

2780

2011-2012 Regular Sessions

I N S E N A T E

February 1, 2011

Introduced by Sen. KRUEGER -- read twice and ordered printed, and when printed to be committed to the Committee on Judiciary

AN ACT to amend the legislative law, in relation to eliminating allowances for members serving as an officer of either house of the legislature; and to repeal section 5-a of the legislative law relating thereto

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

1 Section 1. Section 5-a of the legislative law is REPEALED.

2 S 2. Subdivision 3 of section 5 of the legislative law, as added by
3 chapter 635 of the laws of 1998, is amended to read as follows:

4 3. "Legislative passage of the budget", solely for the purposes of
5 this section [and section five-a of this article], shall mean that the
6 appropriation bill or bills submitted by the governor pursuant to
7 section three of article seven of the state constitution have been
8 finally acted on by both houses of the legislature in accordance with
9 article seven of the state constitution and the state comptroller has
10 determined that such appropriation bill or bills that have been finally
11 acted on by the legislature are sufficient for the ongoing operation and
12 support of state government and local assistance for the ensuing fiscal
13 year. In addition, legislation submitted by the governor pursuant to
14 section three of article seven of the state constitution determined
15 necessary by the legislature for the effective implementation of such
16 appropriation bill or bills shall have been acted on. Nothing in this
17 section shall be construed to affect the prohibition contained in
18 section five of article seven of the state constitution.

19 S 3. Subdivision 3 of section 83-c of the legislative law, as added by
20 chapter 141 of the laws of 1994, is amended to read as follows:

21 3. The commission may employ and at pleasure remove such personnel as
22 it may deem necessary for the performance of the commission's functions
23 and fix their compensation within the amount appropriated therefor. The

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

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1 commission may hold public and private hearings and otherwise have all
2 of the powers of a legislative committee under this chapter. The members
3 of the commission shall receive no compensation for their services[,
4 except as provided pursuant to section five-a of this chapter,] but
5 shall be allowed their actual and necessary expenses incurred in the
6 performance of their duties hereunder.

7 S 4. Subdivision 7 of section 83-e of the legislative law, as added by
8 chapter 141 of the laws of 1994, is amended to read as follows:

9 7. The commission may employ and at pleasure remove such personnel as
10 it may deem necessary for the performance of the commission's functions
11 and fix compensation within the amount appropriated therefor. The
12 commission may hold public and private hearings and otherwise have all
13 of the powers of a legislative committee under this chapter. The members
14 of the commission and advisory board shall receive no compensation for
15 their services[, except as provided pursuant to section five-a of this
16 chapter,] but shall be allowed their actual and necessary expenses
17 incurred in the performance of their duties hereunder.

18 S 5. Subdivision 4 of section 83-f of the legislative law, as added by
19 chapter 141 of the laws of 1994, is amended to read as follows:

20 4. The commission may employ and at pleasure remove such personnel as
21 it may deem necessary for the performance of the commission's functions
22 and fix their compensation within the amount appropriated therefor. The
23 commission may hold public and private hearings and otherwise have all
24 of the powers of a legislative committee under this chapter. The members
25 of the commission shall receive no compensation for their services[,
26 except as provided pursuant to section five-a of this chapter,] but
27 shall be allowed their actual and necessary expenses incurred in the
28 performance of their duties hereunder.

29 S 6. Subdivision 4 of section 83-i of the legislative law, as added by
30 chapter 141 of the laws of 1994, is amended to read as follows:

31 4. The commission may employ and at pleasure remove such personnel as
32 it may deem necessary for the performance of the commission's functions
33 and fix their compensation within the amount appropriated therefor. The
34 commission may hold public and private hearings, and otherwise have all
35 of the powers of a legislative committee under this chapter. The members
36 of the commission shall receive no compensation for their services[,
37 except as provided pursuant to section five-a of this chapter,] but
38 shall be allowed their actual and necessary expenses incurred in the
39 performance of their duties hereunder.

40 S 7. Subdivision 4 of section 83-l of the legislative law, as amended
41 by chapter 83 of the laws of 1995, is amended to read as follows:

42 4. The commission may employ and at pleasure remove such personnel as
43 it may deem necessary for the performance of the commission's functions
44 and fix their compensation within the amount appropriated therefor. The
45 commission may hold public and private hearings and otherwise have all
46 of the powers of a legislative committee under this chapter. The members
47 of the commission shall receive no compensation for their services[,
48 except as provided pursuant to section five-a of this chapter,] but
49 shall be allowed their actual and necessary expenses incurred in the
50 performance of their duties hereunder.

51 S 8. This act shall take effect immediately, provided, however, that
52 the amendments to sections 83-c, 83-e, 83-f, 83-i and 83-l of the legis-
53 lative law made by sections three, four, five, six and seven of this act
54 shall not affect the repeal of such sections and shall be deemed
55 repealed therewith.