

723--A

2011-2012 Regular Sessions

I N S E N A T E

(PREFILED)

January 5, 2011

Introduced by Sen. PERALTA -- read twice and ordered printed, and when printed to be committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the state finance law, in relation to the dedicated occupational safety and health training and education and occupational health clinic programs fund

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

1 Section 1. Section 97-c of the state finance law, as added by chapter
2 886 of the laws of 1985, subdivisions 3 and 4 as amended by chapter 309
3 of the laws of 1996, is amended to read as follows:
4 S 97-c. [Training and education program on occupational safety and
5 health fund] DEDICATED OCCUPATIONAL SAFETY AND HEALTH TRAINING AND
6 EDUCATION AND OCCUPATIONAL HEALTH CLINIC PROGRAMS FUND. 1. There is
7 hereby established in the custody of the state comptroller the [training
8 and education program on occupational safety and health fund] DEDICATED
9 OCCUPATIONAL SAFETY AND HEALTH TRAINING AND EDUCATION AND OCCUPATIONAL
10 HEALTH CLINIC PROGRAMS FUND.
11 2. Such fund shall consist of moneys collected from special compen-
12 sation assessments collected pursuant to the provisions of section one
13 hundred fifty-one of the workers' compensation law FOR THE TRAINING
14 PROGRAM ON OCCUPATIONAL SAFETY AND HEALTH AND THE OCCUPATIONAL HEALTH
15 CLINIC NETWORK.
16 3. Moneys of the fund shall be available to the New York state occupa-
17 tional safety and health hazard abatement board for purposes of carrying
18 out the provisions of article twenty-nine of the labor law and to the
19 department of labor for worker protection activities under its jurisdic-
20 tion, AND TO THE DEPARTMENT OF HEALTH FOR SERVICES RELATED TO THE OCCU-
21 PATIONAL HEALTH CLINIC NETWORK.

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

LBD02813-03-1

1 4. The moneys shall be paid out of the fund on the audit and warrant
2 of the comptroller on vouchers certified or approved by the chairperson
3 of the board or his or her designee or by the commissioner of labor or
4 his or her designee, OR BY THE COMMISSIONER OF HEALTH OR HIS OR HER
5 DESIGNEE. NO FUNDS SHALL BE PAID FOR ANY PURPOSE OTHER THAN THOSE
6 ENUMERATED IN SUBDIVISION TWO OR THREE OF THIS SECTION.

7 5. Notwithstanding the provisions of any general or special law, no
8 moneys shall be available from the fund until a certificate of allo-
9 cation and a schedule of amounts to be available therefor shall have
10 been issued by the director of the budget, and a copy of such certif-
11 icate filed with the comptroller. BEGINNING ON APRIL FIRST, TWO THOUSAND
12 FOURTEEN, AND FOR EACH SUCCEEDING YEAR, THE SCHEDULE OF AMOUNTS AVAIL-
13 ABLE FOR THE TRAINING PROGRAM ON OCCUPATIONAL SAFETY AND HEALTH AND THE
14 OCCUPATIONAL HEALTH CLINIC NETWORK SHALL REFLECT A PERCENTAGE INCREASE
15 OVER THE PREVIOUS YEAR'S FUNDING EQUAL TO OR GREATER THAN THE PERCENTAGE
16 INCREASE IN THE MAXIMUM RATE FOR WORKERS' COMPENSATION BENEFITS PURSUANT
17 TO PARAGRAPH (A) OF SUBDIVISION SIX OF SECTION FIFTEEN OF THE WORKERS'
18 COMPENSATION LAW. Such certificate may be amended from time to time by
19 the director of the budget and a copy of each such amendment shall be
20 filed with the comptroller.

21 S 2. This act shall take effect immediately.