

7232

2015-2016 Regular Sessions

I N A S S E M B L Y

April 29, 2015

Introduced by M. of A. DenDEKKER -- read once and referred to the  
Committee on Higher Education

AN ACT to amend the education law, in relation to course credit for veterans, articulation between military and civilian professional careers and application for admission to practice of a profession by a veteran or a veteran's spouse; to amend the general business law, in relation to licensing, certification and registration for veterans and veteran's spouses; to amend the vehicle and traffic law, in relation to providing motor vehicle inspector certification and mechanic qualifications; to amend the public health law, in relation to certification of responder or emergency medical technicians; to amend the county law, in relation to licensure of master electricians; and to amend the general city law, in relation to plumber certification

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

1 Section 1. The education law is amended by adding a new section 669-h  
2 to read as follows:

3 S 669-H. COURSE CREDIT FOR VETERANS. 1. FOR PURPOSES OF THIS SECTION,  
4 THE TERM "VETERAN" MEANS A PERSON, MALE OR FEMALE, RESIDENT OF THIS  
5 STATE, WHO HAS SERVED IN THE ACTIVE MILITARY OR NAVAL SERVICE OF THE  
6 UNITED STATES DURING A WAR IN WHICH THE UNITED STATES WAS ENGAGED AND  
7 WHO HAS BEEN RELEASED FROM SUCH SERVICE BY ANY MEANS OF AN HONORABLE OR  
8 GENERAL DISCHARGE, OR WHO HAS BEEN FURLOUGHED TO THE RESERVE.

9 2. EVERY VETERAN WHO IS ENROLLED ON A FULL-TIME BASIS AS AN UNDERGRAD-  
10 UATE STUDENT IN GOOD STANDING, AT AN INSTITUTION WITHIN THE STATE  
11 UNIVERSITY SYSTEM, SHALL UPON APPLICATION AND APPROVAL OF THE CHANCEL-  
12 LOR, OR HIS OR HER DESIGNEE, BE GRANTED UP TO SIX ACADEMIC CREDITS PER  
13 SEMESTER TOWARDS HIS OR HER DEGREE FOR COMPLETION OF COURSES THAT WERE  
14 PART OF SUCH VETERAN'S MILITARY TRAINING OR SERVICE. IN DETERMINING THE  
15 APPROVAL OF SUCH VETERAN'S APPLICATION, THE CHANCELLOR, OR HIS OR HER  
16 DESIGNEE, SHALL CONSIDER THE STANDARDS OF THE AMERICAN COUNCIL ON EDUCA-

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

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1 TION. NO FEE, TUITION OR OTHER CHARGE SHALL BE ASSESSED AGAINST A VETER-  
2 AN WHO QUALIFIES FOR SUCH CREDIT PURSUANT TO THIS SECTION.

3 3. THE CHANCELLOR OF THE STATE UNIVERSITY OF NEW YORK MAY PROMULGATE  
4 RULES AND REGULATIONS AS ARE NECESSARY TO FULLY IMPLEMENT THE PROVISIONS  
5 OF THIS SECTION.

6 S 2. Section 6505-c of the education law, as added by chapter 106 of  
7 the laws of 2003, is amended to read as follows:

8 S 6505-c. Articulation between military and civilian professional  
9 careers. 1. The commissioner shall develop, jointly with the director of  
10 the division of veterans' affairs, a program to facilitate articulation  
11 between participation in the military service of the United States or  
12 the military service of the state and admission to practice of a profes-  
13 sion. The commissioner and the director shall identify, review and eval-  
14 uate professional training programs offered through either the military  
15 service of the United States or the military service of the state which  
16 may, where applicable, be accepted by the department as equivalent  
17 education and training in lieu of all or part of an approved program.  
18 Particular emphasis shall be placed on the identification of military  
19 programs which have previously been deemed acceptable by the department  
20 as equivalent education and training, programs which may provide, where  
21 applicable, equivalent education and training for those professions  
22 which are critical to public health and safety and programs which may  
23 provide, where applicable, equivalent education and training for those  
24 professions for which shortages exist in the state of New York, AND  
25 PROGRAMS WHICH MAY PROVIDE, WHERE APPLICABLE, EQUIVALENT EDUCATION AND  
26 TRAINING FOR THOSE PROFESSIONS WHICH WOULD PROMOTE THE ECONOMIC DEVELOP-  
27 MENT, JOB CREATION OR TECHNOLOGICAL ADVANCEMENT OF BUSINESS IN THE STATE  
28 OF NEW YORK.

