.

46 S 126. Section 580 of the executive law, as added by chapter 300 of
47 the laws of 2000, is amended to read as follows:

48 S 580. Emergency services COORDINATING council. 1. Creation; members.
49 There is hereby created in the [department of state] DIVISION OF HOME-
50 LAND SECURITY AND EMERGENCY SERVICES an emergency services COORDINATING
51 council, the members of which shall be THE COMMISSIONER OF THE DIVISION
52 OF HOMELAND SECURITY AND EMERGENCY SERVICES, WHO SHALL ACT AS THE CHAIR-
53 PERSON, THE STATE FIRE ADMINISTRATOR, the directors of [the office of
54 fire prevention and control,] the bureau of emergency medical services
55 and the [state emergency management] office OF EMERGENCY MANAGEMENT, the
56 superintendent of state police, AND the commissioner of health[, the

1 secretary of state and the director of state operations who shall be the
2 chairperson unless otherwise appointed by the governor]. There shall
3 also be two representatives appointed by the state emergency medical
4 services council, one of whom shall be a representative of volunteer
5 ambulance service and one of whom shall be a representative of proprie-
6 tary ambulance service; two representatives appointed by the [fire advi-
7 sory board] STATE FIRE ADMINISTRATOR, one of which shall be represen-
8 tative of volunteer fire service and one of which shall be
9 representative of paid fire service; one representative shall be
10 appointed by the disaster preparedness commission; one physician shall
11 be appointed by the state emergency medical advisory committee; AND
12 THREE REPRESENTATIVES OF LOCAL AND MUNICIPAL GOVERNMENTS OR ORGANIZA-
13 TIONS INVOLVED IN THE DIRECT PROVISION OF LOCAL EMERGENCY AND FIRST
14 RESPONSE SERVICES; one appointment OF WHICH shall be made by the gover-
15 nor; one [appointment shall be made] by the temporary president of the
16 senate; and one [appointment shall be made] by the speaker of the assem-
17 bly.

18 2. The role of the council shall be advisory. The purposes of the
19 council shall be to develop and coordinate state, REGIONAL, AND LOCAL
20 emergency services, make recommendations on emergency services policy,
21 INCLUDING, BUT NOT LIMITED TO, RECOMMENDATIONS REGARDING STATE AND LOCAL
22 DISASTER PREPAREDNESS, DISASTER RESPONSE, AND FIRST RESPONDER TRAINING
23 STANDARDS, and eliminate unnecessary duplication of effort in such a way
24 as to ensure the provision of efficient and effective delivery of such
25 services. The council shall adopt a mission statement consistent with
26 the intent of this legislation and which shall affirm the council's
27 commitment to fostering improved communication, coordination and cooper-
28 ation among law enforcement, fire protection, emergency medical services
29 and disaster preparedness agencies.

30 3. Powers and duties. The members of the council shall receive no
31 compensation for their services but shall be allowed actual and neces-
32 sary expenses incurred in the performance of their duties. The council
33 may request and shall receive from any department, board, bureau,
34 commission, office, agency or other instrumentality of the state, such
35 facilities, assistance and data as it deems necessary or desirable for
36 the proper execution of its powers and duties. The council shall meet at
37 least quarterly and report annually no later than September thirtieth of
38 each year. However should the need arise the council may submit incre-
39 mental reports as deemed necessary. Such reports shall be submitted to
40 the governor, the temporary president of the senate, the chairperson of
41 the senate finance committee, the speaker of the assembly, and the
42 chairperson of the assembly ways and means committee. The council shall
43 have the power to hold public hearings and solicit testimony on any
44 matter it deems relative to carrying out its mission. The council shall
45 have the power to make non-binding recommendations concerning existing
46 and/or future policy, rules and regulations, INCLUDING RECOMMENDATIONS
47 REGARDING EXISTING OR POTENTIAL FEDERAL AND STATE LEGISLATION AND
48 PROGRAMS, and have the ability to take up for consideration recommenda-
49 tions submitted by either public or private entities. The council may
50 have the ability to advise the governor, legislature, state agencies and
51 entities, and localities on issues relating to and [effecting] AFFECTING
52 the coordination and enhancement of STATE AND LOCAL emergency response,
53 DISASTER PREPAREDNESS, FIRST RESPONDER TRAINING, and public health and
54 safety. Nothing in this section shall be deemed to supersede any estab-
55 lished authority, duty and power established by local law, state law or
56 regulation, or otherwise granted to any agency, body or entity.

