

4007--B

I N A S S E M B L Y

February 1, 2011

A BUDGET BILL, submitted by the Governor pursuant to article seven of the Constitution -- read once and referred to the Committee on Ways and Means -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to amend chapter 887 of the laws of 1983, amending the correction law relating to the psychological testing of candidates, in relation to extending the expiration of such chapter; to amend chapter 428 of the laws of 1999, amending the executive law and the criminal procedure law relating to expanding the geographic area of employment of certain police officers, in relation to extending the expiration of such chapter; to amend chapter 886 of the laws of 1972, amending the correction law and the penal law relating to prisoner furloughs in certain cases and the crime of absconding therefrom, in relation to extending the expiration of such chapter; to amend chapter 261 of the laws of 1987, amending chapters 50, 53 and 54 of the laws of 1987, the correction law, the penal law and other chapters and laws relating to correctional facilities, in relation to extending the expiration of such chapter; to amend chapter 55 of the laws of 1992, amending the tax law and other laws relating to taxes, surcharges, fees and funding, in relation to extending the expiration of certain provisions of such chapter; to amend chapter 339 of the laws of 1972, amending the correction law and the penal law relating to inmate work release, furlough and leave, in relation to extending the expiration of such chapter; to amend chapter 60 of the laws of 1994 relating to certain provisions which impact upon expenditure of certain appropriations made by chapter 50 of the laws of 1994 enacting the state operations budget, in relation to extending the expiration of certain provisions of such chapter; to amend chapter 554 of the laws of 1986, amending the correction law and the penal law relating to providing for community treatment facilities and establishing the crime of absconding from the community treatment facility, in relation to extending the expiration of such chapter; to amend chapter 3 of the laws of 1995, amending the correction law and other laws relating to the incarceration fee, in relation to extending the expiration of certain provisions of such chapter; to amend chapter 907 of the laws of 1984,

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

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amending the correction law, the New York city criminal court act and the executive law relating to prison and jail housing and alternatives to detention and incarceration programs, in relation to extending the expiration of certain provisions of such chapter; to amend chapter 166 of the laws of 1991, amending the tax law and other laws relating to taxes, in relation to extending the expiration of certain provisions of such chapter; to amend the vehicle and traffic law, in relation to extending the expiration of the mandatory surcharge and victim assistance fee; to amend chapter 713 of the laws of 1988, amending the vehicle and traffic law relating to the ignition interlock device program, in relation to extending the expiration thereof; to amend chapter 435 of the laws of 1997, amending the military law and other laws relating to various provisions, in relation to extending the expiration date of the merit provisions of the correction law and the penal law of such chapter; to amend chapter 412 of the laws of 1999, amending the civil practice law and rules and the court of claims act relating to prisoner litigation reform, in relation to extending the expiration of the inmate filing fee provisions of the civil practice law and rules and general filing fee provision and inmate property claims exhaustion requirement of the court of claims act of such chapter; to amend chapter 222 of the laws of 1994 constituting the family protection and domestic violence intervention act of 1994, in relation to extending the expiration of certain provisions of the criminal procedure law requiring the arrest of certain persons engaged in family violence; to amend chapter 505 of the laws of 1985, amending the criminal procedure law relating to the use of closed-circuit television and other protective measures for certain child witnesses, in relation to extending the expiration of the provisions thereof; to amend chapter 3 of the laws of 1995, enacting the sentencing reform act of 1995, in relation to extending the expiration of certain provisions of such chapter; to amend chapter 689 of the laws of 1993 amending the criminal procedure law relating to electronic court appearance in certain counties, in relation to extending the effective date thereof; to amend chapter 688 of the laws of 2003, amending the executive law relating to enacting the interstate compact for adult offender supervision, in relation to extending the expiration of certain provisions of such chapter; and to amend part H of chapter 56 of the laws of 2008 amending the correction law relating to limiting the closings of certain correctional facilities, providing for the custody by the department of correctional services of inmates serving definite sentences, providing for custody of federal prisoners and requiring the closing of certain correctional facilities, in relation to extending the effectiveness thereof (Part A); to amend chapter 503 of the laws of 2009 relating to the disposition of monies recovered by county district attorneys before the filing of an accusatory instrument, in relation thereto and the effectiveness thereof (Part B); Intentionally omitted (Part C); to amend the tax law, in relation to eliminating certain allowable uses of revenue generated by the cellular surcharge (Part D); to amend the executive law and the alcoholic beverage control law, in relation to removing the salary provision for state liquor authority commissioners, other than the chairman (Part E); to amend the election law, in relation to eliminating certain publishing requirements by state and local boards of election (Part F); to amend the workers' compensation law, in relation to self-insurers; and to repeal certain provisions of such law relating thereto (Part G); to amend the executive law and the civil service law, in relation to removing the salary provision for

civil service commissioners other than the president (Part H); to amend the state finance law, in relation to aid and incentives for municipalities (Part I); to amend the state finance law, in relation to a program of aid to municipalities in which a video lottery terminal facility is located (Part J); to amend the state finance law, in relation to creating citizen empowerment tax credits, local government citizens re-organization empowerment grants and the local government performance and efficiency program, and streamlining the local government efficiency grant program (Part K); to amend chapter 774 of the laws of 1989 amending the real property tax law relating to certain state lands subject to taxation, in relation to clarifying the state's obligation to make payments with respect to certain lands (Part L); Intentionally omitted (Part M); to provide for the administration of certain funds and accounts related to the 2011-2012 budget; to authorize certain payments and transfers; to amend the state finance law, in relation to the school tax relief fund; to amend the state finance law, in relation to the issuance of revenue bonds and in relation to mental health service facilities financing; to amend chapter 57 of the laws of 2008, providing for the administration of certain funds and accounts related to the 2008-2009 budget, in relation to effectiveness of certain provisions thereof; to amend the public authorities law, in relation to environmental infrastructure projects; to amend chapter 61 of the laws of 2005, providing for the administration of certain funds and accounts related to the 2005-2006 budget, chapter 81 of the laws of 2002, providing for the administration of certain funds and accounts related to the 2002-2003 budget, chapter 389 of the laws of 1997, providing for the financing of the correctional facilities improvement fund and the youth facility improvement fund, chapter 329 of the laws of 1991, amending the state finance law and other laws relating to the establishment of the dedicated highway and bridge trust fund; to amend the state finance law, in relation to certificates of participation; to amend the private housing finance law, in relation to housing program bonds and notes; to amend the public authorities law, in relation to the issuance of bonds by the dormitory authority and the New York state environmental facilities corporation; to amend the public authorities law, in relation to voting of directors of local government assistance corporation; to amend the public authorities law, in relation to library construction; to amend part JJ of chapter 56 of the laws of 2010, relating to providing for the administration of certain funds and accounts related to the 2010-2011 budget, in relation to the effectiveness thereof; to repeal subdivision (b) of section 19-a of part PP of chapter 56 of the laws of 2009, relating to providing funding for certain community projects, relating to increasing funding; and providing for the repeal of certain provisions upon expiration thereof (Part N); Intentionally omitted (Part O); in relation to allowing the State University Downstate Medical Center to create a not-for-profit corporation (Part P); and to amend chapter 141 of the laws of 1994, amending the legislative law and the state finance law relating to the operation and administration of the legislature, in relation to extending such provisions (Part Q)

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

1 Section 1. This act enacts into law major components of legislation
2 which are necessary to implement the state fiscal plan for the 2011-2012
3 state fiscal year. Each component is wholly contained within a Part
4 identified as Parts A through Q. The effective date for each particular
5 provision contained within such Part is set forth in the last section of
6 such Part. Any provision in any section contained within a Part, includ-
7 ing the effective date of the Part, which makes a reference to a section
8 "of this act", when used in connection with that particular component,
9 shall be deemed to mean and refer to the corresponding section of the
10 Part in which it is found. Section three of this act sets forth the
11 general effective date of this act.

12 PART A

13 Section 1. Section 2 of chapter 887 of the laws of 1983, amending the
14 correction law relating to the psychological testing of candidates, as
15 amended by section 1 of part U of chapter 56 of the laws of 2009, is
16 amended to read as follows:

17 S 2. This act shall take effect on the one hundred eightieth day after
18 it shall have become a law and shall remain in effect until September 1,
19 [2011] 2014.

20 S 2. Section 3 of chapter 428 of the laws of 1999, amending the execu-
21 tive law and the criminal procedure law relating to expanding the
22 geographic area of employment of certain police officers, as amended by
23 section 2 of part U of chapter 56 of the laws of 2009, is amended to
24 read as follows:

25 S 3. This act shall take effect on the first day of November next
26 succeeding the date on which it shall have become a law, and shall
27 remain in effect until the first day of September, [2011] 2014, when it
28 shall expire and be deemed repealed.

29 S 3. Section 3 of chapter 886 of the laws of 1972, amending the
30 correction law and the penal law relating to prisoner furloughs in
31 certain cases and the crime of absconding therefrom, as amended by
32 section 3 of part U of chapter 56 of the laws of 2009, is amended to
33 read as follows:

34 S 3. This act shall take effect 60 days after it shall have become a
35 law and shall remain in effect until September 1, [2011] 2014.

36 S 4. Section 20 of chapter 261 of the laws of 1987, amending chapters
37 50, 53 and 54 of the laws of 1987, the correction law, the penal law and
38 other chapters and laws relating to correctional facilities, as amended
39 by section 4 of part U of chapter 56 of the laws of 2009, is amended to
40 read as follows:

41 S 20. This act shall take effect immediately except that section thir-
42 teen of this act shall expire and be of no further force or effect on
43 and after September 1, [2011] 2014 and shall not apply to persons
44 committed to the custody of the department after such date, and provided
45 further that the commissioner of correctional services shall report each
46 January first and July first during such time as the earned eligibility
47 program is in effect, to the chairmen of the senate crime victims, crime
48 and correction committee, the senate codes committee, the assembly
49 correction committee, and the assembly codes committee, the standards in
50 effect for earned eligibility during the prior six-month period, the
51 number of inmates subject to the provisions of earned eligibility, the
52 number who actually received certificates of earned eligibility during
53 that period of time, the number of inmates with certificates who are
54 granted parole upon their first consideration for parole, the number

1 with certificates who are denied parole upon their first consideration,
2 and the number of individuals granted and denied parole who did not have
3 earned eligibility certificates.

4 S 5. Subdivision (q) of section 427 of chapter 55 of the laws of 1992,
5 amending the tax law and other laws relating to taxes, surcharges, fees
6 and funding, as amended by section 5 of part U of chapter 56 of the laws
7 of 2009, is amended to read as follows:

8 (q) the provisions of section two hundred eighty-four of this act
9 shall remain in effect until September 1, [2011] 2014 and be applicable
10 to all persons entering the program on or before August 31, [2011] 2014.

11 S 6. Section 10 of chapter 339 of the laws of 1972, amending the
12 correction law and the penal law relating to inmate work release,
13 furlough and leave, as amended by section 6 of part U of chapter 56 of
14 the laws of 2009, is amended to read as follows:

15 S 10. This act shall take effect 30 days after it shall have become a
16 law and shall remain in effect until September 1, [2011] 2014, and
17 provided further that the commissioner of correctional services shall
18 report each January first, and July first, to the chairman of the senate
19 crime victims, crime and correction committee, the senate codes commit-
20 tee, the assembly correction committee, and the assembly codes commit-
21 tee, the number of eligible inmates in each facility under the custody
22 and control of the commissioner who have applied for participation in
23 any program offered under the provisions of work release, furlough, or
24 leave, and the number of such inmates who have been approved for partic-
25 ipation.

26 S 7. Subdivision (c) of section 46 of chapter 60 of the laws of 1994
27 relating to certain provisions which impact upon expenditure of certain
28 appropriations made by chapter 50 of the laws of 1994 enacting the state
29 operations budget, as amended by section 7 of part U of chapter 56 of
30 the laws of 2009, is amended to read as follows:

31 (c) sections forty-one and forty-two of this act shall expire Septem-
32 ber 1, [2011] 2014; provided, that the provisions of section forty-two
33 of this act shall apply to inmates entering the work release program on
34 or after such effective date; and

35 S 8. Section 5 of chapter 554 of the laws of 1986, amending the
36 correction law and the penal law relating to providing for community
37 treatment facilities and establishing the crime of absconding from the
38 community treatment facility, as amended by section 8 of part U of chap-
39 ter 56 of the laws of 2009, is amended to read as follows:

40 S 5. This act shall take effect immediately and shall remain in full
41 force and effect until September 1, [2011] 2014, and provided further
42 that the commissioner of correctional services shall report each January
43 first and July first during such time as this legislation is in effect,
44 to the chairmen of the senate crime victims, crime and correction
45 committee, the senate codes committee, the assembly correction commit-
46 tee, and the assembly codes committee, the number of individuals who are
47 released to community treatment facilities during the previous six-month
48 period, including the total number for each date at each facility who
49 are not residing within the facility, but who are required to report to
50 the facility on a daily or less frequent basis.

51 S 9. Subdivision h of section 74 of chapter 3 of the laws of 1995,
52 amending the correction law and other laws relating to the incarceration
53 fee, as amended by section 9 of part U of chapter 56 of the laws of
54 2009, is amended to read as follows:

55 h. Section fifty-two of this act shall be deemed to have been in full
56 force and effect on and after April 1, 1995; provided, however, that the

1 provisions of section 189 of the correction law, as amended by section
2 fifty-five of this act, subdivision 5 of section 60.35 of the penal law,
3 as amended by section fifty-six of this act, and section fifty-seven of
4 this act shall expire September 1, [2011] 2014, when upon such date the
5 amendments to the correction law and penal law made by sections fifty-
6 five and fifty-six of this act shall revert to and be read as if the
7 provisions of this act had not been enacted; provided, however, that
8 sections sixty-two, sixty-three and sixty-four of this act shall be
9 deemed to have been in full force and effect on and after March 1, 1995
10 and shall be deemed repealed April 1, 1996 and upon such date the
11 provisions of subsection (e) of section 9110 of the insurance law and
12 subdivision 2 of section 89-d of the state finance law shall revert to
13 and be read as set out in law on the date immediately preceding the
14 effective date of sections sixty-two and sixty-three of this act;

15 S 10. Subdivision (z) of section 427 of chapter 55 of the laws of
16 1992, amending the tax law and other laws relating to taxes, surcharges,
17 fees and funding, as amended by section 10 of part U of chapter 56 of
18 the laws of 2009, is amended to read as follows:

19 (z) the provisions of section three hundred eighty-one of this act
20 shall apply to all persons supervised by the [division of parole]
21 DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION on or after the
22 effective date of this act, provided however, that subdivision 9 of
23 section 259-a of the executive law, as added by section three hundred
24 eighty-one of this act, shall expire on September 1, [2011] 2014;

25 S 11. Subdivision (aa) of section 427 of chapter 55 of the laws of
26 1992, amending the tax law and other laws relating to taxes, surcharges,
27 fees and funding, as amended by section 11 of part U of chapter 56 of
28 the laws of 2009, is amended to read as follows:

29 (aa) the provisions of sections three hundred eighty-two, three
30 hundred eighty-three and three hundred eighty-four of this act shall
31 expire on September 1, [2011] 2014;

32 S 12. Section 12 of chapter 907 of the laws of 1984, amending the
33 correction law, the New York city criminal court act and the executive
34 law relating to prison and jail housing and alternatives to detention
35 and incarceration programs, as amended by section 12 of part U of chap-
36 ter 56 of the laws of 2009, is amended to read as follows:

37 S 12. This act shall take effect immediately, except that the
38 provisions of sections one through ten of this act shall remain in full
39 force and effect until September 1, [2011] 2014 on which date those
40 provisions shall be deemed to be repealed.

