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

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:

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 Section 5-a of the legislative law is REPEALED.

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

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

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

3. The commission may employ and at pleasure remove such personnel as it may deem necessary for the performance of the commission's functions 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.

LBD08262-01-1

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

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

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

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

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

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

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

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

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

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