

# STATE OF NEW YORK

7078

## IN SENATE

(Prefiled)

January 3, 2018

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

AN ACT to amend the labor law, in relation to establishing the New York state service corps; to amend the parks, recreation and historic preservation law and the public health law, in relation to the New York state service corps - health services track; and to repeal title 2-B of article 2 of the public health law, relating to the New York state health service corps

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

1 Section 1. The labor law is amended by adding a new section 44 to read  
2 as follows:

3 § 44. New York state service corps. 1. There is hereby created a New  
4 York state service corps, administered by the New York state department  
5 of labor in conjunction and coordination with the department of parks,  
6 recreation and historic preservation and the department of health.

7 2. The New York state service corps shall provide service opportu-  
8 nities for interested applicants, including youth, young unemployed men  
9 and women, recent high school, college, and post-secondary graduates, as  
10 well as recent retirees and individuals who have recently completed or  
11 are pursuing a high school equivalency examination or program. Such  
12 service opportunities shall include, but not be limited to, (i) residen-  
13 tial and non-residential corps opportunities; (ii) one- and two-year  
14 fellowship programs; (iii) internship opportunities for currently  
15 enrolled students; (iv) programs authorized under any other section of  
16 law including but not limited to New York state service corps - green  
17 jobs, conservation, and revitalization tracks and New York state service  
18 corps - health services track.

19 3. All fellowship and internship opportunities maintained by the  
20 commission under this section shall be educational in nature, focused on  
21 providing unique opportunities to youth, young adults, graduates and  
22 retirees, and shall not wholly replace work currently performed by any  
23 civil service title.

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

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1 4. Applicants for any fellowship or internship under this section  
 2 shall be placed in opportunities that are deemed most likely to further  
 3 an applicant's stated educational and professional interests, in order  
 4 to provide the maximum educational value possible.

5 5. The department shall maintain and operate a unified application  
 6 process for service corps opportunities and shall work with appropriate  
 7 agencies and, as appropriate, the New York state commission on national  
 8 and community service to develop and administer service corps programs.

9 § 2. The section heading and subdivisions 1 and 3 of section 3.23 of  
 10 the parks, recreation and historic preservation law, as amended by chap-  
 11 ter 128 of the laws of 1987, paragraph (a) of subdivision 3 as amended  
 12 by chapter 717 of the laws of 1988, are amended to read as follows:

13 New York state [~~conservation~~] service corps - green jobs, conserva-  
 14 tion, and revitalization tracks. 1. [~~A~~] The New York state [~~conserva-~~  
 15 ~~tion-corps~~] service corps - green jobs, conservation, and revitalization  
 16 tracks (hereafter referred to as the "corps") within the office is here-  
 17 by established for the following purposes:

- 18 a. To protect air, fish, forest, land, water and wildlife;
- 19 b. To help maintain and improve botanical gardens, historic sites,  
20 libraries, museums, parks, parkways, refuges, trails, zoos and other  
21 recreational, artistic or cultural investments;
- 22 c. To aid agricultural, fishing, forestry and tourist industries;
- 23 d. To provide jobs and job training for young unemployed men and  
24 women, especially from disadvantaged backgrounds, as well as recent  
25 graduates of high school, high school equivalency, college, and post-  
26 secondary programs, to act as a stepladder to permanent employment;
- 27 e. To foster co-operation among civilian and governmental agencies in  
28 order to educate the public about state resources;
- 29 f. To reinforce the "I Love New York" campaign;
- 30 g. To take advantage of the capital investment in facilities and  
31 equipment already in place from the programs of youth and young adult  
32 and civilian conservation corps paid for by federal dollars;
- 33 h. To educate the participants about our natural environment and  
34 cultural heritage, teach first aid and disaster procedures, and to  
35 otherwise encourage them to further their education; and
- 36 i. To do such other projects which provide disaster relief, increase  
37 energy conservation, promote green jobs, improve fire prevention, beau-  
38 tify highways, control insects and rodents, upgrade public lands,  
39 promote resiliency against harm from changes in weather patterns or  
40 general climate change, enhance art and cultural resources, and revital-  
41 ize [~~urban areas~~] cities, towns, and villages.