41 S 13. Subdivision (p) of section 406 of chapter 166 of the laws of
42 1991, amending the tax law and other laws relating to taxes, as amended
43 by section 13 of part U of chapter 56 of the laws of 2009, is amended to
44 read as follows:

45 (p) The amendments to section 1809 of the vehicle and traffic law made
46 by sections three hundred thirty-seven and three hundred thirty-eight of
47 this act shall not apply to any offense committed prior to such effec-
48 tive date; provided, further, that section three hundred forty-one of
49 this act shall take effect immediately and shall expire November 1, 1993
50 at which time it shall be deemed repealed; sections three hundred
51 forty-five and three hundred forty-six of this act shall take effect
52 July 1, 1991; sections three hundred fifty-five, three hundred fifty-
53 six, three hundred fifty-seven and three hundred fifty-nine of this act
54 shall take effect immediately and shall expire June 30, 1995 and shall
55 revert to and be read as if this act had not been enacted; section three
56 hundred fifty-eight of this act shall take effect immediately and shall

1 expire June 30, 1998 and shall revert to and be read as if this act had
2 not been enacted; section three hundred sixty-four through three hundred
3 sixty-seven of this act shall apply to claims filed on or after such
4 effective date; sections three hundred sixty-nine, three hundred seven-
5 ty-two, three hundred seventy-three, three hundred seventy-four, three
6 hundred seventy-five and three hundred seventy-six of this act shall
7 remain in effect until September 1, [2011] 2014, at which time they
8 shall be deemed repealed; provided, however, that the mandatory
9 surcharge provided in section three hundred seventy-four of this act
10 shall apply to parking violations occurring on or after said effective
11 date; and provided further that the amendments made to section 235 of
12 the vehicle and traffic law by section three hundred seventy-two of this
13 act, the amendments made to section 1809 of the vehicle and traffic law
14 by sections three hundred thirty-seven and three hundred thirty-eight of
15 this act and the amendments made to section 215-a of the labor law by
16 section three hundred seventy-five of this act shall expire on September
17 1, [2011] 2014 and upon such date the provisions of such subdivisions
18 and sections shall revert to and be read as if the provisions of this
19 act had not been enacted; the amendments to subdivisions 2 and 3 of
20 section 400.05 of the penal law made by sections three hundred seventy-
21 seven and three hundred seventy-eight of this act shall expire on July
22 1, 1992 and upon such date the provisions of such subdivisions shall
23 revert and shall be read as if the provisions of this act had not been
24 enacted; the state board of law examiners shall take such action as is
25 necessary to assure that all applicants for examination for admission to
26 practice as an attorney and counsellor at law shall pay the increased
27 examination fee provided for by the amendment made to section 465 of the
28 judiciary law by section three hundred eighty of this act for any exam-
29 ination given on or after the effective date of this act notwithstanding
30 that an applicant for such examination may have prepaid a lesser fee for
31 such examination as required by the provisions of such section 465 as of
32 the date prior to the effective date of this act; the provisions of
33 section 306-a of the civil practice law and rules as added by section
34 three hundred eighty-one of this act shall apply to all actions pending
35 on or commenced on or after September 1, 1991, provided, however, that
36 for the purposes of this section service of such summons made prior to
37 such date shall be deemed to have been completed on September 1, 1991;
38 the provisions of section three hundred eighty-three of this act shall
39 apply to all money deposited in connection with a cash bail or a
40 partially secured bail bond on or after such effective date; and the
41 provisions of sections three hundred eighty-four and three hundred
42 eighty-five of this act shall apply only to jury service commenced
43 during a judicial term beginning on or after the effective date of this
44 act; provided, however, that nothing contained herein shall be deemed to
45 affect the application, qualification, expiration or repeal of any
46 provision of law amended by any section of this act and such provisions
47 shall be applied or qualified or shall expire or be deemed repealed in
48 the same manner, to the same extent and on the same date as the case may
49 be as otherwise provided by law;

50 S 14. Subdivision 8 of section 1809 of the vehicle and traffic law, as
51 amended by section 14 of part U of chapter 56 of the laws of 2009, is
52 amended to read as follows:

53 8. The provisions of this section shall only apply to offenses commit-
54 ted on or before September first, two thousand [eleven] FOURTEEN.

55 S 15. Section 6 of chapter 713 of the laws of 1988, amending the vehi-
56 cle and traffic law relating to the ignition interlock device program,

1 as amended by section 15 of part U of chapter 56 of the laws of 2009, is
2 amended to read as follows:

3 S 6. This act shall take effect on the first day of April next
4 succeeding the date on which it shall have become a law; provided,
5 however, that effective immediately, the addition, amendment or repeal
6 of any rule or regulation necessary for the implementation of the fore-
7 going sections of this act on their effective date is authorized and
8 directed to be made and completed on or before such effective date and
9 shall remain in full force and effect until the first day of September,
10 [2011] 2014 when upon such date the provisions of this act shall be
11 deemed repealed.

12 S 16. Paragraph a of subdivision 6 of section 76 of chapter 435 of the
13 laws of 1997, amending the military law and other laws relating to vari-
14 ous provisions, as amended by section 16 of part U of chapter 56 of the
15 laws of 2009, is amended to read as follows:

16 a. sections forty-three through forty-five of this act shall expire
17 and be deemed repealed on September 1, [2011] 2014;

18 S 17. Section 4 of part D of chapter 412 of the laws of 1999, amending
19 the civil practice law and rules and the court of claims act relating to
20 prisoner litigation reform, as amended by section 17 of part U of chap-
21 ter 56 of the laws of 2009, is amended to read as follows:

22 S 4. This act shall take effect 120 days after it shall have become a
23 law and shall remain in full force and effect until September 1, [2011]
24 2014, when upon such date it shall expire.

25 S 18. Subdivision 2 of section 59 of chapter 222 of the laws of 1994,
26 constituting the family protection and domestic violence intervention
27 act of 1994, as amended by section 18 of part U of chapter 56 of the
28 laws of 2009, is amended to read as follows:

29 2. Subdivision 4 of section 140.10 of the criminal procedure law as
30 added by section thirty-two of this act shall take effect January 1,
31 1996 and shall expire and be deemed repealed on September 1, [2011]
32 2014.

33 S 19. Section 5 of chapter 505 of the laws of 1985, amending the crim-
34 inal procedure law relating to the use of closed-circuit television and
35 other protective measures for certain child witnesses, as amended by
36 section 19 of part U of chapter 56 of the laws of 2009, is amended to
37 read as follows:

38 S 5. This act shall take effect immediately and shall apply to all
39 criminal actions and proceedings commenced prior to the effective date
40 of this act but still pending on such date as well as all criminal
41 actions and proceedings commenced on or after such effective date and
42 its provisions shall expire on September 1, [2011] 2014, when upon such
43 date the provisions of this act shall be deemed repealed.

44 S 20. Subdivision d of section 74 of chapter 3 of the laws of 1995,
45 enacting the sentencing reform act of 1995, as amended by section 21 of
46 part U of chapter 56 of the laws of 2009, is amended to read as follows:

47 d. Sections one-a through twenty, twenty-four through twenty-eight,
48 thirty through thirty-nine, forty-two and forty-four of this act shall
49 be deemed repealed on September 1, [2011] 2014;

50 S 21. Section 2 of chapter 689 of the laws of 1993 amending the crimi-
51 nal procedure law relating to electronic court appearance in certain
52 counties, as amended by section 23 of part U of chapter 56 of the laws
53 of 2009, is amended to read as follows:

54 S 2. This act shall take effect immediately, except that the
55 provisions of this act shall be deemed to have been in full force and
56 effect since July 1, 1992 and the provisions of this act shall expire

September 1, [2011] 2014 when upon such date the provisions of this act shall be deemed repealed.

S 22. Section 3 of chapter 688 of the laws of 2003, amending the executive law relating to enacting the interstate compact for adult offender supervision, as amended by section 20 of part U of chapter 56 of the laws of 2009, is amended to read as follows:

S 3. This act shall take effect immediately, except that section one of this act shall take effect on the first of January next succeeding the date on which it shall have become a law, and shall remain in effect until the first of September, [2011] 2014, upon which date this act shall be deemed repealed and have no further force and effect; provided that section one of this act shall only take effect with respect to any compacting state which has enacted an interstate compact entitled "Interstate compact for adult offender supervision" and having an identical effect to that added by section one of this act and provided further that with respect to any such compacting state, upon the effective date of section one of this act, section 259-m of the executive law is hereby deemed REPEALED and section 259-mm of the executive law, as added by section one of this act, shall take effect; and provided further that with respect to any state which has not enacted an interstate compact entitled "Interstate compact for adult offender supervision" and having an identical effect to that added by section one of this act, section 259-m of the executive law shall take effect and the provisions of section one of this act, with respect to any such state, shall have no force or effect until such time as such state shall adopt an interstate compact entitled "Interstate compact for adult offender supervision" and having an identical effect to that added by section one of this act in which case, with respect to such state, effective immediately, section 259-m of the executive law is deemed repealed and section 259-mm of the executive law, as added by section one of this act, shall take effect.

S 23. Section 8 of part H of chapter 56 of the laws of 2009, amending the correction law relating to limiting the closing of certain correctional facilities, providing for the custody by the department of correctional services of inmates serving definite sentences, providing for custody of federal prisoners and requiring the closing of certain correctional facilities, is amended to read as follows:

S 8. This act shall take effect immediately; provided, however that sections five and six of this act shall expire and be deemed repealed September 1, [2011] 2014.

S 24. This act shall take effect immediately.

PART B

Section 1. Sections 1 and 2 of part H of chapter 503 of the laws of 2009 relating to the disposition of monies recovered by county district attorneys before the filing of an accusatory instrument, as amended by section 1 of part KK of chapter 56 of the laws of 2010, are amended to read as follows:

Section 1. When a county district attorney of a county located in a city of one million or more recovers monies before the filing of an accusatory instrument as defined in subdivision 1 of section 1.20 of the criminal procedure law, after injured parties have been appropriately compensated, the district attorney's office shall retain a percentage of the remaining such monies in recognition that such monies were recovered as a result of investigations undertaken by such office. [The] FOR EACH

1 RECOVERY THE total amount of such monies to be retained by the county
2 district attorney's office shall equal ten percent of the first twenty-
3 five million dollars received by such office [during the state fiscal
4 year], plus seven and one-half percent of such monies received by such
5 office in excess of twenty-five million dollars but less than fifty
6 million dollars, plus five percent of any such monies received by such
7 office in excess of fifty million dollars but less than one hundred
8 million dollars, plus one percent of such monies received by such office
9 in excess of one hundred million dollars. The remainder of such monies
10 shall be paid by the district attorney's office to the state and to the
11 county in equal amounts within thirty days of receipt, where disposition
12 of such monies is not otherwise prescribed by law. Monies distributed
13 to a county district attorney's office pursuant to this section shall be
14 used to enhance law enforcement efforts [and shall not supplant funds
15 for ordinary budgetary costs including salaries of personnel and
16 expenses of district attorneys].

17 S 2. This act shall take effect immediately and shall remain in full
18 force and effect until [the last day of] March 31, [2011] 2012, when it
19 shall expire and be deemed repealed.

20 S 2. This act shall take effect immediately and shall be deemed to
21 have been in full force and effect on and after March 31, 2011;
22 provided, however, that the amendments to section 1 of part H of chapter
23 503 of the laws of 2009 made by section one of this act shall not affect
24 the repeal of such section and shall be deemed repealed therewith.

25 PART C

26 Intentionally omitted.

27 PART D

28 Section 1. Subdivision 6 of section 186-f of the tax law, as added by
29 section 3 of part B of chapter 56 of the laws of 2009, paragraph (c) as
30 amended by section 38 and paragraph (d) as amended and paragraph (e) as
31 added by section 39 of part B of chapter 56 of the laws of 2010, is
32 amended to read as follows:

33 6. Distribution. The monies collected from the surcharge imposed by
34 this section must be distributed to include the following:

35 (a) The sum of twenty-five million five hundred thousand dollars must
36 be allocated to the state police pursuant to appropriation by the legis-
37 lature annually;

38 (b) The sum of one million five hundred thousand dollars must be
39 deposited into the New York state emergency services revolving loan fund
40 annually; PROVIDED, HOWEVER, THAT SUCH SUMS SHALL NOT BE DEPOSITED FOR
41 STATE FISCAL YEARS TWO THOUSAND ELEVEN--TWO THOUSAND TWELVE AND TWO
42 THOUSAND TWELVE--TWO THOUSAND THIRTEEN;

43 (c) Up to the sum of seventy-five million dollars annually may be used
44 for the provision of grants or reimbursements to counties for the devel-
45 opment, consolidation, or operation of public safety communications
46 systems or networks designed to support statewide interoperable communi-
47 cations for first responders, to be distributed pursuant to standards
48 and guidelines issued by the state. Annual grants may consider costs
49 borne by a municipality related to the issuance of local public safety
50 communications bonds pursuant to section twenty-four hundred thirty-two
51 of the public authorities law, when the municipality has qualified as an
52 approved participant in a statewide interoperable communications system

under the standards and guidelines issued by the state, and maintains compliance with such standards and guidelines. The grant amount will be prescribed pursuant to an agreement with the municipality, and may not exceed thirty percent of the annual cost borne by the municipality in relation to such bonds;

(d) To provide the costs of debt service for bonds and notes issued to finance expedited deployment funding pursuant to the provisions of section three hundred thirty-three of the county law and section sixteen hundred eighty-nine-h of the public authorities law; and

(e) [services] SERVICES and expenses that support the operations and mission of the division of homeland security and emergency services as appropriated by the legislature.

