

7037

I N   S E N A T E

March 17, 2016

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Introduced by Sen. SEWARD -- (at request of the State Comptroller) --  
read twice and ordered printed, and when printed to be committed to  
the Committee on Labor

AN ACT to amend the workers' compensation law, in relation to eliminat-  
ing unconstitutional language relating to the pre-audit of expendi-  
tures from the state insurance fund by the state comptroller

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

1     Section 1. Section 88 of the workers' compensation law, as amended by  
2 chapter 635 of the laws of 1996, is amended to read as follows:  
3     S 88. Administration expenses. The entire expense of administering the  
4 state insurance fund shall be paid out of such fund which shall not be  
5 considered an agency or a fund of the state for the purposes of section  
6 four of the state finance law. The portion of such expenses applicable  
7 and chargeable to the disability benefits fund shall be determined on an  
8 equitable basis with due allowance for the division of overhead  
9 expenses. There shall be submitted to the director of the budget quar-  
10 terly financial statements on a calendar year basis. In no case shall  
11 the amount of administrative expenditures so authorized for an entire  
12 year from the workers' compensation fund exceed twenty-five per centum  
13 of the earned premiums for such insurance for that year. In no case  
14 shall the amount of administrative expenditures authorized for the disa-  
15 bility benefits fund for an entire year exceed twenty-five per centum of  
16 the premiums earned by that fund for such insurance for that year. [No  
17 payment, expenditure or refund out of the state insurance fund shall be  
18 subject to pre-audit by the department of audit and control as provided  
19 by section one hundred eleven of the state finance law.] All appoint-  
20 ments to positions in the state insurance fund shall be made subject to  
21 civil service requirements.  
22     S 2. This act shall take effect immediately.

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

LBD14703-01-6