



2006 Legislation Approved by both the Senate and Assembly Impacting SUNY and Higher Education

Chapter Laws of 2006

Chapter 10 - Consulting Services

A.9421 (Lupardo)

S.6479 (Robach)

Relates to reporting and disclosure about contracts for consulting services by state agencies and requires the department of civil service to maintain records documenting the employment of persons pursuant to contracts for consulting services issued by state agencies

Chapter 21 – Evacuation Drills

A.9046 (McEneny)

S.5943 (Farley)

Requires evacuation drills to be conducted at least twice a year in any building owned or leased in whole by the state or any agency and that such drills shall be conducted so that all occupants of the building will participate simultaneously.

Chapter 74 - Post Retirement Earnings

S.3593-A (Leibell)

A.3828-B (Sweeney)

Increases the amount of money a retiree may earn in a position of public service in the year 2007 and thereafter to \$30,000.

Chapter 82 - Workplace Violence

S.6441 (Spano)

A.9691 (John)

Requires public employers to develop and implement programs to prevent and minimize workplace violence and allows any public employee or representative of public employees who believes that a serious violation of a safety or health standard exists, or an imminent danger exists, to request an inspection.

Chapter 114 - Police Arbitration Settlement

S.8474 (Robach)

A.12043 (Tokasz)

Provides for the compensation, benefits and other terms and conditions of employment of certain members of the agency law enforcement services unit who are police officers, including SUNY and implements an interest arbitration award between the state and certain members of such unit.

Chapter 125 - Volunteer Scholarships

A.10279 (Canestrari)

S.6604 (LaValle)

Permits a recipient of a volunteer service scholarship (ambulance or firefighter) to enroll in a degree producing curriculum at an institution located outside of the fifty mile radius of the award granting volunteer organization, provided that such recipient becomes a volunteer of an organization whose service area is within the area in which the student is enrolled.

Chapter 127 - Faculty Trustee

A.679-A (Canestrari)

S.839-A (LaValle)

Provides that the board of trustees of the state university shall be increased from sixteen to seventeen members with the additional member to be the president of the university faculty senate who shall be ex-officio and non-voting.

Chapter 130 - Mental Health Professions

S.6421 (LaValle)

A.9702 (Canestrari)

Relates to the effectiveness of certain provisions of law relating to creative arts therapy, marriage and family therapy, mental health counseling and psychoanalysis, making technical corrections to chapter 676 of the laws of 2002 and to allow an extension of one year so that the State Education Department can process mental health practitioner licensure applications which were submitted by December 31, 2005.

Chapter 136 - Public Assistance Work Activities

A.10355 (Glick)

S.7041 (Meier)

Extends for two years, until June 30, 2008, those provisions which allow college enrolled public assistance recipients to participate in work-study and internship positions and have those hours count toward the recipient's work activity requirements and also extends provisions which ensure that reasonable efforts to assign work activities do not conflict with the student's academic schedule

Chapter 175 - Radiology Technology Licensure

A.4882-B (Pretlow)

S.5606-A (Hannon)

Relates to the practice of radiologic technology repealing the existing article and makes general provisions for licensing and registration requirements and sets violations and penalties relating to the practice of radiologic technology.

Chapter 182 - FOIL Requests

A.7993-B (Latimer)

S.5668-A (Leibell)

Provides for electronic access to public records to update the Freedom of Information Law by enabling records to be requested by electronic mail

Chapter 202 - Carbon Monoxide Installation

A.9346 (Morelle)

S.6381 (Alesi)

Provides that carbon monoxide detectors must be installed in dwellings that have appliances, devices, or systems that may emit carbon monoxide, including fraternity and sorority houses and college dorms that are constructed after 8/9/05.

Chapter 208 - Veteran's TAP Extension

A.9650 (Sweeney)

S.7416 (Maltese)

Extends for two years the time for Vietnam, Persian Gulf, and Afghanistan veterans to apply for TAP for veterans enrolled in approved undergraduate or graduate programs at degree granting institutions and approved vocational training programs.

Chapter 292 - Construction Fund Contract Approval

A.8666-A (Canestrari)

S.2453-A (Winner)

Provides that contracts of the state university construction fund involving seventy-five thousand dollars or more shall be approved by no less than two trustees of the fund

Chapter 300 - Dental Assisting

A.7369-E (Morelle)

S.3304-E (Winner)

Amends the definition of the practice of certified dental assisting to provide for such definition to not include diagnosing and/or performing surgical procedures, irreversible procedures or procedures that alter the hard or soft tissue of the oral and maxillofacial area or other procedures determined by the department.