29 2. The commissioner and the director shall prepare a list of those  
30 military programs which have previously been deemed acceptable by the  
31 department as equivalent education and training in lieu of all or part  
32 of an approved program no later than the thirtieth of August, two thou-  
33 sand three. On and after such date, such list shall be made available to  
34 the public and applicants for admission to practice of a profession.

35 3. The commissioner and the director shall prepare a list of those  
36 military programs which may provide, where applicable, equivalent educa-  
37 tion and training for those professions which are critical to public  
38 health and safety, programs which may provide, where applicable, equiv-  
39 alent education and training for those professions for which shortages  
40 exist in the state of New York, PROGRAMS WHICH MAY PROVIDE, WHERE APPLI-  
41 CABLE, EQUIVALENT EDUCATION AND TRAINING FOR THOSE PROFESSIONS WHICH  
42 WOULD PROMOTE THE ECONOMIC DEVELOPMENT, JOB CREATION OR TECHNOLOGICAL  
43 ADVANCEMENT OF BUSINESS IN THE STATE OF NEW YORK and any other military  
44 programs which may, where applicable, be accepted by the department as  
45 equivalent education and training in lieu of all or part of an approved  
46 program no later than the thirty-first of October, two thousand three.  
47 On and after such date, such list shall be made available to the public  
48 and applicants for admission to practice of a profession.

49 4. Such lists shall be prepared annually no later than the thirtieth  
50 of June thereafter with additions and deletions made jointly by the  
51 commissioner and the director and made available to the public and  
52 applicants for admission to practice of a profession on such date.

53 5. IN THEIR DETERMINATION PURSUANT TO THIS SECTION OF WHICH MILITARY  
54 PROGRAMS PROVIDE EQUIVALENT EDUCATION AND TRAINING, SO AS TO BE ACCEPTED  
55 BY THE DEPARTMENT AS EQUIVALENT EDUCATION AND TRAINING IN LIEU OF ALL OR

1 PART OF AN APPROVED PROGRAM, THE COMMISSIONER AND THE DIRECTOR SHALL  
2 CONSIDER THE STANDARDS OF THE AMERICAN COUNCIL ON EDUCATION.

3 S 3. The education law is amended by adding a new section 6505-d to  
4 read as follows:

5 S 6505-D. APPLICATION FOR ADMISSION TO THE PRACTICE OF A PROFESSION BY  
6 A VETERAN OR A SPOUSE OF A VETERAN. THE COMMISSIONER SHALL PROVIDE FOR  
7 AN EXPEDITED APPLICATION FOR ADMISSION TO THE PRACTICE OF A PROFESSION  
8 BY A VETERAN OR A SPOUSE OF A VETERAN. SUCH APPLICATION SHALL BE DETER-  
9 MINED BY THE COMMISSIONER WITHIN THIRTY DAYS OF THE FILING OF THE APPLI-  
10 CATION WITH THE COMMISSIONER BY THE VETERAN OR SPOUSE OF A VETERAN. IN  
11 MAKING THE DETERMINATION FOR THE VETERAN, THE COMMISSIONER SHALL, IN  
12 ADDITION TO THE EDUCATION AND TRAINING OF THE VETERAN, ALSO CONSIDER THE  
13 EQUIVALENT EDUCATION AND TRAINING OF THE VETERAN, IN ACCORDANCE WITH  
14 SECTION SIXTY-FIVE HUNDRED FIVE-C OF THIS SUBARTICLE. IN MAKING THE  
15 DETERMINATION FOR THE VETERAN'S SPOUSE, THE COMMISSIONER SHALL CONSIDER  
16 THE EDUCATION AND TRAINING OF THE VETERAN'S SPOUSE, TOGETHER WITH ANY  
17 EQUIVALENT EDUCATION, TRAINING, PAST ADMISSION OR PAST PRACTICE OF SUCH  
18 SPOUSE OF SUCH PROFESSION IN ANOTHER JURISDICTION, TOGETHER WITH THE  
19 STANDARDS OF THE AMERICAN COUNCIL ON EDUCATION. IF THE COMMISSIONER  
20 DETERMINES THAT THE EDUCATION AND TRAINING OF THE VETERAN OR THE VETER-  
21 AN'S SPOUSE, AND/OR THEIR PAST ADMISSION OR PAST PRACTICE IN ANOTHER  
22 JURISDICTION, IS ESSENTIALLY EQUIVALENT TO THE REQUIREMENTS NECESSARY  
23 FOR ADMISSION TO PRACTICE THE PROFESSION IN NEW YORK STATE, THEN THE  
24 COMMISSIONER SHALL GRANT SUCH VETERAN OR VETERAN'S SPOUSE ADMISSION TO  
25 PRACTICE THE PROFESSION IN NEW YORK STATE.