S 2. This act shall take effect immediately.

PART E

Section 1. Paragraph (f) of subdivision 1 of section 169 of the executive law, as separately amended by section 11 of part A-1 and section 10 of part O of chapter 56 of the laws of 2010, is amended to read as follows:

(f) executive director of adirondack park agency, [commissioners of the state liquor authority,] commissioners of the state civil service commission, members of state commission of correction, members of unemployment insurance appeal board, and members of the workers' compensation board.

S 2. Section 11 of the alcoholic beverage control law, as amended by chapter 83 of the laws of 1995, is amended to read as follows:

S 11. Appointment of authority. The members of the authority shall be appointed by the governor by and with the advice and consent of the senate. Not more than two members of the authority shall belong to the same political party. The chairman of the state alcoholic beverage control board heretofore appointed and designated by the governor and the remaining members of such board heretofore appointed by the governor shall continue to serve as chairman and members of the authority until the expiration of the respective terms for which they were appointed. Upon the expiration of such respective terms the successors of such chairman and members shall be appointed to serve for a term of three years each and until their successors have been appointed and qualified. THE COMMISSIONERS, OTHER THAN THE CHAIRMAN SHALL, WHEN PERFORMING THE WORK OF THE AUTHORITY, BE COMPENSATED AT A RATE OF TWO HUNDRED SIXTY DOLLARS PER DAY, TOGETHER WITH AN ALLOWANCE FOR ACTUAL AND NECESSARY EXPENSES INCURRED IN THE DISCHARGE OF THEIR DUTIES. THE CHAIRMAN SHALL RECEIVE AN ANNUAL SALARY ESTABLISHED IN SECTION ONE HUNDRED SIXTY-NINE OF THE EXECUTIVE LAW.

S 3. This act shall take effect immediately.

PART F

Section 1. Subdivision 2 of section 9-212 of the election law, as amended by chapter 635 of the laws of 1990, is amended to read as follows:

2. All such determinations shall be in writing and signed by the members of the canvassing board or a majority of them and filed and recorded in the office of the board of elections. Except in the city of New York and in the counties of Nassau, Orange and Westchester, the board of elections shall cause a copy of such determinations, and of the

1 statements filed in its office upon which such determinations were
2 based, to be [published once in each of the newspapers designated to
3 publish election notices and the official canvass] POSTED ON ITS
4 WEBSITE. The statement of canvass to be [published] POSTED, however,
5 shall not give the vote by election districts but shall contain only the
6 total vote for a person, or the total vote for and the total vote
7 against a ballot proposal, cast within the county, or within the portion
8 thereof, if any, in which an office is filled or ballot proposal is
9 decided by the voters if the canvass of the vote thereon devolves upon
10 the county board of canvassers. Such totals shall be expressed in arabic
11 numerals.

12 S 2. Section 4-116 of the election law, the section heading as amended
13 by chapter 234 of the laws of 1976, subdivision 1 as amended by chapter
14 341 of the laws of 1995, and subdivisions 2 and 3 as amended by chapter
15 60 of the laws of 1993, is amended to read as follows:

16 S 4-116. Constitutional amendments and questions; publication of by
17 state board of elections and secretary of state. 1. The secretary of
18 state shall cause each concurrent resolution of the two houses of the
19 legislature agreeing to a proposed amendment to the constitution that
20 has been referred to the legislature to be chosen at the next general
21 election to be [published] POSTED ON ITS WEBSITE at least once in each
22 of the three months next preceding such election. Such [publication]
23 POSTING shall include the information that such amendment has been so
24 referred.

25 2. The state board of elections shall [publish] POST ON ITS WEBSITE
26 once in the week preceding any election at which proposed constitutional
27 amendments or other propositions or questions are to be submitted to the
28 voters of the state an abstract of such amendment or question, a brief
29 statement of the law or proceedings authorizing such submission, a
30 statement that such submission will be made and the form in which it is
31 to be submitted.

32 [3. Publication required by subdivision two of this section shall be
33 in one newspaper of general circulation in each county.]

34 S 3. This act shall take effect April 1, 2011.

35 PART G

36 Section 1. The opening paragraph of subparagraph 4 of paragraph (h) of
37 subdivision 8 of section 15 of the workers' compensation law, as amended
38 by section 1 of part QQ of chapter 56 of the laws of 2009, is amended to
39 read as follows:

40 As soon as practicable after May first in the year nineteen hundred
41 fifty-eight, and annually thereafter as soon as practicable after Janu-
42 ary first in each succeeding year, the chair of the board shall assess
43 upon and collect from all self-insurers[, except group self-insurers],
44 the state insurance fund, AND all insurance carriers [and group self-in-
45 surers,] (A) a sum equal to one hundred fifty per centum of the total
46 disbursements made from the special disability fund during the preceding
47 calendar year (not including any disbursements made on account of antic-
48 ipated liabilities or waiver agreements funded by bond proceeds and
49 related earnings), less the amount of the net assets in such fund as of
50 December thirty-first of said preceding calendar year, and (B) a sum
51 sufficient to cover debt service, and associated costs (the "debt
52 service assessment") to be paid during the calendar year by the dormito-
53 ry authority, as calculated in accordance with subparagraph five of this
54 paragraph. Such assessments shall be allocated to (i) self-insurers

1 [except group self-insurers] and the state insurance fund based upon the
2 proportion that the total compensation payments made by all self-insur-
3 ers [except group self-insurers] and the state insurance fund bore to
4 the total compensation payments made by all self-insurers [except group
5 self-insurers], the state insurance fund, AND all insurance carriers
6 [and group self-insurers], AND (ii) insurance carriers based upon the
7 proportion that the total compensation payments made by all insurance
8 carriers bore to the total compensation payments by all self-insurers
9 [except group self-insurers], the state insurance fund and all insurance
10 carriers [and group self-insurers] during the fiscal year which ended
11 within said preceding calendar year[, and (iii) group self-insurers
12 based upon the proportion that the total compensation payments made by
13 all group self-insurers bore to the total compensation payments made by
14 all self-insurers, the state insurance fund and all insurance carriers
15 during the fiscal year which ended within said preceding calendar year].
16 Insurance carriers and self-insurers shall be liable for all such
17 assessments regardless of the date on which they came into existence, or
18 whether they have made any claim for reimbursement from the special
19 disability fund. The portion of such sum allocated to self-insurers
20 [except group self-insurers] and the state insurance fund that shall be
21 collected from each self-insurer [except a group self-insurer] and the
22 state insurance fund shall be a sum equal to the proportion of the
23 amount which the total compensation payments of each such self-insurer
24 [except a group self-insurer] or the state insurance fund bore to the
25 total compensation payments made by all self-insurers [except group
26 self-insurers] and the state insurance fund during the fiscal year which
27 ended within said preceding calendar year. The portion of such sum allo-
28 cated to insurance carriers that shall be collected from each insurance
29 carrier shall be a sum equal to that proportion of the amount which the
30 total standard premium by each such insurance carrier bore to the total
31 standard premium reported by all insurance carriers during the calendar
32 year which ended within said preceding fiscal year. [The portion of such
33 sum allocated to group self-insurers that shall be collected from each
34 group self-insurer shall be a sum equal to that proportion of the amount
35 which the pure premium calculation for each such group self-insurer bore
36 to the total pure premium calculation for all group self-insurers for
37 the calendar year which ended within the preceding state fiscal year.]
38 The payments from the debt service assessment, unless otherwise set
39 forth in the special disability fund financing agreement, are hereby
40 pledged therefor and shall be deemed the first monies received on
41 account of assessments in each year. For the purposes of this paragraph,
42 "standard premium" shall mean the premium as defined for the purposes of
43 this assessment by the superintendent of insurance, in consultation with
44 the chair of the board and the workers' compensation rating board. [For
45 purposes of this paragraph "pure premium calculation" means the New York
46 state annual payroll as of December thirty-first of the preceding year
47 by class code for each employer member of a group self-insurer multi-
48 plied by the applicable loss cost for each class code as determined by
49 the workers' compensation rating board in effect on December thirty-
50 first of the preceding year, and for a group or individual self-insurer
51 who has ceased to self-insure shall be based on payroll at the time the
52 group or individual self-insurer ceased to self-insure reduced by a
53 factor reflecting the reduction in the group or individual self-
54 insurer's self-insurance liabilities since ceasing to self-insure.] An
55 employer who has ceased to be a self-insurer [or a group that ceases to
56 be licensed as a group self-insurer] shall continue to be liable for any

1 assessments into said fund on account of any compensation payments made
2 by him or her on his or her account during such fiscal year, and the
3 security fund, created under the provisions of section one hundred seven
4 of this chapter, shall, in the event of the insolvency of any insurance
5 company, be liable for any assessments that would have been made against
6 such company except for its insolvency. No assessment shall be payable
7 from the aggregate trust fund, created under the provisions of section
8 twenty-seven of this article, but such fund shall continue to be liable
9 for all compensation that shall be payable under any award or order of
10 the board, the commuted value of which has been paid into such fund.
11 Such assessments when collected shall be deposited with the commissioner
12 of taxation and finance for the benefit of such fund. Unless otherwise
13 provided, such assessments, shall not constitute an element of loss for
14 the purpose of establishing rates for compensation insurance but shall
15 for the purpose of collection be treated as separate costs by carriers.
16 All insurance carriers and the state insurance fund, shall collect such
17 assessments, from their policyholders through a surcharge based on
18 premiums in accordance with rules set forth by the superintendent of
19 insurance in consultation with the New York workers' compensation rating
20 board and the chair of the board. Such surcharge shall be considered as
21 part of premium for purposes prescribed by law including, but not limit-
22 ed to, computing premium tax, reporting to the superintendent of insur-
23 ance pursuant to section ninety-nine of this chapter and section three
24 hundred seven of the insurance law, determining the limitation of
25 expenditures for the administration of the state insurance fund pursuant
26 to section eighty-eight of this chapter and the cancellation by an
27 insurance carrier, including the state insurance fund, of a policy for
28 non-payment of premium. The provisions of this paragraph shall not apply
29 with respect to policies containing coverage pursuant to subsection (j)
30 of section three thousand four hundred twenty of the insurance law
31 relating to every policy providing comprehensive personal liability
32 insurance on a one, two, three or four family owner-occupied dwelling.
33 The state insurance fund shall[,] notify its insureds that such assess-
34 ments, shall be, for the purpose of recoupment, treated as separate
35 costs, [respectively] for the purpose of premiums billed on or after
36 October first, nineteen hundred ninety-four. FOR THE PURPOSES OF THIS
37 SECTION, A "SELF-INSURER" SHALL BE: (I) AN EMPLOYER AUTHORIZED TO
38 SELF-INSURE UNDER SUBDIVISION THREE OF SECTION FIFTY OF THIS CHAPTER,
39 ACTIVE GROUPS AUTHORIZED PURSUANT TO SUBDIVISION THREE-A OF SECTION
40 FIFTY OF THIS CHAPTER OR A GROUP OF EMPLOYERS AUTHORIZED TO SELF-INSURE
41 UNDER PARAGRAPH TEN OF SUBDIVISION THREE-A OF SECTION FIFTY OF THIS
42 CHAPTER; (II) A PUBLIC EMPLOYER AUTHORIZED AS SET FORTH IN PARAGRAPH A
43 OF SUBDIVISION FOUR OF SECTION FIFTY OF THIS CHAPTER TO SELF-INSURE
44 UNDER SUBDIVISION THREE, THREE-A OR FOUR OF SUCH SECTION OR ARTICLE FIVE
45 OF THIS CHAPTER, WHETHER INDIVIDUALLY OR AS A GROUP.

46 S 2. The workers' compensation law is amended by adding a new section
47 15-a to read as follows:

48 S 15-A. ASSESSMENT ON DELINQUENT GROUP SELF-INSURED TRUSTS. THE LEGIS-
49 LATURE FINDS THAT IN LIEU OF THE RELIEF FROM THE ASSESSMENTS UNDER
50 SECTIONS FIFTEEN AND ONE HUNDRED FIFTY-ONE OF THIS CHAPTER THAT SHALL NO
51 LONGER BE IMPOSED ON CLOSED GROUP SELF-INSURED TRUSTS AS A RESULT OF A
52 CHAPTER OF THE LAWS OF TWO THOUSAND ELEVEN, THE MEMBERS OF GROUP
53 SELF-INSURED TRUSTS THAT WERE NOT FULLY FUNDED UPON CLOSING, AND THAT
54 FAIL TO PAY THEIR OBLIGATIONS WITHIN THE PERIODS SPECIFIED BY THIS
55 SECTION, SHALL BE SUBJECT TO AN ASSESSMENT. WITHIN THIRTY DAYS OF JANU-
56 ARY FIRST, TWO THOUSAND SIXTEEN, ALL EMPLOYERS WHO WERE MEMBERS OF A

1 CLOSED GROUP SELF-INSURED TRUST THAT HAD NOT FULLY FUNDED ALL OUTSTAND-
2 ING CLAIMS OBLIGATIONS AT THE TIME THE GROUP WAS CLOSED SHALL BE SUBJECT
3 TO AN ASSESSMENT UNDER THIS PARAGRAPH, EXCEPT FOR THOSE EMPLOYERS THAT:
4 (1) HAVE ENTERED INTO A SETTLEMENT AGREEMENT OR PAYMENT PLAN WITH THE
5 BOARD UNDER WHICH THEY HAVE AGREED TO RESOLVE ALL LIABILITIES FROM THE
6 MEMBERSHIP IN SUCH TRUST, AND REMAIN CURRENT IN THEIR PAYMENTS; (2) ARE
7 MEMBERS OF A GROUP SELF-INSURER THAT HAS TRANSFERRED ALL OF ITS LIABIL-
8 ITIES TRANSFERRED VIA A LOSS PORTFOLIO TRANSFER; (3) HAVE PAID ALL
9 MONEYS BILLED THEM BY THE BOARD AT THE TIME SUCH ASSESSMENT IS DUE; OR
10 (4) WHERE THE TRUST IS NOT ADMINISTERED BY THE BOARD, CAN DEMONSTRATE
11 THAT THE ADMINISTRATOR OF THE INACTIVE TRUST HAS ASSESSED SUCH EMPLOYER
12 FOR ITS PRO RATA SHARE OF THE TRUST'S OUTSTANDING LIABILITIES, AND THE
13 EMPLOYER HAS PAID SUCH ASSESSMENT. THE TOTAL OF SUCH ASSESSMENT SHALL BE
14 DETERMINED BY THE PERCENTAGE OF THE ASSESSMENT LEVIED ON ALL EMPLOYERS
15 UNDER SUBDIVISION EIGHT OF SECTION FIFTEEN OF THIS ARTICLE IN TWO THOU-
16 SAND TEN THAT WAS LEVIED ON GROUP SELF-INSURED TRUSTS TIMES THE TOTAL
17 AMOUNT OF THE EMPLOYER'S UNPAID PRO RATA SHARE OF ANY DEFICIT OWED BY
18 THE CLOSED GROUP SELF-INSURED EMPLOYER OF WHICH SUCH EMPLOYER WAS A
19 MEMBER, AS DETERMINED BY THE BOARD OR THE ADMINISTRATOR OF SUCH TRUST IF
20 IT IS NOT ADMINISTERED BY THE BOARD. THE AMOUNT RECEIVED ON SUCH ASSESS-
21 MENT SHALL BE USED AS AN OFFSET AGAINST THE ASSESSMENTS IMPOSED ON OTHER
22 EMPLOYERS UNDER SUBDIVISION EIGHT OF SECTION FIFTEEN OF THIS ARTICLE AND
23 SECTION ONE HUNDRED FIFTY-ONE OF THIS CHAPTER IN THE CALENDAR YEAR
24 FOLLOWING THE YEAR IN WHICH IT WAS RECEIVED.