1 S 127. Intentionally omitted.
2 S 128. Intentionally omitted.
3 S 129. Intentionally omitted.
4 S 130. Intentionally omitted.
5 S 131. Section 923 of the executive law is REPEALED.
6 S 132. Subdivision 6 of section 69-n of the general business law is
7 REPEALED.
8 S 133. Subdivision 5 of section 89-bbb of the general business law is
9 REPEALED and subdivisions 6, 7, 8, 9, 10, 11, 12 and 13 are renumbered
10 subdivisions 5, 6, 7, 8, 9, 10, 11 and 12.
11 S 134. Section 89-lll of the general business law, as added by chapter
12 557 of the laws of 1997, is amended to read as follows:
13 S 89-lll. Regulations. The secretary[, in consultation with the
14 board,] is hereby authorized and empowered to promulgate rules and regu-
15 lations necessary for the proper conduct of the business authorized
16 under this article, and not inconsistent herewith.
17 S 135. Section 89-mmm of the general business law is REPEALED.
18 S 136. Subdivision 5 of section 89-ppp of the general business law is
19 REPEALED and subdivisions 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16 and 17
20 are renumbered subdivisions 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and
21 16.
22 S 137. Subdivision 4 of section 89-sss of the general business law, as
23 added by chapter 557 of the laws of 1997, is amended to read as follows:
24 4. The commissioner[, upon the recommendation and with the general
25 advice of the board,] shall waive the training requirements specified in
26 subdivision one of this section, with respect to applicants employed by
27 armored car carriers, if the applicant provides appropriate documenta-
28 tion to demonstrate that he or she was or is subject to training
29 requirements which meet or exceed the requirements established pursuant
30 to such subdivision.
31 S 138. Section 89-yyy of the general business law, as added by chapter
32 557 of the laws of 1997, is amended to read as follows:
33 S 89-yyy. Regulations. The secretary and commissioner[, in consulta-
34 tion with the board,] are hereby authorized and empowered to promulgate
35 rules and regulations necessary for the proper conduct of the business
36 authorized under this article, and not inconsistent herewith.
37 S 139. Intentionally omitted.
38 S 140. Intentionally omitted.
39 S 141. Section 433-a of the general business law is REPEALED.
40 S 142. Intentionally omitted.
41 S 143. Intentionally omitted.
42 S 144. Intentionally omitted.
43 S 145. Intentionally omitted.
44 S 146. Intentionally omitted.
45 S 147. Intentionally omitted.
46 S 148. Intentionally omitted.
47 S 149. Intentionally omitted.
48 S 150. Intentionally omitted.
49 S 151. Intentionally omitted.
50 S 152. Subdivision 1 of section 444-b of the real property law is
51 REPEALED and subdivisions 2, 3, 4, 5, 6, 7 and 8 are renumbered subdivi-
52 sions 1, 2, 3, 4, 5, 6 and 7.
53 S 153. Section 444-c of the real property law, as added by chapter 461
54 of the laws of 2004, subdivisions 1, 2 and 3 as amended by chapter 225
55 of the laws of 2005, is amended to read as follows:

1 S 444-c. [State home inspection council] CODE OF ETHICS AND STANDARDS
2 OF PRACTICE. 1. [There is hereby established a state home inspection
3 council within the department. The council shall consist of the secre-
4 tary or the secretary's designee and six additional members who are
5 residents of the state, of whom three shall be persons licensed and
6 actively engaged in the business of home inspection in the state of New
7 York for at least five years immediately preceding their appointment and
8 three of whom shall be consumers who are the owners and principal resi-
9 dents of a residential building in the state of New York. Appointments
10 shall reflect the geographical diversity of the state.

11 2. For a period of one year after the effective date of this section,
12 and notwithstanding any other provisions of this section to the contra-
13 ry, the first three home inspectors appointed as members of the commit-
14 tee shall not be required, at the time of their first appointment, to be
15 licensed to practice home inspection, provided that such members be
16 licensed pursuant to this article within one year of appointment.