26 S 4. The general business law is amended by adding a new article 2-A  
27 to read as follows:

28 ARTICLE 2-A

29 LICENSING, CERTIFICATION AND REGISTRATION FOR VETERANS AND VETERAN  
30 SPOUSES

31 SECTION 20-A. ARTICULATION BETWEEN MILITARY AND CIVILIAN PROFESSIONAL  
32 CAREERS.

33 20-B. APPLICATION FOR LICENSING, CERTIFICATION OR REGISTRATION  
34 TO PRACTICE A PROFESSION BY A VETERAN OR A SPOUSE OF A  
35 VETERAN.

36 S 20-A. ARTICULATION BETWEEN MILITARY AND CIVILIAN PROFESSIONAL  
37 CAREERS. 1. THE SECRETARY OF STATE SHALL DEVELOP, JOINTLY WITH THE  
38 DIRECTOR OF THE DIVISION OF VETERANS' AFFAIRS, A PROGRAM TO FACILITATE  
39 ARTICULATION BETWEEN PARTICIPATION IN THE ARMED FORCES OF THE UNITED  
40 STATES OR THE MILITARY SERVICE OF THE STATE AND THE LICENSING, CERTIF-  
41 ICATION AND REGISTRATION FOR VETERANS TO PRACTICE ANY PROFESSION  
42 LICENSED, CERTIFIED OR REGISTERED PURSUANT TO THIS CHAPTER. THE SECRE-  
43 TARY AND THE DIRECTOR SHALL IDENTIFY, REVIEW AND EVALUATE PROFESSIONAL  
44 TRAINING PROGRAMS OFFERED THROUGH EITHER THE ARMED FORCES OF THE UNITED  
45 STATES OR THE MILITARY SERVICE OF THE STATE WHICH MAY, WHERE APPLICABLE,  
46 BE ACCEPTED BY THE DEPARTMENT AS EQUIVALENT EDUCATION AND TRAINING IN  
47 LIEU OF ALL OR PART OF AN APPROVED PROGRAM. PARTICULAR EMPHASIS SHALL BE  
48 PLACED ON THE IDENTIFICATION OF MILITARY PROGRAMS WHICH HAVE PREVIOUSLY  
49 BEEN DEEMED ACCEPTABLE BY THE DEPARTMENT AS EQUIVALENT EDUCATION AND  
50 TRAINING, PROGRAMS WHICH MAY PROVIDE, WHERE APPLICABLE, EQUIVALENT  
51 EDUCATION AND TRAINING FOR THOSE PROFESSIONS WHICH ARE CRITICAL TO  
52 PUBLIC HEALTH AND SAFETY AND PROGRAMS WHICH MAY PROVIDE, WHERE APPLICA-  
53 BLE, EQUIVALENT EDUCATION AND TRAINING FOR THOSE PROFESSIONS FOR WHICH  
54 SHORTAGES EXIST IN THE STATE AND PROGRAMS WHICH MAY PROVIDE, WHERE  
55 APPLICABLE, EQUIVALENT EDUCATION AND TRAINING FOR THOSE PROFESSIONS

1 WHICH WOULD PROMOTE THE ECONOMIC DEVELOPMENT, JOB CREATION OR TECHNOLOG-  
2 ICAL ADVANCEMENT OF BUSINESS IN THE STATE.

