

7937

2011-2012 Regular Sessions

I N A S S E M B L Y

May 25, 2011

Introduced by M. of A. ABBATE -- read once and referred to the Committee
on Governmental Employees

AN ACT to amend the executive law, in relation to reassignment of
certain officers of the bureau of criminal investigation after three
years of continuous employment

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

1 Section 1. Subdivision 1 of section 216 of the executive law, as
2 amended by chapter 128 of the laws of 1968, is amended to read as
3 follows:
4 1. The superintendent may continue, within the New York state police,
5 a bureau of criminal investigation and assign to it members of the New
6 York state police in such numbers and appoint to it such investigative
7 specialists in such numbers as may be required for the purpose of
8 preventing, investigating and detecting violations of the criminal laws
9 of the state, and conducting such other investigations as may be
10 provided for by law. Members of the New York state police assigned to
11 the bureau of criminal investigation and investigative specialists
12 appointed to the bureau by the superintendent shall be classified as (a)
13 investigators; (b) senior investigators; (c) lieutenants; (d) captains;
14 provided, however, that investigative specialists appointed to the
15 bureau of criminal investigation may be appointed as investigators or
16 senior investigators at salaries to be determined by the superintendent
17 with the approval of the director of the budget within the range from
18 minimum to maximum provided for in this section for the positions to
19 which appointments are made. Investigative specialists appointed to the
20 bureau of criminal investigation shall be deemed to be members of the
21 New York state police upon the filing by them of the constitutional oath
22 of office, but shall not be eligible for transfer to the uniform force
23 unless otherwise qualified under section two hundred fifteen of this
24 article. INVESTIGATORS, SENIOR INVESTIGATORS, LIEUTENANTS AND CAPTAINS

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

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1 ASSIGNED TO THE BUREAU OF CRIMINAL INVESTIGATION WHO HAVE SERVED IN THE
2 BUREAU OF CRIMINAL INVESTIGATION FOR A PERIOD OF THREE CONTINUOUS YEARS
3 OR MORE, MAY BE INVOLUNTARILY REASSIGNED TO THE UNIFORM FORCE BY THE
4 SUPERINTENDENT FOR JUST CAUSE AFTER A HEARING; PROVIDED, HOWEVER, THAT A
5 HEARING SHALL NOT BE REQUIRED WHEN THE REASSIGNMENT FROM THE BUREAU OF
6 CRIMINAL INVESTIGATION TO THE UNIFORM FORCE IS BASED SOLELY ON REASONS
7 OF ECONOMY, CONSOLIDATION, ABOLITION OF FUNCTIONS OR CURTAILMENT OF
8 ACTIVITIES. The superintendent may employ, from time to time, within the
9 appropriation, such skilled experts, scientists, technicians or other
10 specially qualified persons as he deems necessary to aid the bureau and
11 the New York state police in preventing or detecting crime, apprehending
12 criminals, or preparing and presenting evidence of violations of the
13 criminal laws of the state. Upon request of the head of any state
14 department, or of any police agency or of any district attorney within
15 the state, the superintendent may assign to such requesting authority
16 members of the state police attached to the bureau of criminal investi-
17 gation in such numbers and for such periods of time as he may deem
18 necessary for the purpose of investigating and detecting felonies
19 committed within the state. Members of the state police assigned or
20 appointed to the bureau of criminal investigation are empowered to coop-
21 erate with departments of the United States government in the investi-
22 gation of violations of the federal laws of the grade of felony within
23 this state. The superintendent may, from time to time, establish head-
24 quarters or stations in such localities of the state as he shall deem
25 most suitable for the efficient operation of the bureau of criminal
26 investigation.

27 S 2. This act shall take effect immediately.