17 3. The governor shall appoint each member of the council for a term of
18 three years except that of the members first appointed, two shall serve
19 for terms of three years, two shall serve for terms of two years and two
20 shall serve for a term of one year. The governor shall appoint one home
21 inspector and one consumer solely in his or her discretion, one home
22 inspector and one consumer upon the recommendation of the temporary
23 president of the senate, and one home inspector and one consumer upon
24 the recommendation of the speaker of the assembly. Each member shall
25 hold office until his or her successor has been qualified. Any vacancy
26 in the membership of the council shall be filled for the unexpired term
27 in the manner provided for the original appointment. No member of the
28 council may serve more than two successive terms in addition to any
29 unexpired term to which he or she has been appointed.

30 4. Members of the council shall receive no compensation but shall be
31 reimbursed for their actual and necessary expenses and provided with
32 office and meeting facilities and personnel required for the proper
33 conduct of the council's business.

34 5. The council shall annually elect from among its members a chair and
35 vice-chair and may appoint a secretary, who need not be a member of the
36 council. The council shall meet at least twice a year and may hold addi-
37 tional meetings as necessary to discharge its duties.

38 6. The role of the council shall be advisory.] The [council shall
39 advise the secretary in the administration and enforcement of the
40 provisions of this article and recommend to the] secretary SHALL PROMUL-
41 GATE regulations to implement the provisions of this article including
42 but not limited to:

43 (a) standards for training including approval of the course of study
44 and examination required for licensure of home inspectors;

45 (b) requirements and standards for continuing education of home
46 inspectors;

47 (c) a code of ethics and standards of practice for licensed home
48 inspectors consistent with the provisions of this article and sound
49 ethical practices which code and standards shall be subject to public
50 notice and comment prior to [a council recommendation to the secretary]
51 ADOPTION OF THE REGULATIONS. The standards of practice shall not require
52 a reporting format or limit information which licensees are authorized
53 to provide a client pursuant to this article; and

54 (d) development of information and educational materials about home
55 inspection for distribution to clients.

1 2. Nothing in this section shall be deemed to supersede any estab-
2 lished authority, duty and power established by local law, state law or
3 regulation or otherwise granted to any agency, body or entity.

4 S 154. Section 444-e of the real property law, as added by chapter 461
5 of the laws of 2004, paragraphs (b) and (c) of subdivision 1 and subdi-
6 vision 3 as amended by chapter 225 of the laws of 2005, is amended to
7 read as follows:

8 S 444-e. Qualifications for licensure. 1. An applicant for a license
9 as a home inspector shall:

10 (a) have successfully completed high school or its equivalent; and

11 (b) (i) have successfully completed a course of study of not less than
12 one hundred forty hours approved by the secretary[, in consultation with
13 the council], of which at least forty hours shall have been in the form
14 of unpaid field based inspections in the presence of and under the
15 direct supervision of a home inspector licensed by the state of New York
16 or a professional engineer or architect regulated by the state of New
17 York who oversees and takes full responsibility for the inspection and
18 any report provided to a client; or

19 (ii) have performed not less than one hundred home inspections in the
20 presence of and under the direct supervision of a home inspector
21 licensed by the state of New York or a professional engineer or archi-
22 tect regulated by the state of New York who oversees and takes full
23 responsibility for the inspection and any report provided to a client;
24 and

25 (c) have passed a written or electronic examination approved by the
26 secretary[, in consultation with the council,] and designed to test
27 competence in home inspection practice as determined by a recognized
28 role definition methodology and developed and administered to the extent
29 practicable in a manner consistent with the American Educational
30 Research Association's "Standards for Educational and Psychological
31 Testing." An applicant who has passed an existing nationally recognized
32 examination, as approved by the secretary, prior to the effective date
33 of this article shall be in compliance with this paragraph; and

34 (d) pay the applicable fees.

35 2. The provisions of this section shall not apply to a person perform-
36 ing a home inspection pursuant to subparagraph (ii) of paragraph (b) of
37 subdivision one of this section for the purpose of meeting requirements
38 for a home inspector license.

39 3. Upon submission of an application and payment of the application
40 and licensure fee to the secretary, the secretary shall issue a home
41 inspector's license to a person who holds a valid license as a home
42 inspector issued by another state or possession of the United States or
43 the District of Columbia which has standards substantially equivalent to
44 those of this state as determined by the secretary[, in consultation
45 with the council].