25 S 3. Subdivision 3 of section 50 of the workers' compensation law, as
26 amended by chapter 6 of the laws of 2007, the second undesignated para-
27 graph as amended by section 3 of part R of chapter 56 of the laws of
28 2010, is amended to read as follows:

29 3. By furnishing satisfactory proof to the chair of his financial
30 ability to pay such compensation for himself, OR TO PAY SUCH COMPEN-
31 SATION ON BEHALF OF A GROUP OF EMPLOYERS IN ACCORDANCE WITH SUBDIVISION
32 TEN OF THIS SECTION, in which case the chair shall require the deposit
33 with the chair of such securities as the chair may deem necessary of the
34 kind prescribed in subdivisions one, two, three, four and five, and
35 subparagraph (a) of paragraph three of subdivision seven of section two
36 hundred thirty-five of the banking law, or the deposit of cash, or the
37 filing of irrevocable letters of credit issued by a qualified banking
38 institution as defined by rules promulgated by the chair or the filing
39 of a bond of a surety company authorized to transact business in this
40 state, in an amount to be determined by the chair, or the posting and
41 filing as aforesaid of a combination of such securities, cash, irrev-
42 ocable letters of credit and surety bond in an amount to be determined
43 by the chair, to secure his liability to pay the compensation provided
44 in this chapter. Any such surety bond must be approved as to form by the
45 chair. If an employer OR GROUP OF EMPLOYERS posts and files a combina-
46 tion of securities, cash, irrevocable letters of credit and surety bond
47 as aforesaid, and if it becomes necessary to use the same to pay the
48 compensation provided in this chapter, the chair shall first use such
49 securities or cash or irrevocable letters of credit and, when the full
50 amount thereof has been exhausted, he shall then require the surety to
51 pay forthwith to the chair all or any part of the penal sum of the bond
52 for that purpose. The chair may also require an agreement on the part of
53 the employer OR GROUP OF EMPLOYERS to pay any awards commuted under
54 section twenty-seven of this chapter, into the special fund of the state
55 fund, as a condition of his being allowed to remain uninsured pursuant
56 to this section. The chair shall have the authority to deny the applica-

tion of an employer OR GROUP OF EMPLOYERS to pay such compensation for himself or to revoke his consent furnished, under this section at any time, for good cause shown. The employer OR GROUP OF EMPLOYERS qualifying under this subdivision shall be known as a self-insurer.

If for any reason the status of an employer OR GROUP OF EMPLOYERS under this subdivision is terminated, the securities or the surety bond, or the securities, cash, or irrevocable letters of credit and surety bond, on deposit referred to herein shall remain in the custody of the chair for such time as the chair may deem proper and warranted under the circumstances. In lieu thereof, and at the discretion of the chair, the employer, his or her heirs or assigns or others carrying on or liquidating such business, may execute an assumption of workers' compensation liability insurance policy securing such further and future contingent liability as may arise from prior injuries to workers and be incurred by reason of any change in condition of such workers warranting the board making subsequent awards for payment of additional compensation. Such policy shall be in a form approved by the superintendent of insurance and issued by the state fund or any insurance company licensed to issue this class of insurance in this state. In the event that such policy is issued by an insurance company other than the state fund, then said policy shall be deemed of the kind specified in paragraph fifteen of subsection (a) of section one thousand one hundred thirteen of the insurance law and covered by the workers' compensation security fund as created and governed by article six-A of this chapter. It shall only be issued for a single complete premium payment in advance by the employer OR GROUP OF EMPLOYERS and in an amount deemed acceptable by the chair and the superintendent of insurance. In lieu of the applicable premium charge ordinarily required to be imposed by a carrier, said premium shall include a surcharge in an amount to be determined by the chair to:

- (i) satisfy all assessment liability due and owing to the board and/or the chair under this chapter; and (ii) satisfy all future assessment liability under this section, AND WHICH SURCHARGE SHALL BE ADJUSTED FROM TIME TO TIME TO REFLECT ANY CHANGES TO THE ASSESSMENT OF GROUP SELF-INSURED EMPLOYERS, INCLUDING ANY CHANGES ENACTED BY A CHAPTER OF THE LAWS OF TWO THOUSAND ELEVEN AMENDING SECTIONS FIFTEEN AND ONE HUNDRED FIFTY-ONE OF THIS CHAPTER. Said surcharge shall be payable to the board simultaneous to the execution of the assumption of workers' compensation liability insurance policy. However, the payment of said surcharge does not relieve the carrier from any other liability, including liability owed to the superintendent of insurance pursuant to article [six-a] SIX-A of this chapter. When issued such policy shall be non-cancellable without recourse for any cause during the continuance of the liability secured and so covered.

[The board will report to the governor and the legislature on or before December first, two thousand seven, as to the advisability and feasibility of (1) implementing a statewide self-insured employer bond program, and (2) an improved individual employer bond program.]

S 4. Paragraph 9 of subdivision 3-a of section 50 of the workers' compensation law is REPEALED.

S 5. Paragraph 2 and subparagraph (a) of paragraph 7 of subdivision 3-a of section 50 of the workers' compensation law, paragraph 2 as amended by chapter 139 of the laws of 2008, and subparagraph (a) of paragraph 7 as amended by section 4 of part R of chapter 56 of the laws of 2010, are amended and three new paragraphs 10, 11 and 12 are added to read as follows:

1 (2) (a) Any group consisting exclusively of such employers may adopt a
2 plan for self-insurance, as a group, for the payment of compensation
3 under this chapter to their employees, except that no new groups may
4 adopt such a plan [prior to April first, two thousand nine], AND NO
5 GROUP NOT COMPOSED SOLELY OF PUBLIC ENTITIES SET FORTH IN PARAGRAPH A OF
6 SUBDIVISION FOUR OF THIS SECTION MAY INSURE ANY LIABILITIES FOR ANY
7 EMPLOYERS ON AND AFTER JANUARY FIRST, TWO THOUSAND TWELVE, EXCEPT AS
8 PROVIDED FOR IN PARAGRAPH TEN OF THIS SUBDIVISION. Under such plan the
9 group shall assume the liability of all the employers within the group
10 and pay all compensation for which the said employers are liable under
11 this chapter, except that in the case of municipal corporations as here-
12 in defined no proof of financial ability or deposit of securities or
13 cash need be made in compliance with this subdivision. The group quali-
14 fying under this subdivision shall be known as a group self-insurer and
15 the employers participating therein and covered thereby shall be known
16 as members.

17 (b) Where such plan is adopted the group self-insurer shall furnish
18 satisfactory proof to the chair of its financial ability to pay such
19 compensation for the members in the industry covered by it, its reven-
20 ues, their source and assurance of continuance. The chair shall require
21 the deposit with the chair of such securities as may be deemed necessary
22 of the kind prescribed in subdivisions one, two, three, four and five,
23 and subparagraph (a) of paragraph three of subdivision seven of section
24 two hundred thirty-five of the banking law or the deposit of cash or the
25 filing of irrevocable letters of credit issued by a qualified banking
26 institution as defined by rules promulgated by the chair or the filing
27 of a bond of a surety company authorized to transact business in this
28 state, in an amount to be determined to secure its liability to pay the
29 compensation of each employer as above provided. Such surety bond must
30 be approved as to form by the chair. The chair shall require each group
31 self-insurer to provide regular reports no less than annually, which
32 shall include but not be limited to audited financial statements, actu-
33 arial opinions and payroll information containing proof that it is fully
34 funded. Such reports shall also include a contribution year analysis
35 detailing contributions and expenses associated with each specific
36 contribution year. For purposes of this paragraph, proof that a group
37 self-insurer is fully funded shall at a minimum include proof of unre-
38 stricted cash and investments permitted by regulation of the chair of at
39 least one hundred percent of the total liabilities, including the esti-
40 mate presented in the actuarial opinion submitted by the group self-in-
41 surer in accordance with this chapter. The chair by regulation, may set
42 further financial standards for group self-insurers. Any group self-in-
43 surer that fails to show that it is fully funded shall be deemed under-
44 funded, and must submit a plan for achieving fully funded status which
45 may include a deficit assessment on members of such group self-insurer
46 which shall be subject to approval or modification by the chair. [The
47 chair may impose such limitations on admission of new members or offer-
48 ing of discounts on underfunded group self-insurers to insure that such
49 group self-insurers shall become fully funded. Should the group self-in-
50 surer fail to meet the terms of its plan, the chair may condition its
51 continued authorization to act as a group self-insurer on the appoint-
52 ment of an outside monitor selected by the chair, at the group self-
53 insurer's expense. Effective January first, two thousand fourteen, any
54 group self-insurer that fails to show it is fully funded in accordance
55 with this paragraph and the regulations issued pursuant thereto shall
56 have one year to cure the deficiency. If such deficiency is not cured

1 within one year, the group self-insurer shall be given six months to
2 terminate its coverage.]

3 (c) The chair shall evaluate, no less than once every three years, a
4 group self-insurer's compliance with the financial and regulatory
5 requirements for self-insurance. The chair may engage any qualified
6 person or organization to assist with such evaluation and any costs
7 incurred by the chair shall be borne by the group self-insurer under
8 examination. Failure to submit to such independent review or to pay such
9 costs, upon demand of the chair, shall be sufficient grounds to termi-
10 nate coverage of the group self-insurer.

11 (d) The chair may require reports to be prepared by an auditor, actu-
12 ary or other consultant, selected by the board or, at the chair's
13 discretion, by the group self-insurer from a list which shall be pre-ap-
14 proved by the chair to determine whether the group self-insurer meets
15 the financial criteria for self-insurance. All actuaries so selected
16 shall be fellows or associates of the casualty actuarial society.

17 (e) The chair may also require that any and all agreements, contracts
18 and other pertinent documents relating to the organization of the
19 members in the group self-insurer shall be filed [at the time the appli-
20 cation for group self-insurance is made or anytime thereafter. Such
21 application shall be on a form prescribed by the chair. The chair may
22 also require an agreement on the part of said group self-insurer to pay
23 any awards commuted under section twenty-seven of this chapter into the
24 aggregate trust fund as a condition of its being allowed to operate as a
25 group self-insurer pursuant to this subdivision] WITH THE CHAIR.

26 (f) The chair shall have the authority to [deny the application of the
27 group self-insurer to pay such compensation or to] revoke consent
28 furnished under this section at any time for good cause shown.

29 (g) At least twenty days prior to the requested effective date of the
30 participating agreement, a group self-insurer shall notify the chair on
31 a prescribed form of a new group self-insurer member and file (1) a
32 member application and (2) a copy of the properly executed prescribed
33 participation agreement wherein the member acknowledges their joint and
34 several obligation for their period of membership. The board shall, on a
35 form promulgated by the chair, provide notice of the member's rights and
36 responsibilities as a group self-insurer member, including the member's
37 assumption of joint and several liability, and require the member to
38 return a signed copy to the chair as a condition of membership. Such
39 membership shall not become effective until the signed copy has been
40 received by the board.

41 (h) Any member terminating membership in a group self-insurer after
42 less than four years in such group self-insurer, and any member in a
43 group self-insurer that has defaulted, shall be precluded from obtaining
44 prospective coverage from any group self-insurer for a period of at
45 least three years from the effective date of termination.

46 (a) If for any reason, the status of a group self-insurer under this
47 subdivision is terminated, INCLUDING BY OPERATION OF LAW ON AND AFTER
48 JANUARY FIRST, TWO THOUSAND TWELVE, the securities or cash or the surety
49 bond on deposit referred to herein shall remain in the custody of the
50 chair for such time as the chair may deem proper and warranted. In lieu
51 thereof, and at the discretion of the chair, the group self-insurer, its
52 heirs or assigns or others carrying on or liquidating such group self-
53 insurer, including the chair on the group self-insurer's behalf, may
54 execute an assumption of workers' compensation liability insurance poli-
55 cy securing such further and future contingent liability as may arise
56 from prior injuries to workers and be incurred by reason of any change

1 in the condition of such workers warranting the board making subsequent
2 awards for payment of additional compensation. Such policy shall be in a
3 form approved by the superintendent of insurance and issued by the state
4 fund or any insurance company licensed to issue this class of insurance
5 in this state. In the event that such policy is issued by an insurance
6 company other than the state fund, then said policy shall be deemed of
7 the kind specified in paragraph fifteen of subsection (a) of section one
8 thousand one hundred thirteen of the insurance law and covered by the
9 workers' compensation security fund as created and governed by article
10 six-A of this chapter. It shall only be issued for a single complete
11 premium payment in advance by the group self-insurer and in an amount
12 deemed acceptable by the chair and the superintendent of insurance. In
13 lieu of the applicable premium charge ordinarily required to be imposed
14 by a carrier, said premium shall include a surcharge in an amount to be
15 determined by the chair to: (i) satisfy all assessment liability due and
16 owing to the board and/or the chair under this chapter; and (ii) satisfy
17 all future assessment liability under this section. Said surcharge shall
18 be payable to the board simultaneous to the execution of the assumption
19 of workers' compensation liability insurance policy. However, the
20 payment of said surcharge does not relieve the carrier from any other
21 liability, including liability owed to the superintendent of insurance
22 pursuant to article six-A of this chapter. When issued such policy shall
23 be noncancellable without recourse for any cause during the continuance
24 of the liability secured and so covered.