3 2. THE SECRETARY AND THE DIRECTOR SHALL PREPARE A LIST OF THOSE MILI-  
4 TARY PROGRAMS WHICH HAVE PREVIOUSLY BEEN DEEMED ACCEPTABLE BY THE  
5 DEPARTMENT AS EQUIVALENT EDUCATION AND TRAINING IN LIEU OF ALL OR PART  
6 OF AN APPROVED PROGRAM NO LATER THAN JANUARY FIRST, TWO THOUSAND  
7 SIXTEEN. ON AND AFTER SUCH DATE, SUCH LIST SHALL BE MADE AVAILABLE TO  
8 THE PUBLIC AND APPLICANTS FOR ADMISSION TO PRACTICE OF A PROFESSION.

9 3. THE SECRETARY AND THE DIRECTOR SHALL PREPARE A LIST OF THOSE MILI-  
10 TARY PROGRAMS WHICH MAY PROVIDE, WHERE APPLICABLE, EQUIVALENT EDUCATION  
11 AND TRAINING FOR THOSE PROFESSIONS WHICH ARE CRITICAL TO PUBLIC HEALTH  
12 AND SAFETY, PROGRAMS WHICH MAY PROVIDE, WHERE APPLICABLE, EQUIVALENT  
13 EDUCATION AND TRAINING FOR THOSE PROFESSIONS FOR WHICH SHORTAGES EXIST  
14 IN THE STATE, PROGRAMS WHICH MAY PROVIDE, WHERE APPLICABLE, EQUIVALENT  
15 EDUCATION AND TRAINING FOR THOSE PROFESSIONS WHICH WOULD PROMOTE THE  
16 ECONOMIC DEVELOPMENT, JOB CREATION OR TECHNOLOGICAL ADVANCEMENT OF BUSI-  
17 NESS IN THE STATE AND ANY OTHER MILITARY PROGRAMS WHICH MAY, WHERE  
18 APPLICABLE, BE ACCEPTED BY THE DEPARTMENT AS EQUIVALENT EDUCATION AND  
19 TRAINING IN LIEU OF ALL OR PART OF AN APPROVED PROGRAM NO LATER THAN THE  
20 THIRTY-FIRST OF OCTOBER, TWO THOUSAND SEVENTEEN. ON AND AFTER SUCH DATE,  
21 SUCH LIST SHALL BE MADE AVAILABLE TO THE PUBLIC AND APPLICANTS FOR THE  
22 LICENSING, CERTIFICATION AND REGISTRATION TO THE PRACTICE OF A PROFES-  
23 SION.

24 4. SUCH LISTS SHALL BE PREPARED ANNUALLY NO LATER THAN THE THIRTIETH  
25 OF JUNE THEREAFTER WITH ADDITIONS AND DELETIONS MADE JOINTLY BY THE  
26 SECRETARY AND THE DIRECTOR AND MADE AVAILABLE TO THE PUBLIC AND APPLI-  
27 CANTS FOR THE LICENSING, CERTIFICATION AND REGISTRATION TO THE PRACTICE  
28 OF A PROFESSION ON SUCH DATE.

29 5. IN THEIR DETERMINATION PURSUANT TO THIS SECTION OF WHICH MILITARY  
30 PROGRAMS PROVIDE EQUIVALENT EDUCATION AND TRAINING, SO AS TO BE ACCEPTED  
31 BY THE DEPARTMENT AS EQUIVALENT EDUCATION AND TRAINING IN LIEU OF ALL OR  
32 PART OF AN APPROVED PROGRAM, THE SECRETARY AND THE DIRECTOR SHALL  
33 CONSIDER THE STANDARDS OF THE AMERICAN COUNCIL ON EDUCATION.

