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

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 ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Subdivision 1 of section 216 of the executive law, as amended by chapter 128 of the laws of 1968, is amended to read as follows:

1. The superintendent may continue, within the New York state police, a bureau of criminal investigation and assign to it members of the New York state police in such numbers and appoint to it such investigative specialists in such numbers as may be required for the purpose of preventing, investigating and detecting violations of the criminal laws of the state, and conducting such other investigations as may be provided for by law. Members of the New York state police assigned to the bureau of criminal investigation and investigative specialists appointed to the bureau by the superintendent shall be classified as (a) investigators; (b) senior investigators; (c) lieutenants; (d) captains; provided, however, that investigative specialists appointed to the bureau of criminal investigation may be appointed as investigators or senior investigators at salaries to be determined by the superintendent with the approval of the director of the budget within the range from minimum to maximum provided for in this section for the positions to which appointments are made. Investigative specialists appointed to the bureau of criminal investigation shall be deemed to be members of the New York state police upon the filing by them of the constitutional oath of office, but shall not be eligible for transfer to the uniform force unless otherwise qualified under section two hundred fifteen of this 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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ASSIGNED TO THE BUREAU OF CRIMINAL INVESTIGATION WHO HAVE SERVED IN THE BUREAU OF CRIMINAL INVESTIGATION FOR A PERIOD OF THREE CONTINUOUS YEARS OR MORE, MAY BE INVOLUNTARILY REASSIGNED TO THE UNIFORM FORCE BY THE SUPERINTENDENT FOR JUST CAUSE AFTER A HEARING; PROVIDED, HOWEVER, THAT A HEARING SHALL NOT BE REQUIRED WHEN THE REASSIGNMENT FROM THE BUREAU OF CRIMINAL INVESTIGATION TO THE UNIFORM FORCE IS BASED SOLELY ON REASONS OF ECONOMY, CONSOLIDATION, ABOLITION OF FUNCTIONS OR CURTAILMENT OF ACTIVITIES. The superintendent may employ, from time to time, within the appropriation, such skilled experts, scientists, technicians or other specially qualified persons as he deems necessary to aid the bureau and the New York state police in preventing or detecting crime, apprehending criminals, or preparing and presenting evidence of violations of the criminal laws of the state. Upon request of the head of any state department, or of any police agency or of any district attorney within the state, the superintendent may assign to such requesting authority members of the state police attached to the bureau of criminal investigation in such numbers and for such periods of time as he may deem necessary for the purpose of investigating and detecting felonies committed within the state. Members of the state police assigned or appointed to the bureau of criminal investigation are empowered to cooperate with departments of the United States government in the investigation of violations of the federal laws of the grade of felony within this state. The superintendent may, from time to time, establish headquarters or stations in such localities of the state as he shall deem most suitable for the efficient operation of the bureau of criminal investigation.

S 2. This act shall take effect immediately.