25 (10)(A) A NON-MUNICIPAL GROUP OF EMPLOYERS MAY MAKE APPLICATION TO THE
26 CHAIR TO QUALIFY JOINTLY AS A SELF-INSURER, PROVIDED:

27 (1) THE MEMBERS OF THE GROUP SECURE THE SERVICES OF AN ADMINISTRATOR,
28 WHO SHALL CARRY OUT THE RESPONSIBILITIES OF SUCH AN ADMINISTRATOR AS SET
29 FORTH IN SUBDIVISION FIVE OF THIS SECTION, AND WHO SHALL BE SUBJECT TO
30 THE RESTRICTIONS AND PENALTIES APPLICABLE TO AN ADMINISTRATOR UNDER THIS
31 SECTION;

32 (2) THE MEMBERS OF THE GROUP, THROUGH THE ADMINISTRATOR, JOINTLY
33 DEPOSIT SUFFICIENT SECURITIES IN ACCORDANCE WITH SUBDIVISION THREE OF
34 THIS SECTION AS TO SECURE THE LIABILITY OF THE MEMBERS OF THE GROUP TO
35 PAY COMPENSATION FOR ALL EXISTING CLAIMS, PROVIDED THE INITIAL DEPOSIT
36 SHALL BE MADE BY NOVEMBER FIRST, TWO THOUSAND ELEVEN, AND JOINTLY DEPOS-
37 IT SUFFICIENT SECURITIES IN ACCORDANCE WITH SUBDIVISION THREE OF THIS
38 SECTION AS TO SECURE THE LIABILITY OF THE MEMBERS OF THE GROUP TO PAY
39 COMPENSATION FOR ANTICIPATED FUTURE LIABILITIES BY NOVEMBER FIRST, TWO
40 THOUSAND FOURTEEN, PROVIDED ANNUAL DEPOSITS ARE MADE IN ACCORDANCE WITH
41 A SCHEDULE SET BY THE CHAIR ON OR BEFORE NOVEMBER FIRST OF EACH YEAR;

42 (3) THE GROUP HAS BEEN AUTHORIZED BY THE CHAIR TO SELF-INSURE IN
43 ACCORDANCE WITH THIS SUBDIVISION PRIOR TO THE EFFECTIVE DATE OF THIS
44 PARAGRAPH;

45 (4) THE GROUP'S MEMBERS FALL WITHIN A LIMITED NUMBER OF PAYROLL CLAS-
46 SIFICATIONS, AS SET BY THE CHAIR, AFTER GIVING DUE CONSIDERATION TO THE
47 RISKS ASSOCIATED WITH ANY GROUP OF EMPLOYERS SELF-INSURING OR THE
48 PARTICIPANT EMPLOYERS ARE PARTIES TO THE SAME COLLECTIVE BARGAINING
49 AGREEMENT;

50 (5) THE GROUP WAS FULLY FUNDED FOR THREE OUT OF THE PREVIOUS FIVE
51 YEARS, AND AT LEAST NINETY PERCENT FUNDED FOR ONE OTHER YEAR, AS DETER-
52 MINED BY THE CHAIR FOLLOWING A FINANCIAL REVIEW, AND THE GROUP SELF-IN-
53 SURER HAS SUFFICIENT FUNDS TO MEET ITS LIABILITIES;

54 (6) THE GROUP HAS A SAFETY PROGRAM ACCEPTABLE TO THE CHAIR; AND

55 (7) THE GROUP IS SUBJECT TO SUCH OTHER LIMITATIONS AND REQUIREMENTS OF
56 THIS SUBDIVISION UNLESS WAIVED BY THE CHAIR AND TO REGULATIONS OF THE

1 CHAIR. ANY FAILURE TO BE CURRENT WITH THE SECURITY DEPOSIT REQUIRED
2 UNDER SUBPARAGRAPH TWO OF THIS PARAGRAPH SHALL BE SUFFICIENT GROUNDS FOR
3 REVOCATION OF THE GROUP'S AUTHORIZATION TO SELF-INSURANCE.

4 (B) THE MEMBERS OF ANY SUCH GROUP SHALL ENTER INTO AN AGREEMENT AMONG
5 THEMSELVES AND WITH THE GROUP'S ADMINISTRATOR WHICH SHALL, AT A MINIMUM:

6 (1) INDICATE THAT EACH OF THE MEMBERS OF THE GROUP IS JOINTLY AND
7 SEVERALLY LIABLE FOR ANY LIABILITIES OF THE GROUP; AND

8 (2) PROVIDE FOR THE COLLECTION OF ADDITIONAL FUNDS FROM GROUP MEMBERS
9 IN THE EVENT THE DEPOSIT WITH THE BOARD IS INSUFFICIENT TO MEET THE
10 LIABILITIES OF THE GROUP.

11 (11) ANY GROUP SELF-INSURER THAT HAS CEASED TO SELF-INSURE, OR HAS
12 CEASED TO SELF-INSURE ANY NEW LIABILITIES AFTER JANUARY FIRST, TWO THOU-
13 SAND TWELVE IN ACCORDANCE WITH PARAGRAPH TWO OF THIS SUBDIVISION, SHALL
14 REMAIN SUBJECT TO ALL THE PROVISIONS OF THIS SUBDIVISION AND THE REGU-
15 LATIONS ISSUED PURSUANT THERETO AND ANY ASSESSMENTS PROVIDED FOR BY THIS
16 SECTION UNTIL SUCH TIME AS THE GROUP SELF-INSURER NO LONGER POSSESSES
17 ANY LIABILITIES.

18 (12) ANY NON-MUNICIPAL GROUP OF EMPLOYERS AUTHORIZED TO SELF-INSURE
19 UNDER PARAGRAPH TEN OF THIS SUBDIVISION ON OR AFTER JANUARY FIRST, TWO
20 THOUSAND TWELVE SHALL BE DEEMED A "PRIVATE SELF-INSURER" FOR PURPOSES OF
21 THE ASSESSMENTS SET FORTH IN SECTIONS FIFTEEN AND ONE HUNDRED FIFTY-ONE
22 OF THIS CHAPTER.

23 S 6. Subparagraph 2 of paragraph b of subdivision 5 of section 50 of
24 the workers' compensation law is REPEALED.

25 S 7. Paragraph (a) of subdivision 4 of section 141-a of the workers'
26 compensation law, as added by chapter 6 of the laws of 2007, is amended
27 to read as follows:

28 (a) Whenever the chair determines that an employer who is required to
29 secure compensation in accordance with this chapter has failed to secure
30 such compensation, or where an employer has failed to pay penalties
31 assessed against it pursuant to this chapter, OR FAILED TO PAY A JUDG-
32 MENT UNDER SECTION TWENTY-SIX OF THIS CHAPTER WITHIN NINETY DAYS AFTER
33 NOTICE TO THE EMPLOYER AND HAS NOT MOVED TO MODIFY OR VACATE SUCH JUDG-
34 MENT, such failure shall be deemed an immediate serious danger to public
35 health, safety, or welfare sufficient to justify service by the chair of
36 a stop-work order on the employer, requiring the cessation of all busi-
37 ness operations effective immediately, except where the employer's fail-
38 ure concerns only domestic or child care workers in his or her own
39 household. The chair may issue such order, which shall take effect as to
40 a particular employer worksite when served at that worksite, or as to
41 all employer worksites in the state for which the employer is not in
42 compliance when served on the employer. A stop-work order may be served
43 with regard to an employer's worksite by posting a copy of the stop-work
44 order in a conspicuous location at the worksite. The order shall remain
45 in effect until the chair directs that the stop-work order be removed,
46 upon a determination that the employer has come into compliance with the
47 coverage requirements of this chapter and has paid any penalty assessed
48 under this chapter. If the employer shall within thirty days after
49 notice of the stop-work order make an application in affidavit form for
50 a redetermination review of such order the chair shall make a decision
51 in writing on the issues raised in such application. The chair may
52 direct a conditional release from a stop-work order upon a finding that
53 the employer has complied with coverage requirements of this chapter and
54 has agreed to remit periodic payments of the penalty pursuant to a
55 payment agreement schedule with the chair. If an agreement or order of
56 conditional release is issued, failure by the employer to meet any term

1 or condition of such payment agreement shall result in the immediate
2 reinstatement of the stop-work order and the entire unpaid balance of
3 the penalty shall become immediately due. The chair may require an
4 employer who is found to have failed to comply with the coverage
5 requirements of this chapter to file with the board, as a condition of
6 release from a stop-work order, periodic reports for a probationary
7 period that shall not exceed two years, and that demonstrate the employ-
8 er's continued compliance with this chapter. The board shall by rule
9 specify the reports required and the time for filing under this subdivi-
10 sion.

11 S 8. Paragraphs (b) and (c) of subdivision 2 of section 151 of the
12 workers' compensation law, paragraph (b) as amended by section 2 of part
13 QQ of chapter 56 of the laws of 2009 and paragraph (c) as amended by
14 chapter 6 of the laws of 2007, are amended to read as follows:

15 (b) An itemized statement of the expenses so ascertained shall be open
16 to public inspection in the office of the board for thirty days after
17 notice to the state insurance fund, all insurance carriers and all self-
18 insurers [including group self-insurers] affected thereby, before the
19 board shall make an assessment for such expenses. The chair shall assess
20 upon and collect a proportion of such expenses as hereinafter provided
21 from each insurance carrier, the state insurance fund and each self-in-
22 surer [including group self-insurers]. The assessment for such expenses
23 shall be allocated to (i) self-insurers [except group self-insurers] and
24 the state insurance fund based upon the proportion that the total
25 compensation payments made by all self-insurers [except group self-in-
26 surers] and the state insurance fund in such year bore to the total
27 compensation payments made by all self-insurers [except group self-in-
28 surers], the state insurance fund, AND all insurance carriers [and group
29 self-insurers] and (ii) insurance carriers based upon the proportion
30 that the total compensation payments made by all insurance carriers in
31 such year bore to the total compensation payments by all self-insurers,
32 the state insurance fund and all insurance carriers[, and (iii) group
33 self-insurers based upon the proportion that the total compensation
34 payments made by all group self-insurers in such year bore to the total
35 compensation payments made by all self-insurers, the state insurance
36 fund and all insurance carriers]. The portion of the assessment for such
37 expenses allocated to self-insurers [except group self-insurers] and the
38 state insurance fund that shall be collected from each self-insurer
39 [except group self-insurers] and the state insurance fund shall be a sum
40 equal to the proportion of the amount which the total compensation
41 payments of each such self-insurer [except a group self-insurer] or the
42 state insurance fund in such year bore to the total compensation
43 payments made by all self-insurers [except group self-insurers] and the
44 state insurance fund. The portion of the assessment for such expenses
45 allocated to insurance carriers that shall be collected from each such
46 insurance carrier shall be a sum equal to that proportion of the amount
47 which the total standard premium by each such insurance carrier bore to
48 the total standard premium reported by all insurance carriers for the
49 calendar year which ended with the state fiscal year. [The portion of
50 such sum allocated to group self-insurers that shall be collected from
51 each group self-insurer shall be a sum equal to that proportion of the
52 amount which the pure premium calculation for each such group self-in-
53 surer bore to the total pure premium calculation for all group self-in-
54 surers for the calendar year which ended within the state fiscal year.]
55 The amounts so secured shall be used for the payment of the expenses of
56 administering this chapter. [Pure premium for assessments against indi-

vidual and group self-insurers who ceased to self-insure shall be based on payroll at the time the individual or group self-insurer has ceased to self-insure, reduced by a factor reflecting the reduction in the group or individual self-insurer's self-insurance liabilities since ceasing to self-insure.]

For purposes of this paragraph, "standard premium" shall mean the premium as defined for the purposes of this assessment by the superintendent of insurance, in consultation with the chair of the board and the workers' compensation rating board. [For purposes of this paragraph "pure premium calculation" means the New York state annual payroll as of December thirty-first of the preceding year by class code for each employer member of a group self-insurer multiplied by the applicable rate for each class code as determined by the workers' compensation rating board in effect on December thirty-first of the preceding year.] The amounts so secured shall be used for the payment of the expenses of administering this chapter.

For the purposes of this paragraph, the term "insurance carrier" shall include only stock corporations, mutual corporations and reciprocal insurers authorized to transact the business of workers' compensation insurance in this state and the term "self-insurer" shall include any employer or group of employers permitted to pay compensation directly under the provisions of subdivision three, three-a or four of section fifty of this chapter. FOR THE PURPOSES OF THIS SECTION, A "SELF-INSURER" SHALL BE: (I) AN EMPLOYER AUTHORIZED TO SELF-INSURE UNDER SUBDIVISION THREE OF SECTION FIFTY OF THIS CHAPTER, OR ACTIVE GROUPS AUTHORIZED PURSUANT TO SUBDIVISION THREE-A OF SECTION FIFTY OF THIS CHAPTER, A GROUP OF EMPLOYERS AUTHORIZED TO SELF-INSURE UNDER PARAGRAPH TEN OF SUBDIVISION THREE-A OF SECTION FIFTY OF THIS CHAPTER; OR (II) A PUBLIC EMPLOYER AS SET FORTH IN PARAGRAPH A OF SUBDIVISION FOUR OF SECTION FIFTY OF THIS CHAPTER AUTHORIZED TO SELF-INSURE UNDER SUBDIVISION THREE, THREE-A OR FOUR OF SECTION FIFTY OR ARTICLE FIVE OF THIS CHAPTER, WHETHER INDIVIDUALLY OR AS A GROUP.

(c) Assessments for the special disability fund, the fund for reopened cases and for the operations of the board shall not constitute elements of loss but shall for collection purposes be treated as separate costs by carriers. [All group self-insurers shall collect such assessments from their employer members in a fair and equitable manner.] All insurance carriers, including the state insurance fund, shall collect such assessments from their policyholders through a surcharge based on premium in accordance with rules set forth by the New York workers' compensation rating board, as approved by the superintendent of insurance. Such surcharge shall be considered as part of premium for purposes prescribed by law including, but not limited to, computing premium tax, reporting to the superintendent of insurance pursuant to section ninety-nine of this chapter and section three hundred seven of the insurance law, determining the limitation of expenditures for the administration of the state insurance fund pursuant to section eighty-eight of this chapter and the cancellation by an insurance carrier, including the state insurance fund, of a policy for non-payment of premium.