34 S 20-B. APPLICATION FOR LICENSING, CERTIFICATION OR REGISTRATION TO  
35 PRACTICE A PROFESSION BY A VETERAN OR A SPOUSE OF A VETERAN. THE SECRE-  
36 TARY OF STATE SHALL PROVIDE FOR AN EXPEDITED APPLICATION FOR LICENSING,  
37 CERTIFICATION OR REGISTRATION TO THE PRACTICE OF A PROFESSION BY A  
38 VETERAN OR A SPOUSE OF A VETERAN. SUCH APPLICATION SHALL BE DETERMINED  
39 BY THE SECRETARY WITHIN THIRTY DAYS OF THE FILING OF THE APPLICATION  
40 WITH THE SECRETARY BY THE VETERAN OR SPOUSE OF A VETERAN. IN MAKING THE  
41 DETERMINATION FOR THE VETERAN, THE SECRETARY SHALL, IN ADDITION TO THE  
42 EDUCATION AND TRAINING OF THE VETERAN, ALSO CONSIDER THE EQUIVALENT  
43 EDUCATION AND TRAINING OF THE VETERAN, IN ACCORDANCE WITH SECTION TWEN-  
44 TY-A OF THIS ARTICLE. IN MAKING THE DETERMINATION FOR THE VETERAN'S  
45 SPOUSE, THE SECRETARY SHALL CONSIDER THE EDUCATION AND TRAINING OF THE  
46 VETERAN'S SPOUSE, TOGETHER WITH ANY EQUIVALENT EDUCATION, TRAINING, PAST  
47 LICENSING, CERTIFICATION OR REGISTRATION OR PAST PRACTICE OF SUCH SPOUSE  
48 OF SUCH PROFESSION IN ANOTHER JURISDICTION, TOGETHER WITH THE STANDARDS  
49 OF THE AMERICAN COUNCIL ON EDUCATION. IF THE SECRETARY DETERMINES THAT  
50 THE EDUCATION AND TRAINING OF THE VETERAN OR THE VETERAN'S SPOUSE,  
51 AND/OR THEIR PAST LICENSING, CERTIFICATION OR REGISTRATION OR PAST PRACTICE  
52 IN ANOTHER JURISDICTION, IS ESSENTIALLY EQUIVALENT TO THE REQUIRE-  
53 MENTS NECESSARY FOR LICENSING, CERTIFICATION OR REGISTRATION TO PRACTICE  
54 THE PROFESSION IN THE STATE, THEN THE SECRETARY SHALL GRANT SUCH VETERAN  
55 OR VETERAN'S SPOUSE LICENSING, CERTIFICATION OR REGISTRATION TO PRACTICE  
56 SUCH PROFESSION.

1 S 5. Subdivision (c) of section 304-a of the vehicle and traffic law,  
2 as added by chapter 61 of the laws of 1989, is amended to read as  
3 follows:

4 (c) The commissioner may, by regulation, establish standards of compe-  
5 tency and fitness for certification as an inspector; PROVIDED, HOWEVER,  
6 THAT ANY PERSON WHO WAS A MEMBER OF THE ARMED FORCES OF THE UNITED  
7 STATES, NATIONAL GUARD OR RESERVES AND WHO BY MILITARY TRAINING AND  
8 PRACTICE ACQUIRED THE SKILLS OF A MOTOR VEHICLE INSPECTOR SHALL BE  
9 CERTIFIED BY THE COMMISSIONER AS AN INSPECTOR.

10 S 6. Section 398-d of the vehicle and traffic law is amended by adding  
11 a new subdivision 8 to read as follows:

12 8. ANY PERSON WHO WAS A MEMBER OF THE ARMED FORCES OF THE UNITED  
13 STATES, NATIONAL GUARD OR RESERVES, AND WHO BY MILITARY TRAINING AND  
14 PRACTICE ACQUIRES THE SKILLS OF A MOTOR VEHICLE MECHANIC, SHALL BE  
15 DEEMED TO BE QUALIFIED TO PERFORM WORK UPON MOTOR VEHICLES AT MOTOR  
16 VEHICLE REPAIR SHOPS.