Chapter 303 - EOP Program

A.5824 (Hoyt)

S.3602 (Volker)

Renames the elementary and secondary education opportunity program and the opportunity programs for higher education (EOP, SEEK and HEOP) in honor of former Assemblyman Arthur O. Eve.

Chapter 323 - Use of "Nurse" Title

S.6326-A (Spano)

A.5816-A (Gottfried)

Prohibits a person from using the title of nurse, or any other title or abbreviation that would represent to the public that the person is authorized to practice nursing, unless the person is licensed or otherwise authorized under the provisions of the education law.

Chapter 324 - Honorary Degrees

A.2708 (Pretlow)

S.6342 (DeFrancisco)

Grants the board of trustees of community colleges the authority, subject to the approval of the board of regents, to grant honorary associate degrees

Chapter 408 - Bond Sales

A.11754 (Brodsky)

S.8109 (Leibell)

Authorizes the Dormitory Authority to use its current procurement process in obtaining the services of underwriters for negotiated or private sales of bonds and notes for SUNY educational facilities and court facilities and combined occupancy structures.

Chapter 432 - Ocean and Great Lakes Ecosystem Conservation Act

S.8380 (Johnson)

A.10584-B (DiNapoli)

Establishes the New York Ocean and Great Lakes Ecosystem Conservation Act and creates an advisory council which includes SUNY Chancellor as one of its nine members.

Chapter 435 - Regents Awards

S.8422 (Leibell)

A.12028 (Seminerio)

Provides regents college scholarships awards for children of deceased and disabled veterans of the war in Afghanistan and Iraq.

Chapter 544 - Immunization Registry

S.8227-B (Hannon)

A.12021-A (Gottfried)

Establishes a statewide immunization registry of persons under nineteen years of age under the Department of Health.

Chapter 561 - Flight School Background Checks

A.2122 (Morelle)

S.4493 (Nozzolio)

Requires any aeronautical facility, flight school or institution of higher learning to require an applicant for flight instruction to be subject to background checks and provide criminal history information to the Division of Criminal Justice Services

Chapter 566 - Breast Cancer Screening

A.3467 (Brodsky)

S.5118 (Spano)

Extends to employees of any county, including community colleges, excused leave to undertake a screening for breast cancer, up to four hours annually, without charge to any other leave.

Chapter 627 - Stony Brook School Taxes

A.11245 (Englebright)

S.7184-B (Flanagan)

Require that the Gyrodyne/Flowerfields parcel of SUNY Stony Brook within the Smithtown and Three Village Central School Districts be subject to real property taxes for school purposes.

Chapter 683 - AED Expansion

S.7001-C (Alesi)

A.10029-B (Weisenberg)

Requires places of public assembly to maintain an automated external defibrillator and to have at least one employee who is trained in its use.

Chapter 705 - Workforce Diversity

S.7591 (Robach)

A.9929-A (Rivera P)

Establishes an independent commission on increasing diversity in the state government workforce within the department of civil service with such commission charged to examine, evaluate and make recommendation on ways to increase the number of minority civil service workers employed by the state.

Chapter 735 - Retirement Options

S.8339-A (Robach)

A.11939-A (Abbate)

Allows members of the NYS LP&FRS who file for service retirement to elect an optional form of retirement which would provide a lump sum payment equal to their annual retirement allowance computed without optional modification and a smaller annual retirement allowance.

Vetoos of 2006

Veto 218 – Health Benefits

S.6397 (Farley)

A.9722 (Abbate)

Prohibits the diminution of health insurance benefits of public employee retirees and their dependents or reducing the employer's contributions for such insurance from May 1, 2006 until May 15, 2007, defining employers to include the state, municipalities, school districts, and public colleges and universities.

Veto 226 - Early Retirement Incentive

A.11805 (Abbate)

S.8408 (Robach)

Establishes a two-year age 55/25 year temporary early retirement incentive that is intended and designed to coordinate current and future workforce planning issues between public employers and public employees which will enable senior public employees who already meet the minimum eligibility requirements for retirement in the

Tier II, III and N plans (age 55 with 25 or more years of service) to retire at their own option and without the imposition of arbitrary penalties on their retirement benefits.