S 9. This act shall take effect immediately; provided that sections one and seven of this act shall take effect January 1, 2011 and shall apply to any assessment cycle beginning on or after such date; provided further, that in the event that the total amount of assessments collected by the chair of the workers' compensation board by May 1, 2011 pursuant to subparagraph 4 of paragraph (h) of subdivision 8 of section 15 of the workers' compensation law as amended by section one of this

1 act do not equal at least one hundred ten percent of the debt service
2 assessment, as defined in such provision of law, the chair of the work-
3 ers' compensation board shall, not later than June 1, 2011, and in
4 accordance with the provisions of subparagraph 4 of paragraph (h) of
5 subdivision 8 of section 15 of the workers' compensation law, as amended
6 by section one of this act, assess and collect a supplemental assessment
7 in an amount equal to the amount that would have been due from group
8 self-insurers in 2011 had this act not taken effect, and that the
9 provisions of subparagraph 4 of paragraph (h) of subdivision 8 of
10 section 15 of the workers' compensation law shall apply to such supple-
11 mental assessment in all respects except for the date and amount of such
12 special assessment and that such special assessment shall be deemed an
13 assessment pursuant to subparagraph 4 of paragraph (h) of subdivision 8
14 of section 15 of the workers' compensation law for all purposes.

15

PART H

16 Section 1. Paragraph (f) of subdivision 1 of section 169 of the execu-
17 tive law, as separately amended by section 11 of part A-1 and section 10
18 of part O of chapter 56 of the laws of 2010, is amended to read as
19 follows:

20 (f) executive director of adirondack park agency, commissioners of the
21 state liquor authority, [commissioners of the state civil service
22 commission,] members of state commission of correction, members of unem-
23 ployment insurance appeal board, and members of the workers' compen-
24 sation board.

25 S 2. Paragraph (a) of subdivision 2 of section 5 of the civil service
26 law, as amended by chapter 248 of the laws of 1960, is amended to read
27 as follows:

28 (a) Appointment. The state civil service commission is continued and
29 shall consist of three commissioners who shall be appointed by the
30 governor, by and with the advice and consent of the senate, not more
31 than two of whom shall be adherents of the same political party. The
32 governor shall designate one of the members of the commission to be
33 president of the commission and such member shall serve in the capacity
34 of president during the pleasure of the governor. The members shall not
35 hold any other public office or public employment for which they shall
36 receive compensation other than necessary travel and other expenses
37 incurred in the performance of the duties of such other office or
38 employment, or engage in private employment or in a profession or busi-
39 ness which interferes with the performance of their duties or requires
40 their disqualification from the performance of such duties because of a
41 conflict of interests caused thereby. THE COMMISSIONERS OTHER THAN THE
42 PRESIDENT OF THE COMMISSION SHALL, WHEN PERFORMING THE WORK OF THE
43 COMMISSION, BE COMPENSATED AT THE RATE OF TWO HUNDRED FIFTY DOLLARS PER
44 DAY, TOGETHER WITH AN ALLOWANCE FOR ACTUAL AND NECESSARY EXPENSES
45 INCURRED IN THE DISCHARGE OF THEIR DUTIES HEREUNDER. THE PRESIDENT OF
46 THE COMMISSION SHALL RECEIVE AN ANNUAL SALARY ESTABLISHED IN SECTION ONE
47 HUNDRED SIXTY-NINE OF THE EXECUTIVE LAW. No member shall serve as an
48 officer of any political party or political organization or engage in
49 partisan political activities.

50 S 3. This act shall take effect immediately, and shall apply to
51 current members of the civil service commission.

52

PART I

1 Section 1. Clause 2 of subparagraph (viii) of paragraph a of subdivi-
2 sion 10 of section 54 of the state finance law, as amended by section 1
3 of part Z of chapter 56 of the laws of 2010, is amended to read as
4 follows:

5 (2) for the state fiscal year commencing April first, two thousand
6 eight and in each state fiscal year thereafter, the base level grant
7 received in the immediately preceding state fiscal year pursuant to
8 paragraph b of this subdivision AND CHAPTER THREE HUNDRED THIRTEEN OF
9 THE LAWS OF TWO THOUSAND TEN, excluding any deficit reduction adjustment
10 pursuant to paragraph e-1 of this subdivision, plus any additional
11 apportionments received in such year pursuant to paragraph d of this
12 subdivision and any per capita adjustments received in such year pursu-
13 ant to paragraph e of this subdivision [plus any additional aid received
14 in such year pursuant to paragraph p of this subdivision].

15 S 2. Paragraph b of subdivision 10 of section 54 of the state finance
16 law is amended by adding a new subparagraph (iv) to read as follows:

17 (IV) NOTWITHSTANDING SUBPARAGRAPH (I) OF THIS PARAGRAPH, WITHIN
18 AMOUNTS APPROPRIATED IN THE STATE FISCAL YEAR COMMENCING APRIL FIRST,
19 TWO THOUSAND ELEVEN, THERE SHALL BE APPORTIONED AND PAID TO EACH MUNICI-
20 PALITY A BASE LEVEL GRANT IN AN AMOUNT EQUAL TO THE PRIOR YEAR AID
21 RECEIVED BY SUCH MUNICIPALITY MINUS A BASE LEVEL GRANT ADJUSTMENT EQUAL
22 TO TWO PERCENT OF SUCH PRIOR YEAR AID.

23 S 3. Paragraph i of subdivision 10 of section 54 of the state finance
24 law is amended by adding a new subparagraph (viii) to read as follows:

25 (VIII) NOTWITHSTANDING SUBPARAGRAPH (I) OF THIS PARAGRAPH, IN THE
26 STATE FISCAL YEAR COMMENCING APRIL FIRST, TWO THOUSAND ELEVEN, THE BASE
27 LEVEL GRANT ADJUSTMENT PURSUANT TO SUBPARAGRAPH (IV) OF PARAGRAPH B OF
28 THIS SUBDIVISION SHALL BE MADE ON OR BEFORE SEPTEMBER TWENTY-FIFTH FOR A
29 TOWN OR VILLAGE, ON OR BEFORE DECEMBER FIFTEENTH FOR A CITY WHOSE FISCAL
30 YEAR BEGINS JANUARY FIRST, AND ON OR BEFORE MARCH FIFTEENTH FOR A CITY
31 WHOSE FISCAL YEAR DOES NOT BEGIN JANUARY FIRST.

32 S 4. Paragraph j of subdivision 10 of section 54 of the state finance
33 law, as amended by section 4 of part Z of chapter 56 of the laws of
34 2010, is amended to read as follows:

35 j. Special aid and incentives for municipalities to the city of New
36 York. In the state fiscal year commencing April first, two thousand
37 seven a city with a population of one million or more shall receive
38 twenty million dollars on or before December fifteenth. In the state
39 fiscal year commencing April first, two thousand eight, a city with a
40 population of one million or more shall receive two hundred forty-five
41 million nine hundred forty-four thousand eight hundred thirty-four
42 dollars payable on or before December fifteenth. In the state fiscal
43 [years] YEAR commencing April first, two thousand nine [and April first,
44 two thousand eleven, and in each state fiscal year thereafter], a city
45 with a population of one million or more shall receive three hundred one
46 million six hundred fifty-eight thousand four hundred ninety-five
47 dollars payable on or before December fifteenth. Special aid and incen-
48 tives for municipalities to the city of New York shall be apportioned
49 and paid as required as follows:

50 (i) Any amounts required to be paid to the city university
51 construction fund pursuant to the city university construction fund act;

52 (ii) Any amounts required to be paid to the New York city housing
53 development corporation pursuant to the New York city housing develop-
54 ment corporation act;

(iii) Five hundred thousand dollars to the chief fiscal officer of the city of New York for payment to the trustees of the police pension fund of such city;

(iv) Eighty million dollars to the special account for the municipal assistance corporation for the city of New York in the municipal assistance tax fund created pursuant to section ninety-two-d of this chapter to the extent that such amount has been included by the municipal assistance corporation for the city of New York in any computation for the issuance of bonds on a parity with outstanding bonds pursuant to a contract with the holders of such bonds prior to the issuance of any other bonds secured by payments from the municipal assistance corporation for the city of New York in the municipal assistance state aid fund created pursuant to section ninety-two-e of this chapter;

(v) The balance of the special account for the municipal assistance corporation for the city of New York in the municipal assistance state aid fund created pursuant to section ninety-two-e of this chapter;

(vi) Any amounts to be refunded to the general fund of the state of New York pursuant to the annual appropriation enacted for the municipal assistance state aid fund;

(vii) To the state of New York municipal bond bank agency to the extent provided by section twenty-four hundred thirty-six of the public authorities law; and

(viii) To the transit construction fund to the extent provided by section twelve hundred twenty-five-i of the public authorities law, and thereafter to the city of New York.

Notwithstanding any other law to the contrary, the amount paid to any city with a population of one million or more on or before December fifteenth shall be for an entitlement period ending the immediately preceding June thirtieth.

S 5. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2011.

PART J

Section 1. Paragraph b of subdivision 2 of section 54-1 of the state finance law, as amended by section 1 of part AA of chapter 56 of the laws of 2010, is amended to read as follows:

b. Eligible municipalities shall receive: (i) for the state fiscal years commencing April first, two thousand seven and April first, two thousand eight, a share of three and one-half percent of the "estimated net machine income" generated by a video lottery gaming facility located within such eligible municipality as follows: (1) twenty-five percent shall be apportioned and paid to the county; and (2) seventy-five percent shall be apportioned and paid on a pro rata basis to eligible municipalities, other than the county, based upon the population of such eligible municipalities. Such state aid payment shall not exceed twenty-five percent of an eligible municipality's total expenditures as reported in the statistical report of the comptroller in the preceding state fiscal year pursuant to section thirty-seven of the general municipal law; (ii) for the state fiscal year commencing April first, two thousand nine: (1) for an eligible municipality which is located in a county that has a poverty rate equal to or greater than seventy-five percent of the New York state poverty rate, an amount equal to the state aid payment received in the state fiscal year commencing April first, two thousand eight; and (2) for an eligible municipality which is located in a county that has a poverty rate less than seventy-five

1 percent of the New York state poverty rate, an amount equal to fifty
2 percent of the state aid payment received in the state fiscal year
3 commencing April first, two thousand eight; and (iii) for the state
4 fiscal year commencing April first, two thousand ten [and for each state
5 fiscal year thereafter], an amount equal to ninety percent of the state
6 aid payment received in the state fiscal year commencing April first,
7 two thousand nine.

8 S 2. This act shall take effect immediately and shall be deemed to
9 have been in full force and effect on and after April 1, 2011.

10 PART K

11 Section 1. The paragraph heading of paragraph o of subdivision 10 of
12 section 54 of the state finance law, as added by section 7 of part O of
13 chapter 56 of the laws of 2008, is amended to read as follows:

14 Local government efficiency grant program beginning in the state
15 fiscal year commencing April first, two thousand eight AND CONTINUING
16 UNTIL THE END OF THE STATE FISCAL YEAR COMMENCING APRIL FIRST, TWO THOU-
17 SAND TEN.

18 S 2. Paragraph p of subdivision 10 of section 54 of the state finance
19 law, as amended by section 6 of part GG of chapter 56 of the laws of
20 2009, is amended to read as follows:

21 p. [Local government efficiency grant program municipal merger incen-
22 tives] CITIZEN EMPOWERMENT TAX CREDIT. (I) For the purposes of this
23 paragraph, "municipalities" shall mean cities with a population less
24 than one million, towns and villages.

25 (II) Within the annual amounts appropriated therefor, surviving muni-
26 cipalities following a [merger,] consolidation or dissolution occurring
27 on or after the state fiscal year commencing April first, two thousand
28 seven [may] SHALL be awarded additional ANNUAL aid, STARTING in the
29 state fiscal year following THE STATE FISCAL YEAR IN WHICH such [merg-
30 er,] consolidation or dissolution TOOK EFFECT, equal to fifteen percent
31 of the combined amount of real property taxes levied by all of the muni-
32 cipalities participating in the [merger,] consolidation or dissolution
33 in the local fiscal year prior to the local fiscal year in which such
34 [merger,] consolidation or dissolution took effect. In instances of the
35 dissolution of a village located in more than one town, such additional
36 aid shall equal the sum of fifteen percent of the real property taxes
37 levied by such village in the village fiscal year prior to the village
38 fiscal year in which such dissolution took effect plus fifteen percent
39 of the average amount of real property taxes levied by the towns in
40 which the village was located in the town fiscal year prior to the town
41 fiscal year in which such dissolution took effect, and shall be divided
42 among such towns based on the percentage of such village's population
43 that resided in each such town as of the most recent federal decennial
44 census. IN NO CASE SHALL THE ADDITIONAL AID PURSUANT TO THIS PARAGRAPH
45 EXCEED ONE MILLION DOLLARS. Such additional aid shall be apportioned and
46 paid to the chief fiscal officer of each [consolidated or merged] ELIGI-
47 BLE municipality ON OR BEFORE SEPTEMBER TWENTY-FIFTH OF EACH SUCH STATE
48 FISCAL YEAR on audit and warrant of the state comptroller out of moneys
49 appropriated by the legislature for such purpose to the credit of the
50 local assistance fund [in the general fund of the state treasury in the
51 same "on or before month and day" manner as the municipality's base
52 level grant is paid pursuant to subparagraph (i) of paragraph i of this
53 subdivision].