17 S 7. Subdivision 2 of section 3002 of the public health law, as  
18 amended by chapter 580 of the laws of 2007, is amended to read as  
19 follows:

20 2. The state council shall have the power, by an affirmative vote of a  
21 majority of those present, subject to approval by the commissioner, to  
22 enact, and from time to time, amend and repeal, rules and regulations  
23 establishing minimum standards for ambulance services, ambulance service  
24 certification, advanced life support first response services, the  
25 provision of prehospital emergency medical care, public education, the  
26 development of a statewide emergency medical services system, the  
27 provision of ambulance services outside the primary territory specified  
28 in the ambulance services' certificate and the training, examination,  
29 and certification of certified first responders, emergency medical tech-  
30 nicians, and advanced emergency medical technicians; provided, however,  
31 that such minimum standards must be consistent with the staffing stand-  
32 ards established by section three thousand five-a of this article. Such  
33 training shall be made available by video or computer to the maximum  
34 extent possible. [Until January first, nineteen hundred ninety-seven, no  
35 minimum standards shall be established for services provided by a volun-  
36 tary ambulance service operating solely pursuant to a statement of  
37 registration issued under section three thousand four.] The curriculum  
38 for certified first responder training shall not exceed fifty-one hours  
39 including prerequisites. NOTWITHSTANDING ANY OTHER PROVISION OF THIS  
40 ARTICLE TO THE CONTRARY, ANY PERSON WHO WAS A MEMBER OF THE ARMED FORCES  
41 OF THE UNITED STATES, NATIONAL GUARD OR RESERVES, AND WHO BY MILITARY  
42 TRAINING AND PRACTICE WAS A MEDIC OR CORPSMAN, SHALL BE CERTIFIED, WITH-  
43 OUT EXAMINATION, BY THE STATE COUNCIL AND REGIONAL COUNCILS AS A FIRST  
44 RESPONDER OR EMERGENCY MEDICAL TECHNICIAN. The state council shall have  
45 the same powers granted to regional councils by this article in any  
46 region of the state in which a regional council has not been estab-  
47 lished.

48 S 8. Subdivision 1 of section 236-a of the county law, as amended by  
49 chapter 257 of the laws of 2014, is amended to read as follows:

50 1. Notwithstanding the provisions of the general city law or any other  
51 law to the contrary, the counties of Dutchess, Suffolk and Westchester  
52 are each hereby authorized to establish a county board of examiners for  
53 master electricians and to empower such board to assume all licensing  
54 duties within each such county with respect to the licensure of master  
55 electricians. PROVIDED, THAT SUCH COUNTIES SHALL PROVIDE FOR THE  
56 LICENSING, WITHOUT EXAMINATION, AS A MASTER ELECTRICIAN OF ANY PERSON

1 WHO WAS A MEMBER OF THE ARMED FORCES OF THE UNITED STATES, NATIONAL  
2 GUARD OR RESERVES, AND WHO BY MILITARY TRAINING AND PRACTICE ACQUIRED  
3 THE SKILLS OF AN ELECTRICIAN. The counties of Dutchess, Suffolk and  
4 Westchester shall provide for master electrician's duties and responsi-  
5 bilities in accordance with the local law of each such county.

6 S 9. Section 45 of the general city law is amended to read as follows:

7 S 45. Examinations; conducting business without certificate prohibit-  
8 ed. A person desiring or intending to conduct the trade, business or  
9 calling of a plumber or of plumbing in a city of this state as employing  
10 or master plumber, shall be required to submit to an examination before  
11 such examining board of plumbers as to his experience and qualifications  
12 for such trade, business or calling, and it shall not be lawful in any  
13 city of this state for a person to conduct such trade, business or call-  
14 ing, unless he shall have first obtained a certificate of competency  
15 from such board of the city in which he conducts or proposes to conduct  
16 such business. PROVIDED, HOWEVER, THAT ANY PERSON WHO WAS A MEMBER OF  
17 THE ARMED FORCES OF THE UNITED STATES, NATIONAL GUARD OR RESERVES, AND  
18 WHO BY MILITARY TRAINING AND PRACTICE ACQUIRED THE SKILLS OF A PLUMBER,  
19 SHALL BE CERTIFIED AS COMPETENT WITHOUT EXAMINATION.

20 S 10. This act shall take effect on the first of January next succeed-  
21 ing the date on which it shall have become a law, provided, however,  
22 that section one of this act shall take effect on the first of July next  
23 succeeding the date on which it shall have become a law; provided, that,  
24 effective immediately, any rules and regulations necessary to implement  
25 the provisions of this act on its effective date are authorized and  
26 directed to be amended, added and/or repealed on or before such date.