46 4. On or before the effective date of this article, the secretary
47 shall, upon application, issue a home inspector license to a person who:

48 (a) meets the requirements of paragraphs (a) and (c) of subdivision
49 one of this section and has performed one hundred or more home
50 inspections for compensation within two years prior to the effective
51 date of this section; or

52 (b) meets the requirements of paragraph (a) of subdivision one of this
53 section and has been engaged in the practice of home inspection for
54 compensation for not less than three years prior to the effective date
55 of this section during which such person has performed two hundred fifty

1 home inspections for compensation within three years prior to the effective date of this section; or

2 (c) has education and experience which the secretary[, in consultation with the council,] considers equivalent to that required pursuant to paragraphs (a) and (b) of this subdivision.

3 S 155. Subdivision 1 of section 444-f of the real property law, as amended by chapter 225 of the laws of 2005, is amended to read as follows:

4 1. Home inspector licenses and renewals thereof shall be issued for a period of two years, except that the secretary may, in order to stagger the expiration date thereof, provide that those licenses first issued or renewed after the effective date of this section shall expire or become void on a date fixed by the secretary, not sooner than six months nor later than twenty-nine months after the date of issue. No renewal of a license shall be issued unless the applicant has successfully completed a course of continuing education approved by the secretary[, in consultation with the council].

5 S 156. Subdivision 1 of section 444-k of the real property law, as added by chapter 461 of the laws of 2004, is amended to read as follows:

6 1. Every licensed home inspector who is engaged in home inspection shall secure, maintain, and file with the secretary proof of a certificate of liability coverage, which terms and conditions shall be determined by the secretary [in consultation with the council].

7 S 157. Section 444-l of the real property law, as added by chapter 461 of the laws of 2004, is amended to read as follows:

8 S 444-l. Duties of the secretary. The secretary shall[, in consultation with the council,] establish such rules and regulations as shall be necessary to implement the provisions of this article.