1 (III) Any municipality receiving a [merger incentive award] CITIZEN
2 EMPOWERMENT TAX CREDIT pursuant to this paragraph shall use AT LEAST
3 FIFTY PERCENT OF such aid [only] FOR PROPERTY TAX RELIEF AND THE BALANCE
4 OF SUCH AID for general municipal purposes. [In no case shall the addi-
5 tional aid pursuant to this paragraph exceed one million dollars. Such
6 additional aid shall in subsequent state fiscal years be considered
7 prior year aid for the purposes of determining such merged, consolidated
8 or surviving municipality's base level grant pursuant to paragraph b of
9 this subdivision.] FOR EACH LOCAL FISCAL YEAR FOLLOWING THE EFFECTIVE
10 DATE OF THE CHAPTER OF THE LAWS OF TWO THOUSAND ELEVEN WHICH AMENDED
11 THIS PARAGRAPH IN WHICH SUCH AID IS PAYABLE, A STATEMENT SHALL BE PLACED
12 ON EACH PROPERTY TAX BILL FOR SUCH MUNICIPALITY IN SUBSTANTIALLY THE
13 FOLLOWING FORM: "YOUR PROPERTY TAX SAVINGS THIS YEAR RESULTING FROM THE
14 STATE CITIZEN EMPOWERMENT TAX CREDIT RECEIVED AS THE RESULT OF LOCAL
15 GOVERNMENT RE-ORGANIZATION IS \$____." THE PROPERTY TAX SAVINGS FROM
16 THE CITIZEN EMPOWERMENT TAX CREDIT FOR EACH PROPERTY TAX BILL SHALL BE
17 CALCULATED BY (1) MULTIPLYING THE AMOUNT OF THE CITIZEN EMPOWERMENT TAX
18 CREDIT USED FOR PROPERTY TAX RELIEF BY THE AMOUNT OF PROPERTY TAXES
19 LEVIED ON SUCH PROPERTY BY SUCH MUNICIPALITY AND (2) DIVIDING THE RESULT
20 BY THE TOTAL AMOUNT OF PROPERTY TAXES LEVIED BY SUCH MUNICIPALITY.

21 S 3. Paragraph q of subdivision 10 of section 54 of the state finance
22 law is relettered paragraph t and three new paragraphs q, r and s are
23 added to read follows:

24 Q. LOCAL GOVERNMENT CITIZENS RE-ORGANIZATION EMPOWERMENT GRANT
25 PROGRAM. (I) (1) FOR THE PURPOSES OF THIS PARAGRAPH, "LOCAL GOVERNMENT
26 ENTITY" OR "ENTITY" SHALL MEAN A TOWN, VILLAGE, DISTRICT, SPECIAL
27 IMPROVEMENT DISTRICT OR OTHER IMPROVEMENT DISTRICT, INCLUDING, BUT NOT
28 LIMITED TO, SPECIAL DISTRICTS CREATED PURSUANT TO ARTICLES ELEVEN,
29 TWELVE, TWELVE-A OR THIRTEEN OF THE TOWN LAW, LIBRARY DISTRICTS, AND
30 OTHER DISTRICTS CREATED BY LAW; PROVIDED, HOWEVER, THAT A LOCAL GOVERN-
31 MENT ENTITY SHALL NOT INCLUDE SCHOOL DISTRICTS, CITY DISTRICTS OR
32 SPECIAL PURPOSE DISTRICTS CREATED BY COUNTIES UNDER COUNTY LAW.

33 (2) FOR THE PURPOSES OF THIS PARAGRAPH, "LOCAL GOVERNMENT RE-ORGANIZA-
34 TION" SHALL MEAN THE CONSOLIDATION OR DISSOLUTION OF A LOCAL GOVERNMENT
35 ENTITY IN ACCORDANCE WITH ARTICLE SEVENTEEN-A OF THE GENERAL MUNICIPAL
36 LAW.

37 (II) WITHIN THE ANNUAL AMOUNTS APPROPRIATED THEREFOR, THE SECRETARY OF
38 STATE MAY AWARD GRANTS TO LOCAL GOVERNMENT ENTITIES TO COVER COSTS ASSO-
39 CIATED WITH STUDIES, PLANS, AND IMPLEMENTATION EFFORTS RELATED TO LOCAL
40 GOVERNMENT RE-ORGANIZATION ACTIVITIES.

41 (III) STUDY PROJECTS SHALL INCLUDE AN EXAMINATION OF THE POTENTIAL
42 FINANCIAL SAVINGS, MANAGEMENT IMPROVEMENTS, AND SERVICE DELIVERY CHANGES
43 RESULTING FROM A LOCAL GOVERNMENT RE-ORGANIZATION, AS WELL AS OPTIONS
44 FOR COST-SAVINGS IF THE RE-ORGANIZATION IS NOT COMPLETED.

45 (IV) LOCAL GOVERNMENT CITIZENS RE-ORGANIZATION EMPOWERMENT GRANTS MAY
46 BE USED TO COVER COSTS INCLUDING, BUT NOT LIMITED TO, LEGAL AND CONSULT-
47 ANT SERVICES, CAPITAL IMPROVEMENTS, TRANSITIONAL PERSONNEL COSTS AND
48 OTHER NECESSARY EXPENSES RELATED TO RE-ORGANIZATION ANALYSIS, PLANNING
49 AND IMPLEMENTATION. GRANTS MAY BE USED FOR CAPITAL IMPROVEMENTS, TRANSI-
50 TIONAL PERSONNEL COSTS OR JOINT EQUIPMENT PURCHASES ONLY WHERE SUCH
51 EXPENSES ARE INTEGRAL TO IMPLEMENTATION OF THE RE-ORGANIZATION. NO PART
52 OF THE GRANT SHALL BE USED BY THE APPLICANT FOR RECURRING EXPENSES SUCH
53 AS SALARIES, EXCEPT THAT THE SALARIES OF CERTAIN TRANSITIONAL PERSONNEL
54 ESSENTIAL FOR THE IMPLEMENTATION OF THE RE-ORGANIZATION SHALL BE ELIGI-
55 BLE FOR A PERIOD NOT TO EXCEED THREE YEARS.

1 (V) WHERE THE ELECTORS OF A LOCAL GOVERNMENT ENTITY HAVE FILED A PETI-
2 TION PURSUANT TO ARTICLE SEVENTEEN-A OF THE GENERAL MUNICIPAL LAW THAT
3 WILL REQUIRE A REFERENDUM ON THE QUESTION OF CONSOLIDATION OR DISSOL-
4 UTION OF THE LOCAL GOVERNMENT ENTITY, SUCH LOCAL GOVERNMENT ENTITY WILL
5 BE ELIGIBLE FOR AN EXPEDITED GRANT TO COVER COSTS ASSOCIATED WITH THE
6 DEVELOPMENT AND DISSEMINATION TO THE ELECTORS OF INFORMATION RELATED TO
7 THE RE-ORGANIZATION QUESTION BEFORE SUCH REFERENDUM. THE SECRETARY OF
8 STATE SHALL DEVELOP PROCESSES THAT WILL PERMIT EXPEDITED FINANCIAL AND
9 TECHNICAL ASSISTANCE TO SUCH LOCAL GOVERNMENT ENTITIES, INCLUDING BUT
10 NOT LIMITED TO PRE-QUALIFIED CONSULTANTS, DIRECT TECHNICAL ASSISTANCE
11 FROM PROGRAM STAFF AND PRE-ESTABLISHED WORK PLANS.

12 (VI) THE MAXIMUM CUMULATIVE GRANT AWARD FOR A LOCAL GOVERNMENT RE-OR-
13 GANIZATION SHALL NOT EXCEED ONE HUNDRED THOUSAND DOLLARS. A LOCAL
14 GOVERNMENT CITIZENS RE-ORGANIZATION EMPOWERMENT GRANT FOR A RE-ORGANIZA-
15 TION STUDY SHALL IN NO EVENT EXCEED FIFTY THOUSAND DOLLARS PER APPLICA-
16 TION, OF WHICH UP TO TWENTY-FIVE THOUSAND DOLLARS MAY BE AWARDED ON AN
17 EXPEDITED BASIS. A LOCAL GOVERNMENT CITIZENS RE-ORGANIZATION EMPOWERMENT
18 GRANT FOR THE PLANNING OR IMPLEMENTATION OF A RE-ORGANIZATION SHALL NOT
19 EXCEED FIFTY THOUSAND DOLLARS. IN NO EVENT SHALL THE CUMULATIVE GRANT
20 AWARDS FOR A LOCAL GOVERNMENT RE-ORGANIZATION EXCEED ONE HUNDRED THOU-
21 SAND DOLLARS.

22 (VII) MATCHING FUNDS EQUAL TO TEN PERCENT OF THE TOTAL COST OF ACTIV-
23 ITIES UNDER THE GRANT WORK PLAN APPROVED BY THE DEPARTMENT OF STATE
24 SHALL BE REQUIRED.

25 R. LOCAL GOVERNMENT EFFICIENCY GRANT PROGRAM BEGINNING IN THE STATE
26 FISCAL YEAR COMMENCING APRIL FIRST, TWO THOUSAND ELEVEN. (I) (1) FOR THE
27 PURPOSES OF THIS PARAGRAPH, "MUNICIPALITY" SHALL MEAN A COUNTY, CITY,
28 TOWN, VILLAGE, SPECIAL IMPROVEMENT DISTRICT, FIRE DISTRICT, PUBLIC
29 LIBRARY, ASSOCIATION LIBRARY, WATER AUTHORITY, SEWER AUTHORITY, REGIONAL
30 PLANNING AND DEVELOPMENT BOARD, SCHOOL DISTRICT, OR BOARD OF COOPERATIVE
31 EDUCATIONAL SERVICES; PROVIDED, HOWEVER, THAT FOR THE PURPOSES OF THIS
32 DEFINITION, A BOARD OF COOPERATIVE EDUCATIONAL SERVICES SHALL BE CONSID-
33 ERED A MUNICIPALITY ONLY IN INSTANCES WHERE SUCH BOARD OF COOPERATIVE
34 EDUCATIONAL SERVICES ADVANCES A JOINT APPLICATION ON BEHALF OF SCHOOL
35 DISTRICTS AND OTHER MUNICIPALITIES WITHIN THE BOARD OF COOPERATIVE
36 EDUCATIONAL SERVICES REGION; PROVIDED, HOWEVER, THAT ANY AGREEMENTS WITH
37 A BOARD OF COOPERATIVE EDUCATIONAL SERVICES: SHALL NOT GENERATE ADDI-
38 TIONAL STATE AID; SHALL BE DEEMED NOT TO BE A PART OF THE PROGRAM, CAPI-
39 TAL AND ADMINISTRATIVE BUDGETS OF THE BOARD OF COOPERATIVE EDUCATIONAL
40 SERVICES FOR THE PURPOSES OF COMPUTING CHARGES UPON COMPONENT SCHOOL
41 DISTRICTS PURSUANT TO SUBDIVISION ONE AND SUBPARAGRAPH SEVEN OF PARA-
42 GRAPH B OF SUBDIVISION FOUR OF SECTION NINETEEN HUNDRED FIFTY AND SUBDI-
43 VISION ONE OF SECTION NINETEEN HUNDRED FIFTY-ONE OF THE EDUCATION LAW;
44 AND SHALL BE DEEMED TO BE A COOPERATIVE MUNICIPAL SERVICE FOR PURPOSES
45 OF SUBPARAGRAPH TWO OF PARAGRAPH D OF SUBDIVISION FOUR OF SECTION NINE-
46 TEEN HUNDRED FIFTY OF THE EDUCATION LAW.

47 (2) FOR THE PURPOSES OF THIS PARAGRAPH, "FUNCTIONAL CONSOLIDATION"
48 SHALL MEAN ONE MUNICIPALITY COMPLETELY PROVIDING A SERVICE OR FUNCTION
49 FOR ANOTHER MUNICIPALITY, WHICH NO LONGER PROVIDES SUCH SERVICE OR FUNC-
50 TION.

51 (II) WITHIN THE ANNUAL AMOUNTS APPROPRIATED THEREFOR, THE SECRETARY OF
52 STATE MAY AWARD COMPETITIVE GRANTS TO MUNICIPALITIES TO COVER COSTS
53 ASSOCIATED WITH LOCAL GOVERNMENT EFFICIENCY PROJECTS, INCLUDING, BUT NOT
54 LIMITED TO, PLANNING FOR OR IMPLEMENTATION OF A MUNICIPAL CONSOLIDATION
55 OR DISSOLUTION, A FUNCTIONAL CONSOLIDATION, A CITY OR COUNTY CHARTER
56 REVISION THAT INCLUDES FUNCTIONAL CONSOLIDATION, SHARED OR COOPERATIVE

1 SERVICES, AND REGIONALIZED DELIVERY OF SERVICES; PROVIDED, HOWEVER, THAT
2 SUCH LOCAL GOVERNMENT EFFICIENCY PROJECTS MUST DEMONSTRATE NEW OPPORTU-
3 NITIES FOR FINANCIAL SAVINGS AND OPERATIONAL EFFICIENCIES; PROVIDED,
4 FURTHER, THAT ELIGIBLE LOCAL GOVERNMENT EFFICIENCY PROJECTS SHALL NOT
5 INCLUDE STUDIES AND PLANS FOR A LOCAL GOVERNMENT RE-ORGANIZATION ELIGI-
6 BLE TO RECEIVE A LOCAL GOVERNMENT CITIZENS RE-ORGANIZATION EMPOWERMENT
7 GRANT PURSUANT TO PARAGRAPH Q OF THIS SUBDIVISION. THE SECRETARY OF
8 STATE MAY FOCUS THE GRANT PROGRAM IN SPECIFIC FUNCTIONAL AREAS, WITHIN
9 DISTRESSED COMMUNITIES AND AREAS OF HISTORICALLY HIGH LOCAL GOVERNMENT
10 COSTS AND PROPERTY TAXES, OR IN AREAS OF UNIQUE OPPORTUNITY, IN WHICH
11 CASE SUCH AREAS OF FOCUS SHALL BE DETAILED IN A REQUEST FOR APPLICA-
12 TIONS.

13 (III) ANY APPROVED PROJECT SHALL INCLUDE AN EXAMINATION OF FINANCIAL
14 SAVINGS, RETURN ON PUBLIC INVESTMENT AND MANAGEMENT IMPROVEMENTS RESULT-
15 ING FROM PROJECT IMPLEMENTATION.

