



NEW YORK STATE SENATOR

David Carlucci

Governor Cuomo Signs Senator Carlucci Regulatory Reform Bills into Law

DAVID CARLUCCI November 15, 2011

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Senator Carlucci had an extremely productive first year as Chairman of the Senate's Administrative Regulations Review Commission (ARRC). The freshman Senator's efforts culminated with Governor Andrew Cuomo signing into law two regulatory reform measures Senator Carlucci championed through the New York State Legislature.

The first piece of legislation, **S.4816 or Chapter 524 of the Laws of 2011** provides for a "cure period" in many instances when a small business is about to be fined for a violation by a state agency. Senator Carlucci's legislation promotes good business practices by allowing businesses to negotiate an amicable remediation of a violation with New York State agencies before onerous fines are levied. "In many cases, state regulatory agencies are in too much of a hurry to fine businesses for perceived violations of New York State laws or regulations," Carlucci said. "My cure period law will give small businesses a tool to use with state agencies when heavy-handed fines may have been imminent."

Under the new law, if a business is found in violation of state laws or regulations, the fining agency must first consider a cure period where the business and agency can determine a

mutual outcome of remediation before serious fines are levied.

"I am extremely grateful to Governor Cuomo for signing into law this very important piece of legislation," Carlucci said. "The cure period legislation was supported by the Senate Majority, the New York State Business Council, the New York Farm Bureau, in addition to other small business organizations and supporters."

The second Carlucci bill signed into law was **S.4820 or Chapter 571 of the Laws of 2011**. The new law will reduce materials incorporated by reference to be filed with judicial libraries. **Chapter 571** will save state taxpayers approximately \$9,000 to \$30,000 annually without impacting public information. "I am pleased that the Governor realized the savings to state taxpayers by signing my bill into law." Carlucci said. "This new law will allow consolidation of documents filed with judicial libraries."

Examples of materials incorporated by reference into regulations are; any books, tables or documents that are over 500 pages in length and are generally available to the public through other means without charge. "Under the new law, an agency would not have to file printed copies of such materials with the Legislative Library and court law libraries, provided such material is readily available without charge on the internet," Carlucci said. Agencies need only to identify the address at which such materials can be accessed.