9 S 158. Intentionally omitted.

10 S 159. Intentionally omitted.

11 S 160. Intentionally omitted.

12 S 161. Intentionally omitted.

13 S 162. Intentionally omitted.

14 S 163. Intentionally omitted.

15 S 164. Intentionally omitted.

16 S 165. Section 844-a of the executive law is REPEALED.

17 S 166. Intentionally omitted.

18 S 167. Intentionally omitted.

19 S 168. Intentionally omitted.

20 S 169. Intentionally omitted.

21 S 170. Intentionally omitted.

22 S 171. Intentionally omitted.

23 S 172. Intentionally omitted.

24 S 173. Intentionally omitted.

25 S 174. Intentionally omitted.

26 S 175. Intentionally omitted.

27 S 176. Intentionally omitted.

28 S 177. Intentionally omitted.

29 S 178. Intentionally omitted.

30 S 179. Intentionally omitted.

31 S 180. Intentionally omitted.

32 S 181. Intentionally omitted.

33 S 182. Intentionally omitted.

34 S 183. Intentionally omitted.

35 S 184. Intentionally omitted.

36 S 185. Intentionally omitted.

1 S 186. Intentionally omitted.
2 S 187. Intentionally omitted.
3 S 188. Section 216 of the elder law is REPEALED.
4 S 189. Article III of the elder law is REPEALED.
5 S 190. Intentionally omitted.
6 S 191. Intentionally omitted.
7 S 192. Intentionally omitted.
8 S 193. Intentionally omitted.
9 S 194. Intentionally omitted.
10 S 195. Article 28 of the executive law is REPEALED.
11 S 196. Intentionally omitted.
12 S 197. Section 216-b of the vehicle and traffic law is REPEALED.
13 S 198. Section 209 of the elder law, subdivision 5-a as added and the
14 opening paragraph of subdivision 8 as amended by section 2 of part E of
15 chapter 58 of the laws of 2005, subdivision 6 as added and subdivisions
16 7 and 8 as renumbered by chapter 82 of the laws of 2008, is amended to
17 read as follows:
18 S 209. Naturally occurring retirement community supportive service
19 program. 1. As used in this section:
20 (a) "Advisory committee" or "committee" shall mean the advisory
21 committee convened by the director [pursuant to subdivision three of]
22 FOR THE PURPOSES SPECIFIED IN SUBDIVISION THREE AND PARAGRAPH (C) OF
23 SUBDIVISION FIVE-A OF this section. Such committee shall be broadly
24 representative of housing and senior citizen groups, and all geographic
25 areas of the state.
26 (b) ["Elderly" or "elderly persons"] "OLDER ADULTS" shall mean persons
27 who are sixty years of age or older and who are heads of households.
28 (c) "Eligible applicant" shall mean a not-for-profit agency specializ-
29 ing in housing, health or other human services which serves or would
30 serve the community within which a naturally occurring retirement commu-
31 nity is located.
32 (d) "Eligible services" shall mean services including, but not limited
33 to: case management, care coordination, counseling, health assessment
34 and monitoring, transportation, socialization activities, home care
35 facilitation and monitoring, and other services designed to address the
36 needs of residents of naturally occurring retirement communities by
37 helping them extend their independence, improve their quality of life,
38 and avoid unnecessary hospital and nursing home stays.
39 (e) "Government assistance" shall mean and be broadly interpreted to
40 mean any monetary assistance provided by the federal, the state or a
41 local government, or any agency thereof, or any authority or public
42 benefit corporation, in any form, including loans or loan subsidies, for
43 the construction of an apartment building or housing complex for low and
44 moderate income persons, as such term is defined by the United States
45 Department of Housing and Urban Development.
46 (f) "Naturally occurring retirement community" shall mean an apartment
47 building or housing complex which:
48 (1) was constructed with government assistance;
49 (2) was not originally built for [elderly persons] OLDER ADULTS;
50 (3) does not restrict admissions solely to [the elderly] OLDER ADULTS;
51 (4) AT LEAST fifty percent of the units have an occupant who is
52 [elderly] AN OLDER ADULT or in which AT LEAST twenty-five hundred of the
53 residents are [elderly] OLDER ADULTS; and
54 (5) a majority of the [elderly] OLDER ADULTS to be served are low or
55 moderate income, as defined by the United States Department of Housing
56 and Urban Development.

1 2. A naturally occurring retirement community supportive service
2 program is established as a demonstration program to be administered by
3 the director.

4 3. The director shall [convene an] BE ASSISTED BY THE advisory commit-
5 tee [to aid in developing] IN THE DEVELOPMENT OF appropriate criteria
6 for the selection of grantees of funds provided pursuant to this section
7 AND PROGRAMMATIC ISSUES AS DEEMED APPROPRIATE BY THE DIRECTOR. [The
8 functions otherwise required to be performed by the advisory committee
9 shall be performed by the director until such committee is convened;
10 provided, however, that the director shall under no circumstances
11 perform such functions after the expiration of six months after the
12 effective date of this section.]

13 4. The criteria recommended by the committee and adopted by the direc-
14 tor for the award of grants shall be consistent with the provisions of
15 this section and shall include, at a minimum:

16 (a) the number, size, type and location of the projects to be served;
17 provided, that the committee and director shall make reasonable efforts
18 to assure that geographic balance in the distribution of such projects
19 is maintained, consistent with the needs to be addressed, funding avail-
20 able, applications for eligible applicants, other requirements of this
21 section, and other criteria developed by the committee and director;

22 (b) the appropriate number and concentration of [elderly] OLDER ADULT
23 residents to be served by an individual project; provided, that such
24 criteria need not specify, in the case of a project which includes
25 several buildings, the number of [elderly] OLDER ADULTS to be served in
26 any individual building;

27 (c) the demographic characteristics of the residents to be served;

28 (d) the financial support required to be provided to the project by
29 the owners, managers and residents of the housing development; provided,
30 however, that such criteria need not address whether the funding is
31 public or private, or the source of such support;

32 (e) the scope and intensity of the services to be provided, and their
33 appropriateness for the residents proposed to be served. The criteria
34 shall not require that the applicant agency be the sole provider of such
35 services, but shall require that the applicant at a minimum actively
36 manage the provision of such services;

37 (f) the experience and financial stability of the applicant agency,
38 provided that the criteria shall require that priority be given to
39 programs already in operation, including those projects participating in
40 the resident advisor program administered by the office, and enriched
41 housing programs which meet the requirements of this section and which
42 have demonstrated to the satisfaction of the director and the committee
43 their fiscal and managerial stability and programmatic success in serv-
44 ing residents;

45 (g) the nature and extent of requirements proposed to be established
46 for active, meaningful participation for residents proposed to be served
47 in project design, implementation, monitoring, evaluation and gover-
48 nance;

49 (h) an agreement by the applicant to participate in the data
50 collection and evaluation project necessary to complete the report
51 required by this section;