Veto 251 - Death Certificate Authorization

A.5220-A (John)

S.4797-A (Hannon)

Authorizes nurse practitioners to sign death certificates in like manner as physicians and imposes upon nurse practitioners the same duties that physicians have in connection therewith.

Veto 257 - Information Access

A.8007 (Paulin)

S.4896 (Flanagan)

Requires that, whenever practicable, an agency make information available to the public electronically.

Veto 269 - Palliative Education Grants

A.11162-B (Gottfried)

S.7458-A (Hannon)

Establishes a palliative education and training program to provide grants to NYS medical schools to provide training to medical students and doctors in palliative care.

Veto 271 - Prevailing Wages

A.11291 (Brodsky)

S.8309 (Leibell)

Provides for the written notification to workers on public works jobs of the prevailing wage rates and/or supplements that they are entitled to receive for their particular job classification.

Veto 278 - Employee Representation

S.4508 (Robach)

A.8556 (Abbate)

Establishes it shall be an improper public employer practice to fail to provide or refuse to afford a public employee the right, upon demand, to representation by an attorney or employee organization when during questioning by the public employer it reasonably appears that he or she may be subject to a potential disciplinary action.

Veto 291 - Police Retirement Options

A.3358-C (McEneny)

S.3065-D (Robach)

Allows state university police officers to transfer to the NYS&LP&FRS and be covered by the provisions of a 25 year half pay retirement plan with additional one-sixtieths of final average salary for each year of service in excess of 25 years but not exceeding 15 such years.

Veto 298 - Prevailing Wages

S.6769 (Maziarz)

A.10383 (John)

Relates to contracts for public work by requiring contracts entered into by a third person acting in place of, on behalf of and for the benefit of a public entity pursuant to any lease, permit or other agreement between such third party and the public entity to contain a stipulation that certain workers shall not be permitted or required to work more than eight hours in any one calendar day or more than five days in any one week except in certain cases.

Veto 315 - Prompt Payment

S.8026 (Robach)

A.11410 (Bing)

Amends provisions relating to prompt contracting for state contracts with not-for-profit organizations including reporting and notification provisions.

Veto 321 - Ithaca Linked Senior Living Community

A.829-A (Lifton)

S.126-A (Seward)

Authorizes the Commissioner of Health to establish a college linked senior living community to study the effectiveness of a new type of senior living community that relies on community partnerships with educational institutions, intergenerational programming, specialized student and faculty/staff training programs, and shared resources to offer more cost-effective long-term care services in a stimulating residential environment for older adults.

Veto 322 - Agency Contracting Limitations

A.1259 (John)

S.6575 (Spano)

Sets forth specific conditions when a state agency shall enter into a contract for personal services and conditions to achieve actual cost savings.

Veto 330 - Operating Room Requirements

A.7837-B (Gunther)

S.5975-A (Maziarz)

Requires that a qualified nurse be present in an operating room for the duration of the operative procedure.

Veto 333 - Statutory College Salaries

A.8955-A (Canestrari)

S.7832 (Rules)

Establishes the basic annual salaries of certain positions in the nonprofessional service in institutions under the management and control of Cornell and Alfred universities as representatives of the board of trustees of the state university shall be increased pursuant to plans approved by the state university trustees.

Veto 337 - Deaf Council

A.9234-A (Morelle)

S.1899-B (Robach)

Creates a New York state interagency council for services to persons who are deaf, deaf-blind or hard of hearing to promote a comprehensive service system for the deaf, deaf-blind and hard of hearing.

Veto 344 - ORP Contributions

A.10570-A (Abbate)

S.7389-A (Robach)

Provides that the city and state contribute the required employee contribution on behalf of SUNY and CUNY who are members of the optional retirement program and who have ten years or more of membership in such program.

Veto 391 - Workforce Reduction

S.7387 (Robach)

A.11087 (Abbate)

Provides inclusion of the non-competitive and labor jurisdictional classes at all levels of state and local government as related to reduction in work force and recall provisions providing New York State and Local Governments with a uniform and orderly approach to reducing the workforce and in the rehiring methods used by using length of service as a determining factor.

Veto 398 - TRS Retirement

S.7589 (Robach)

A.11179-A (Abbate)

Allows tier II, III and IV members of the NYSTRS to retire with unreduced benefits upon completion of more than 35 years of total service, regardless of age.