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

4855

2009-2010 Regular Sessions

I N S E N A T E

April 27, 2009

Introduced by Sen. LEIBELL -- read twice and ordered printed, and when printed to be committed to the Committee on Veterans, Homeland Security and Military Affairs

AN ACT to amend the military law and the state finance law, in relation to creating the veterans recruiter assistants program and providing for the repeal of such provisions upon expiration thereof

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

Section 1. Legislative findings and intent. The legislature recognizes that maintaining the strength of the New York army and air national guard is critical to the homeland security of New York State. Veterans of the active and reserve armed forces of the United States and of the New York national guard are especially well qualified to assist in the first-time recruitment of men and women for the New York national guard. The legislature recognizes the need to promote a veterans incentive to encourage qualified men and women to enlist in the New York national guard by creating the veterans recruiter assistants program for the New York national guard.

S 2. The military law is amended by adding a new section 262-a to read as follows:

S 262-A. VETERANS RECRUITER ASSISTANTS PROGRAM FOR THE NEW YORK NATIONAL GUARD. 1. THE DIVISION OF MILITARY AND NAVAL AFFAIRS IS AUTHORIZED, WITHIN AMOUNTS APPROPRIATED OR OTHERWISE LAWFULLY AVAILABLE FROM ANY SOURCE, TO ESTABLISH A VETERANS RECRUITER ASSISTANTS PROGRAM FOR THE NEW YORK NATIONAL GUARD.

2. THE TERM "NEW YORK NATIONAL GUARD" SHALL MEAN THE NEW YORK ARMY NATIONAL GUARD AND THE NEW YORK AIR NATIONAL GUARD.

3. A RECRUITING INCENTIVE AWARD NOT TO EXCEED FIVE HUNDRED DOLLARS SHALL BE PAID BY THE DIVISION OF MILITARY AND NAVAL AFFAIRS TO ANY VETERAN WHO HAS BEEN DISCHARGED FROM THE ARMED FORCES OF THE UNITED STATES UNDER CONDITIONS OTHER THAN DISHONORABLE AND WHO FACILITATES THE

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

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FIRST-TIME ENLISTMENT OF A QUALIFIED CANDIDATE INTO THE NEW YORK NATIONAL GUARD. ONE-HALF OF THE RECRUITING INCENTIVE AWARD WILL BE PAID TO THE RECRUITING VETERAN AT THE TIME OF THE FIRST-TIME ENLISTMENT OF THE RECRUITED CANDIDATE INTO THE NEW YORK NATIONAL GUARD. THE REMAINING ONE-HALF OF THE AWARD WILL BE PAID TO THE RECRUITING VETERAN AT THE TIME THE ENLISTED RECRUIT BEGINS INITIAL ENTRY TRAINING, ALSO KNOWN AS BASIC MILITARY TRAINING.

4. UNLESS OTHERWISE PROVIDED FOR IN THIS SECTION, ELIGIBILITY FOR THE VETERANS RECRUITING INCENTIVE PROVIDED BY THIS SECTION SHALL BE DETERMINED BY THE ADJUTANT GENERAL OF NEW YORK STATE WHO SHALL PROMULGATE SUCH ADMINISTRATIVE RULES AND PROCEDURES AS ARE NECESSARY TO IMPLEMENT THE RECRUITING INCENTIVE PROVIDED UNDER THIS SECTION.

S 3. The state finance law is amended by adding a new section 91-h to read as follows:

S 91-H. VETERANS RECRUITER ASSISTANTS PROGRAM ACCOUNT. 1. THERE IS HEREBY ESTABLISHED IN THE JOINT CUSTODY OF THE STATE COMPTROLLER AND THE COMMISSIONER OF TAXATION AND FINANCE AN ACCOUNT IN THE MISCELLANEOUS SPECIAL REVENUE FUND TO BE KNOWN AS THE VETERANS RECRUITER ASSISTANTS PROGRAM ACCOUNT.

2. SUCH ACCOUNT SHALL CONSIST OF ALL REVENUES RECEIVED FROM CONTRIBUTIONS, DONATIONS AND ALL OTHER MONEYS CREDITED OR TRANSFERRED THERETO FROM ANY OTHER FUND OR SOURCE PURSUANT TO LAW.

3. MONEYS OF THE ACCOUNT, FOLLOWING APPROPRIATION BY THE LEGISLATURE, MAY BE EXPENDED FOR THE VETERANS RECRUITER ASSISTANTS PROGRAM FOR THE NEW YORK NATIONAL GUARD ESTABLISHED PURSUANT TO SECTION TWO HUNDRED SIXTY-TWO-A OF THE MILITARY LAW. MONEYS SHALL BE PAID OUT OF THE ACCOUNT ON THE AUDIT AND WARRANT OF THE STATE COMPTROLLER ON VOUCHERS CERTIFIED OR APPROVED BY THE ADJUTANT GENERAL OF NEW YORK STATE.

S 4. The division of military and naval affairs shall report on the operation and subsequent effectiveness of the program created by this act, one year after it shall have become law and annually thereafter to the governor, temporary president of the senate and the speaker of the assembly.

S 5. This act shall take effect immediately and shall expire and be deemed repealed five years after the date on which it shall have become a law.