STATE OF NEW YORK

9199

IN SENATE

December 14, 2018

Introduced by Sen. SERINO -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend chapter 59 of the laws of 2018, relating to establishing a compensation committee to determine the appropriate salaries for members of the legislature and certain other state officials, in relation to requiring the approval of the voters of the recommendation of the committee

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Subdivision 2 of section 4 of part HHH of chapter 59 of the laws of 2018, relating to establishing a compensation committee to determine the appropriate salaries for members of the legislature and certain other state officials, is amended to read as follows:

2. [~~Each recommendation made to implement a determination pursuant to section two of this act shall have the force of law, and shall supersede, where appropriate, inconsistent provisions of section 169 of the executive law, and sections 5 and 5-a of the legislative law, unless modified or abrogated by statute prior to January first of the year as to which such determination applies to legislative and executive compensation.~~] a. Notwithstanding any contrary provision of law, any recommendations made to implement a determination pursuant to section two of this part shall not have the force of law, nor shall they supersede inconsistent provisions of section 169 of the executive law or sections 5 and 5-a of the legislative law, unless such recommendations have first passed by a majority of electors of the state voting on the measure state-wide in the next general election held at least one hundred eight days after any recommendations pursuant to section two of this part.

b. At least ninety days prior to a general election pursuant to paragraph a of this subdivision, the attorney general of the state of New York shall prepare a title and summary for the measure, not to exceed one hundred words, which shall appear on the ballot and shall give indication of support or opposition to such measure.

c. Any action or proceeding which challenges the title and summary of such measure prepared by the attorney general as failing to accurately

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

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describe such measure, shall be heard in the supreme court of the state and preferred over all other civil causes in all courts of the state and shall be heard and determined in preference to all the other civil business pending therein. No action or proceeding which challenges any action or inaction by the attorney general respecting the title or summary of such measure may be brought more than fourteen days after action by the attorney general pursuant to paragraph b of this section or, if the attorney general fails to act, the no later than fourteen days after the deadline for such action pursuant to such paragraph b.

d. A measure approved by a majority of votes thereon shall take effect on the first of January next succeeding the general election, or five days after the date of the official declaration of the vote by the state board of elections, whichever is later.

§ 2. This act shall take effect immediately; provided, however, that the amendments to subdivision 2 of section 4 of part HHH of chapter 59 of the laws of 2018 made by section one of this act shall not affect the expiration of such part and shall be deemed to expire therewith.