52 (i) the policy and program roles of the applicant agency and any other
53 agencies involved in the provision of services or the management of the
54 project, including the housing development governing body, or other
55 owners or managers of the apartment buildings and housing complexes and
56 the residents of such apartment buildings and housing complexes. The

1 criteria shall require a clear delineation of such policy and program
2 roles;

3 (j) a requirement that each eligible agency document the need for the
4 project and financial commitments to it from such sources as the commit-
5 tee and the director shall deem appropriate given the character and
6 nature of the proposed project, and written evidence of support from the
7 appropriate housing development governing body or other owners or manag-
8 ers of the apartment buildings and housing complexes. The purpose of
9 such documentation shall be to demonstrate the need for the project,
10 support for it in the areas to be served, and the financial and manage-
11 rial ability to sustain the project;

12 (k) a requirement that any aid provided pursuant to this section be
13 matched by an equal amount from other sources and that at least twenty-
14 five percent of such amount be contributed by the housing development
15 governing body or other owners or managers and residents of the apart-
16 ment buildings and housing complexes in which the project is proposed;
17 and

18 (l) the circumstances under which the director may waive all or part
19 of the requirement for provision of an equal amount of funding from
20 other sources required pursuant to paragraph (k) of this subdivision,
21 provided that such criteria shall include provision for waiver at the
22 discretion of the director upon a finding by the director that the
23 program will serve a low income or hardship community, and that such
24 waiver is required to assure that such community receive a fair share of
25 the funding available. The committee shall develop appropriate criteria
26 for determining whether a community is a low income or hardship communi-
27 ty.

28 5. Within amounts specifically appropriated therefor and consistent
29 with the criteria developed and required pursuant to this section the
30 director shall approve grants to eligible applicants in amounts not to
31 exceed one hundred fifty thousand dollars for a project in any twelve
32 month period. The director shall not approve more than ten grants in the
33 first twelve month period after the effective date of this section.

34 5-a. The director may, in addition recognize neighborhood naturally
35 occurring retirement communities, or Neighborhood NORCs, and provide
36 program support within amounts specifically available by appropriation
37 therefor, which shall be subject to the requirements, rules and regu-
38 lations of this section, provided however that:

39 (a) the term Neighborhood NORC as used in this subdivision shall mean
40 and refer to a residential dwelling or group of residential dwellings in
41 a geographically defined neighborhood of a municipality containing not
42 more than two thousand persons who are [elderly] OLDER ADULTS reside in
43 at least forty percent of the units and which is made up of low-rise
44 buildings six stories or less in height and/or single and multi-family
45 homes and which area was not originally developed for [elderly persons]
46 OLDER ADULTS, and which does not restrict admission strictly to [the
47 elderly] OLDER ADULTS;

48 (b) grants to an eligible Neighborhood NORC shall be no less than
49 sixty thousand dollars for any twelve-month period;

50 (c) the director shall [convene an] BE ASSISTED BY THE advisory
51 committee [to help develop] IN THE DEVELOPMENT OF criteria for the
52 selection of grants provided pursuant to this section AND PROGRAMMATIC
53 ISSUES AS DEEMED APPROPRIATE BY THE DIRECTOR. [The functions otherwise
54 required to be performed by the advisory committee shall be performed by
55 the director until the committee is convened, or for six months after
56 the effective date of this subdivision, whichever occurs earlier.] The

1 criteria recommended by the committee and adopted by the director for
2 the award of grants shall be consistent with the provisions of this
3 subdivision and shall include, at a minimum, the following requirements
4 or items of information using such criteria as the advisory committee
5 and the director shall approve:

6 (1) the number, size, type and location of residential dwellings or
7 group of residential dwellings selected as candidates for neighborhood
8 NORCs funding. The director shall make reasonable efforts to assure that
9 geographic balance in the distribution of such grants is maintained,
10 consistent with the needs to be addressed, funding available, applica-
11 tions from eligible applicants, ability to coordinate services and other
12 requirements of this section;

13 (2) the appropriate number and concentration of [elderly] OLDER ADULT
14 residents to be served by an individual Neighborhood NORC. The criteria
15 need not specify the number of [elderly] OLDER ADULTS to be served in
16 any individual building;

17 (3) the demographic characteristics of the residents to be served;

