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

2389

2011-2012 Regular Sessions

I N A S S E M B L Y

January 18, 2011

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

AN ACT to amend the state finance law, in relation to enacting the "occupational safety and health funding act"

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

Section 1. This act shall be known and may be cited as the "occupational safety and health funding act".

S 2. Section 97-c of the state finance law, as added by chapter 886 of the laws of 1985, subdivisions 3 and 4 as amended by chapter 309 of the laws of 1996, is amended to read as follows:

S 97-c. [Training and education program on occupational safety and health fund] DEDICATED OCCUPATIONAL SAFETY AND HEALTH TRAINING AND EDUCATION AND OCCUPATIONAL HEALTH CLINIC PROGRAMS FUND. 1. There is hereby established in the custody of the state comptroller the [training and education program on occupational safety and health fund] DEDICATED OCCUPATIONAL SAFETY AND HEALTH TRAINING AND EDUCATION AND OCCUPATIONAL HEALTH CLINIC PROGRAMS FUND.

2. Such fund shall consist of moneys collected from special compensation assessments collected pursuant to the provisions of section one hundred fifty-one of the workers' compensation law FOR THE TRAINING PROGRAM ON OCCUPATIONAL SAFETY AND HEALTH AND THE OCCUPATIONAL HEALTH CLINIC NETWORK.

3. Moneys of the fund shall be available to the New York state occupational safety and health hazard abatement board for purposes of carrying out the provisions of article twenty-nine of the labor law and to the department of labor for worker protection activities under its jurisdiction, AND TO THE DEPARTMENT OF HEALTH FOR SERVICES RELATED TO THE OCCUPATIONAL HEALTH CLINIC NETWORK.

4. The moneys shall be paid out of the fund on the audit and warrant of the comptroller on vouchers certified or approved by the chairperson

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

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of the board or his or her designee or by the commissioner of labor or his or her designee, OR BY THE COMMISSIONER OF HEALTH OR HIS OR HER DESIGNEE. NO FUNDS SHALL BE PAID FOR ANY PURPOSE OTHER THAN THOSE ENUMERATED IN SUBDIVISION TWO OR THREE OF THIS SECTION.

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

S 3. This act shall take effect immediately.