42 3. The corps shall consist of the following components:

- 43 a. Summer: for youth enrollees, aged fourteen--~~eighteen~~ twenty-four;
- 44 b. Seasonal: for unemployed young adult enrollees, aged sixteen--twen-  
45 ty-four;
- 46 c. Non-residential: for young adult enrollees, aged sixteen--twenty-  
47 four;
- 48 d. Residential: for young adult enrollees, aged eighteen--twenty-five;
- 49 e. Volunteer: for interested persons of any age who are members of an  
50 organized group which has proper leadership and insurance;
- 51 f. Crew Leader: for young adults, aged eighteen and over;
- 52 g. Staff: for adults, aged twenty-one and up, who are needed for the  
53 few positions enrollees or crew leaders cannot fill; [~~and~~]
- 54 h. Director: for adults, aged twenty-five and up, who are in charge of  
55 local or state projects, residential camps, or overall program of  
56 corps[~~+~~]; and

1 i. Fellow: for young adult enrollees, who will receive an educational  
2 and professional benefit from the experience provided any program oper-  
3 ated under this section, and who shall work for a set-term of one or  
4 two-years as determined by the office.

5 § 3. Title 2-B of article 2 of the public health law is REPEALED and a  
6 new title 2-B is added to read as follows:

7 Title 2-B

8 NEW YORK STATE SERVICE CORPS - HEALTH SERVICES TRACK

9 Section 231. New York state service corps - health services track.

10 232. Powers and duties.

11 § 231. New York state service corps - health services track. 1. The  
12 commissioner shall establish within the department the New York state  
13 service corps - health services track (hereinafter "corps"). The commis-  
14 sioner shall, in conjunction with the department of labor and, as appro-  
15 priate, the New York state commission on national and community service,  
16 have central responsibility for administering the provisions of this  
17 title with respect to increasing the availability of health services in  
18 certain eligible facilities and institutions.

19 2. For purposes of this title: (a) "health corps professional" means a  
20 nurse, physician's assistant, dental hygienist, occupational therapist,  
21 speech-language pathologist, audiologist, physical therapist, midwife,  
22 other health professional other than a physician or dentist, or any  
23 other professional with demonstrated proficiency in early childhood  
24 health or development who is determined by the commissioner, in consul-  
25 tation with the commissioners of education, correctional services,  
26 mental health, persons with developmental disabilities, secretary of  
27 state, and the president of the civil service commission, to possess the  
28 skills and training appropriate to the needs of eligible institutions  
29 and facilities;

30 (b) "eligible institutions and facilities" means: (i) facilities oper-  
31 ated by the department of correctional services, office of mental health  
32 and office of persons with developmental disabilities; (ii) non-profit  
33 agencies possessing operating certificates issued by the office of  
34 mental health or office for persons with developmental disabilities or  
35 under contract with the commission for the blind and visually hand-  
36 icapped; (iii) not-for-profit diagnostic and treatment centers licensed  
37 under article twenty-eight of this chapter which have a critical short-  
38 age of health personnel, as determined by the commissioner and which  
39 serve the medically indigent and Medicaid eligible persons; (iv) health  
40 care facilities operated by the department, provided that at any time  
41 the total number of placements in such facilities shall not exceed ten  
42 percent of the total number of placements under this section; (v) in the  
43 case of midwives, not-for-profit facilities licensed under article twen-  
44 ty-eight of this chapter which serve the medically indigent and Medicaid  
45 eligible women; and (vi) an education program operated pursuant to  
46 section thirty-six hundred two-ee of the education law.

47 § 232. Powers and duties. The commissioner shall, in consultation  
48 with the commissioners of education, correctional services, mental  
49 health, persons with developmental disabilities, secretary of state, and  
50 the president of the civil service commission, have the following powers  
51 and duties:

52 1. to recruit and select health corps professionals for service in  
53 eligible institutions and facilities;

54 2. to place health corps professionals in eligible institutions and  
55 facilities pursuant to agreements with the appropriate eligible insti-  
56 tutions and facilities;

1 3. to develop criteria for the selection of applicants for placement  
2 under this program including, but not limited to, the student's academic  
3 achievement, previous work experience in their chosen health profession  
4 and a demonstrated interest in working with institutionalized popu-  
5 lations, communities with serious health needs including but not limited  
6 to populations with high rates of chronic illness or Medicaid eligibil-  
7 ity, and children under the age of five.

8 4. to accept and expend any grants, awards or other funds or appropri-  
9 ations as may be available to effectuate the purposes of this title  
10 subject to the limitations as to the approval of expenditures and audit  
11 as prescribed for state funds by the state finance law; and

12 5. to do any and all other things necessary to carry out its func-  
13 tions, powers and duties and to effectuate the purposes of this title.

14 § 4. This act shall take effect on the one hundred twentieth day after  
15 it shall have become a law.