18 (4) a requirement that the applicant demonstrate the development or
19 intent to develop community wide support from residents, neighborhood
20 associations, community groups, nonprofit organizations and others;

21 (5) a requirement that the boundaries of the geographic area to be
22 served are clear and coherent and create an identifiable program and
23 supportive community;

24 (6) a requirement that the applicant commit to raising matching funds
25 from non-state sources of fifteen percent of the state grant in the
26 second year after the program is approved, twenty-five percent in the
27 third year, forty percent in the fourth year, and fifty percent in the
28 fifth year, and further commit that in each year, twenty-five percent of
29 such required matching funds be raised within the community served. Such
30 local community matching funds shall include but not be limited to:
31 dues, fees for service, individual and community contributions, and such
32 other funds as the advisory committee and the director shall deem appro-
33 priate;

34 (7) a requirement that the applicant demonstrate experience and finan-
35 cial stability;

36 (8) a requirement that priority in selection be given to programs in
37 existence prior to the effective date of this subdivision which, except
38 for designation and funding requirements established herein, would have
39 otherwise generally qualified as a Neighborhood NORC;

40 (9) a requirement that the applicant conduct or have conducted a needs
41 assessment on the basis of which such applicant shall establish the
42 nature and extent of services to be provided; and further that such
43 services shall provide a mix of appropriate services that provide active
44 and meaningful participation for residents;

45 (10) a requirement that residents to be served shall be involved in
46 design, implementation, monitoring, evaluation and governance of the
47 Neighborhood NORC;

48 (11) an agreement by the applicant that it will participate in the
49 data collection and evaluation necessary to complete the reporting
50 requirements as established by the director;

51 (12) the policy and program roles of the applicant agency and any
52 other agencies involved in the provision of services or the management
53 of the Neighborhood NORC, provided that the criteria shall require a
54 clear delineation of such policy and program roles;

55 (13) a requirement that each applicant document the need for the grant
56 and financial commitments to it from such sources as the advisory

1 committee and the director shall deem appropriate given the character
2 and nature of the proposed Neighborhood NORC and written evidence of
3 support from the community;

4 (14) the circumstances under which the director may waive all or part
5 of the requirement for provision of an equal amount of funding from
6 other sources required pursuant to this subdivision, provided that such
7 criteria shall include provision for waiver at the discretion of the
8 director upon a finding by the director that the Neighborhood NORC will
9 serve a low income or hardship community, and that such waiver is
10 required to assure that such community receive a fair share of the fund-
11 ing available. For purposes of this paragraph, a hardship community may
12 be one that has developed a successful model but which needs additional
13 time to raise matching funds required herein. An applicant applying for
14 a hardship exception shall submit a written plan in a form and manner
15 determined by the director detailing its plans to meet the matching
16 funds requirement in the succeeding year;

17 (15) a requirement that any proposed Neighborhood NORC in a geograph-
18 ically defined neighborhood of a municipality containing more than two
19 thousand [seniors] OLDER ADULTS shall require the review and recommenda-
20 tion by the advisory committee before being approved by the director;

21 (d) on or before March first, two thousand eight, the director shall
22 report to the governor and the fiscal and aging committees of the senate
23 and the assembly concerning the effectiveness of Neighborhood NORCs in
24 achieving the objectives set forth by this subdivision. Such report
25 shall address each of the items required for Neighborhood NORCs in
26 achieving the objectives set forth in this section and such other items
27 of information as the director shall deem appropriate, including recom-
28 mendations concerning continuation or modification of the program, and
29 any recommendations from the advisory committee.

30 (e) in providing program support for Neighborhood NORCs as authorized
31 by this subdivision, the director shall in no event divert or transfer
32 funding for grants or program support from any naturally occurring
33 retirement community supportive service programs authorized pursuant to
34 other provisions of this section.

35 6. The director may allow services provided by a naturally occurring
36 retirement community supportive service program or by a neighborhood
37 naturally occurring retirement community to also include services to
38 residents who live in neighborhoods contiguous to the boundaries of the
39 geographic area served by such programs if: (a) the persons served are
40 [elderly persons] OLDER ADULTS; (b) the services affect the health and
41 welfare of such persons; and (c) the services are provided on a one-time
42 basis in the year in which they are provided, and not in a manner which
43 is said or intended to be continuous. The director may also consent to
44 the provision of such services by such program if the program has
45 received a grant which requires services to be provided beyond the
46 geographic boundaries of the program. The director shall establish
47 procedures under which a program may request the ability to provide such
48 services.

49 7. The director shall promulgate rules and regulations as necessary to
50 carry out the provisions of this section.

51 8. On or before March first, two thousand five, the director shall
52 report to the governor and the finance committee of the senate and the
53 ways and means committee of the assembly concerning the effectiveness of
54 the naturally occurring retirement community supportive services
55 program, other than Neighborhood NORCs, as defined in subdivision five-a
56 of this section, in achieving the objectives set forth by this section,

1 which include helping to address the needs of residents in such
2 naturally occurring retirement communities, assuring access to a contin-
3 uum of necessary services, increasing private, philanthropic and other
4 public funding for programs, and preventing unnecessary hospital and
5 nursing home stays. The report shall also include recommendations
6 concerning continuation or modification of the program from the director
7 and the committee, and shall note any divergence between the recommenda-
8 tions of the director and the committee. The director shall provide the
9 required information and any other information deemed appropriate to the
10 report in such form and detail as will be helpful to the legislature and
11 the governor in determining to extend, eliminate or modify the program
12 including, but not limited to, the following:

13 (a) the number, size, type and location of the projects developed and
14 funded, including the number, kinds and functions of staff in each
15 program;

16 (b) the number, size, type and location of the projects proposed but
17 not funded, and the reasons for denial of funding for such projects;

18 (c) the age, sex, religion and other appropriate demographic informa-
19 tion concerning the residents served;

20 (d) the services provided to residents, reported in such manner as to
21 allow comparison of services by demographic group and region;

22 (e) a listing of the services provided by eligible applicants, includ-
23 ing the number, kind and intensity of such services; and

24 (f) a listing of other organizations providing services, the number,
25 kind and intensity of such services, the number of referrals to such
26 organizations and, to the extent practicable, the outcomes of such
27 referrals.

28 S 198-a. Intentionally omitted.

29 S 199. Intentionally omitted.

30 S 200. Intentionally omitted.

31 S 201. Intentionally omitted.

32 S 202. Intentionally omitted.

33 S 203. Intentionally omitted.

34 S 204. Intentionally omitted.

35 S 205. Intentionally omitted.

36 S 206. Intentionally omitted.

37 S 207. Intentionally omitted.

38 S 208. Intentionally omitted.

39 S 209. Intentionally omitted.

40 S 210. Intentionally omitted.

41 S 211. Intentionally omitted.

42 S 212. Intentionally omitted.

43 S 213. Intentionally omitted.

44 S 214. Intentionally omitted.

45 S 215. Intentionally omitted.

46 S 216. Intentionally omitted.

47 S 217. Intentionally omitted.

48 S 218. Intentionally omitted.

49 S 219. Intentionally omitted.

50 S 220. Intentionally omitted.

51 S 221. Intentionally omitted.

52 S 222. Intentionally omitted.

53 S 223. Intentionally omitted.

54 S 224. Intentionally omitted.

55 S 225. Intentionally omitted.

56 S 226. Intentionally omitted.

1 S 227. Intentionally omitted.
2 S 227-a. Intentionally omitted.
3 S 228. Intentionally omitted.
4 S 229. Intentionally omitted.
5 S 230. Intentionally omitted.
6 S 231. Intentionally omitted.
7 S 232. Intentionally omitted.
8 S 233. Intentionally omitted.
9 S 234. Intentionally omitted.
10 S 235. Intentionally omitted.
11 S 236. Intentionally omitted.
12 S 237. Intentionally omitted.
13 S 238. Intentionally omitted.
14 S 239. Intentionally omitted.
15 S 240. Intentionally omitted.
16 S 241. Intentionally omitted.
17 S 242. Intentionally omitted.
18 S 243. Intentionally omitted.
19 S 243-a. Intentionally omitted.
20 S 244. This act shall take effect immediately, provided that:
21 a. section twenty-two of this act shall be deemed to have been in full
22 force and effect on the same date as chapter 299 of the laws of 2008
23 took effect; and provided further that the amendments to section 554 of
24 the executive law made by section twenty-two of this act shall not
25 affect the expiration of such section and shall expire therewith; and
26 b. the amendments to subdivision 10 of section 3615 of the public
27 health law made by section fifty-three of this act shall not affect the
28 expiration of such section and shall expire therewith.