16 (IV) LOCAL GOVERNMENT EFFICIENCY GRANTS MAY BE USED TO COVER COSTS
17 INCLUDING, BUT NOT LIMITED TO, LEGAL AND CONSULTANT SERVICES, CAPITAL
18 IMPROVEMENTS, TRANSITIONAL PERSONNEL COSTS AND OTHER NECESSARY EXPENSES
19 RELATED TO IMPLEMENTING THE APPROVED LOCAL GOVERNMENT EFFICIENCY GRANT
20 WORK PLAN. GRANTS MAY BE USED FOR CAPITAL IMPROVEMENTS, TRANSITIONAL
21 PERSONNEL COSTS OR JOINT EQUIPMENT PURCHASES ONLY WHERE SUCH EXPENSES
22 ARE INTEGRAL TO IMPLEMENTATION OF THE LOCAL GOVERNMENT EFFICIENCY
23 PROJECT. NO PART OF THE GRANT SHALL BE USED BY THE APPLICANT FOR RECUR-
24 RING EXPENSES SUCH AS SALARIES, EXCEPT THAT THE SALARIES OF CERTAIN
25 TRANSITIONAL PERSONNEL ESSENTIAL FOR THE IMPLEMENTATION OF THE APPROVED
26 LOCAL GOVERNMENT EFFICIENCY GRANT WORK PLAN SHALL BE ELIGIBLE FOR A
27 PERIOD NOT TO EXCEED THREE YEARS. THE AMOUNTS AWARDED TO A SCHOOL
28 DISTRICT PURSUANT TO THIS SUBPARAGRAPH SHALL NOT BE INCLUDED IN THE
29 APPROVED OPERATING EXPENSE OF THE SCHOOL DISTRICT AS DEFINED IN PARA-
30 GRAPH T OF SUBDIVISION ONE OF SECTION THIRTY-SIX HUNDRED TWO OF THE
31 EDUCATION LAW.

32 (V) THE MAXIMUM CUMULATIVE GRANT AWARD FOR A LOCAL GOVERNMENT EFFI-
33 CIENCY PROJECT SHALL NOT EXCEED TWO HUNDRED THOUSAND DOLLARS PER MUNICI-
34 PALITY; PROVIDED, HOWEVER, THAT IN NO CASE SHALL SUCH A PROJECT RECEIVE
35 A CUMULATIVE GRANT AWARD IN EXCESS OF ONE MILLION DOLLARS. THE MAXIMUM
36 GRANT AWARD FOR A LOCAL GOVERNMENT EFFICIENCY PLANNING PROJECT, OR THE
37 PLANNING COMPONENT OF A PROJECT THAT INCLUDES BOTH PLANNING AND IMPLE-
38 MENTATION OF A LOCAL GOVERNMENT EFFICIENCY PROJECT, SHALL NOT EXCEED
39 TWENTY-FIVE THOUSAND DOLLARS PER MUNICIPALITY; PROVIDED, HOWEVER, THAT
40 IN NO EVENT SHALL SUCH A PLANNING PROJECT RECEIVE A GRANT AWARD IN
41 EXCESS OF TWO HUNDRED THOUSAND DOLLARS.

42 (VI) LOCAL MATCHING FUNDS EQUAL TO TEN PERCENT OF THE TOTAL COST OF
43 ACTIVITIES UNDER THE GRANT WORK PLAN APPROVED BY THE DEPARTMENT OF STATE
44 SHALL BE REQUIRED. IN THE EVENT AN APPLICANT IS IMPLEMENTING A PROJECT
45 THAT THE APPLICANT DEVELOPED THROUGH A SUCCESSFULLY COMPLETED PLANNING
46 GRANT FUNDED UNDER THE LOCAL GOVERNMENT EFFICIENCY GRANT PROGRAM OR THE
47 SHARED MUNICIPAL SERVICES INCENTIVE GRANT PROGRAM, THE LOCAL MATCHING
48 FUNDS REQUIRED SHALL BE REDUCED BY THE LOCAL MATCHING FUNDS REQUIRED BY
49 SUCH SUCCESSFULLY COMPLETED PLANNING GRANT.

50 (VII) IN THE SELECTION OF GRANT AWARDS, THE SECRETARY OF STATE SHALL
51 GIVE THE HIGHEST PRIORITY TO APPLICATIONS: (1) THAT WOULD RESULT IN THE
52 DISSOLUTION OR CONSOLIDATION OF MUNICIPALITIES; (2) THAT WOULD IMPLEMENT
53 THE COMPLETE FUNCTIONAL CONSOLIDATION OF A MUNICIPAL SERVICE; OR (3) BY
54 LOCAL GOVERNMENTS WITH HISTORICALLY HIGH COSTS OF LOCAL GOVERNMENT OR
55 SUSTAINED INCREASES IN PROPERTY TAXES. PRIORITY WILL ALSO BE GIVEN TO
56 MUNICIPALITIES THAT HAVE PREVIOUSLY COMPLETED A PLANNING GRANT PURSUANT

1 TO THIS PROGRAM OR THE SHARED MUNICIPAL SERVICES INCENTIVE GRANT
2 PROGRAM, AND TO LOCAL GOVERNMENTS CURRENTLY INVOLVED IN REGIONAL DEVEL-
3 OPMENT PROJECTS THAT HAVE RECEIVED FUNDS THROUGH STATE COMMUNITY AND
4 INFRASTRUCTURE DEVELOPMENT PROGRAMS.

5 (VIII) THE DEPARTMENT OF STATE SHALL PREPARE AN ANNUAL REPORT TO THE
6 GOVERNOR AND THE LEGISLATURE ON THE EFFECTIVENESS OF THE LOCAL GOVERN-
7 MENT EFFICIENCY GRANT PROGRAM AND THE LOCAL GOVERNMENT CITIZENS RE-OR-
8 GANIZATION EMPOWERMENT GRANT PROGRAM. SUCH REPORT SHALL BE PROVIDED ON
9 OR BEFORE OCTOBER FIRST OF EACH YEAR AND SHALL INCLUDE, BUT NOT BE
10 LIMITED TO, THE FOLLOWING: A SUMMARY OF APPLICATIONS AND AWARDS FOR EACH
11 GRANT CATEGORY, AN ASSESSMENT OF PROGRESS IN IMPLEMENTING INITIATIVES
12 THAT RECEIVED GRANT AWARDS, AND ESTIMATED FINANCIAL SAVINGS AND SIGNIF-
13 ICANT IMPROVEMENTS IN SERVICE REALIZED BY MUNICIPALITIES THAT HAVE
14 RECEIVED GRANTS.

15 S. LOCAL GOVERNMENT PERFORMANCE AND EFFICIENCY PROGRAM. (I) DEFINI-
16 TIONS. FOR THE PURPOSES OF THIS PARAGRAPH, "MUNICIPALITY" SHALL MEAN
17 A COUNTY, CITY, TOWN, OR VILLAGE, BUT SHALL NOT INCLUDE THE INDIVIDUAL
18 COUNTIES CONTAINED IN THE CITY OF NEW YORK.

19 (II) PURPOSE. THERE IS HEREBY ESTABLISHED A LOCAL GOVERNMENT PERFORM-
20 ANCE AND EFFICIENCY PROGRAM. THE PURPOSE OF THIS PROGRAM IS TO RECOGNIZE
21 MUNICIPALITIES THAT HAVE UNDERTAKEN SIGNIFICANT AND INNOVATIVE ACTIONS
22 TO IMPROVE THE OVERALL EFFICIENCY OF GOVERNMENTAL OPERATIONS AND PRODUCE
23 QUANTIFIABLE RECURRING FINANCIAL SAVINGS THAT REDUCE THE MUNICIPAL TAX
24 BURDEN ON RESIDENTS.

25 (III) ELIGIBILITY. ALL MUNICIPALITIES IN NEW YORK STATE ARE ELIGIBLE
26 TO APPLY INDIVIDUALLY OR JOINTLY, PROVIDED HOWEVER THAT IF AN ACTION WAS
27 UNDERTAKEN JOINTLY, MUNICIPALITIES MUST APPLY JOINTLY FOR SUCH AN
28 ACTION. THE ACTIONS FOR WHICH THEY APPLY MUST ALREADY HAVE BEEN IMPLE-
29 MENTED.

30 (IV) USE OF AWARDS. AWARDS RECEIVED PURSUANT TO THE PROGRAM SHALL BE
31 USED BY MUNICIPALITIES FOR GENERAL MUNICIPAL PURPOSES.

32 (V) APPLICATION. THE SECRETARY OF STATE SHALL DEVELOP AN APPLICATION
33 FOR MUNICIPALITIES SEEKING TO RECEIVE AWARDS AND A PROCESS BY WHICH THE
34 APPLICATIONS WILL BE EVALUATED. SUCH APPLICATION SHALL REQUIRE MUNICI-
35 PALITIES TO DEMONSTRATE HOW THE ACTION FOR WHICH THEY HAVE APPLIED HAS
36 RESULTED IN QUANTIFIABLE RECURRING SAVINGS, EFFICIENCIES, AND PERMANENT
37 IMPROVEMENTS TO MUNICIPAL SERVICES. THE SECRETARY OF STATE MAY FOCUS THE
38 PROGRAM IN SPECIFIC FUNCTIONAL SERVICE AREAS, IN WHICH CASE SUCH AREAS
39 OF FOCUS SHALL BE DETAILED IN A REQUEST FOR APPLICATIONS. NO APPLICATION
40 SHALL BE CONSIDERED FOR ACTIONS THAT COMMENCED PRIOR TO JANUARY FIRST,
41 TWO THOUSAND TEN.

42 (VI) AWARDS. THE SECRETARY OF STATE MAY MAKE AWARDS TO APPLICANTS
43 BASED ON FACTORS INCLUDING, BUT NOT LIMITED TO, THE AMOUNT OF CURRENT
44 AND FUTURE SAVINGS, THE IMPACT OF SUCH ACTION UPON THE MUNICIPAL PROPER-
45 TY TAX LEVY, THE SIZE AND COMPLEXITY OF THE ACTION, AND THE ABILITY FOR
46 THE ACTION TO BE REPLICATED BY OTHER MUNICIPALITIES. AWARDS SHALL ONLY
47 BE MADE TO MUNICIPALITIES FOR ACTIONS THAT HAVE BEEN FULLY IMPLEMENTED,
48 THAT CLEARLY RESULTED IN QUANTIFIABLE SAVINGS AND EFFICIENCIES, AND THAT
49 PRODUCED PERMANENT AND QUANTIFIABLE IMPROVEMENTS TO MUNICIPAL EFFICIENCY
50 OR SERVICES. THE MAXIMUM AMOUNT AWARDED PER APPLICATION SHALL NOT EXCEED
51 THE LESSER OF FIVE MILLION DOLLARS OR TWENTY-FIVE DOLLARS PER RESIDENT
52 OF THE APPLYING MUNICIPALITIES AS OF THE MOST RECENT FEDERAL DECENNIAL
53 CENSUS, PROVIDED, HOWEVER, THAT IF THE BOUNDARIES OF MUNICIPALITIES
54 JOINTLY APPLYING FOR SUCH FUNDING OVERLAP, THE RESIDENTS IN OVERLAPPING
55 AREAS SHALL ONLY BE COUNTED ONCE, AND PROVIDED, FURTHER, THAT IF A COUN-
56 TY JOINTLY APPLIES WITH SOME BUT NOT ALL OF THE OTHER MUNICIPALITIES

1 THEREIN, ONLY THE RESIDENTS IN SUCH OTHER MUNICIPALITIES SHALL BE COUNT-
2 ED.

3 (VII) REGULATION. THE SECRETARY OF STATE SHALL, PRIOR TO THE ESTAB-
4 LISHMENT OF APPLICATIONS, PROMULGATE RULES AND REGULATIONS ON THE
5 PROGRAM, INCLUDING BUT NOT LIMITED TO AWARD ELIGIBILITY CRITERIA AND
6 APPLICATION, REVIEW AND APPROVAL PROCEDURES.

7 S 4. This act shall take effect immediately and shall be deemed to
8 have been in full force and effect on and after April 1, 2011.

9 PART L

10 Section 1. Section 4 of chapter 774 of the laws of 1989, amending the
11 real property tax law relating to certain state lands subject to taxa-
12 tion is amended to read as follows:

13 S 4. The agreements referred to in section three of this act shall
14 [enure] INURE to the benefit of and bind the people of the state of New
15 York in the event that the lands which are the subject of said agree-
16 ments are acquired by the people of the state of New York acting through
17 the department of environmental conservation. Upon any acquisition of
18 such lands by the department of environmental conservation, the
19 provisions of section 532 of the real property tax law shall not apply
20 to the lands so acquired but the [taxation thereof] PAYMENTS DUE THEREON
21 shall be governed by the agreements referred to in section three of this
22 act for the duration of such agreement. [The] IN THE EVENT THAT NO
23 SPECIFIC APPROPRIATION SHALL HAVE BEEN MADE FOR THAT PURPOSE, THE AMOUNT
24 APPROPRIATED FOR PAYMENTS OF TAXES ON STATE LANDS PURSUANT TO SECTIONS
25 532 THROUGH 546 OF THE REAL PROPERTY TAX LAW SHALL BE DEEMED TO ENCOM-
26 PASS THE STATE'S OBLIGATION TO MAKE THE PAYMENTS REQUIRED BY THIS
27 SECTION, NOTWITHSTANDING ANY LAW TO THE CONTRARY, THE taxation of such
28 lands will be governed by such section 532 at such time as the agree-
29 ments cease to be effective.

30 S 2. This act shall take effect immediately.

31 PART M

32 Intentionally omitted.

33 PART N

34 Section 1. The state comptroller is hereby authorized and directed to
35 loan money in accordance with the provisions set forth in subdivision 5
36 of section 4 of the state finance law to the following funds and/or
37 accounts:

- 38 1. Tuition reimbursement fund (050):
 - 39 a. Tuition reimbursement account (01).
 - 40 b. Proprietary vocational school supervision account (02).
- 41 2. Local government records management improvement fund (052):
 - 42 a. Local government records management account (01).
- 43 3. Dedicated highway and bridge trust fund (072):
 - 44 a. Highway and bridge capital account (01).
- 45 4. State University Residence Hall Rehabilitation Fund (074).
- 46 5. State parks infrastructure trust fund (076):
 - 47 a. State parks infrastructure account (01).
- 48 6. Clean water/clean air implementation fund (079).
- 49 7. State lottery fund (160):
 - 50 a. Education - New (03).

- 1 b. VLT - Sound basic education fund (06).
- 2 8. Medicaid management information system escrow fund (179).
- 3 9. Federal operating grants fund (290) federal capital grants fund
- 4 291).
- 5 10. Sewage treatment program management and administration fund (300).
- 6 11. Environmental conservation special revenue fund (301):
- 7 a. Hazardous bulk storage account (F7).
- 8 b. Utility environmental regulation account (H4).
- 9 c. Low level radioactive waste siting account (K5).
- 10 d. Recreation account (K6).
- 11 e. Conservationist magazine account (S4).
- 12 f. Environmental regulatory account (S5).
- 13 g. Natural resource account (S6).
- 14 h. Mined land reclamation program account (XB).
- 15 i. Federal grants indirect cost recovery account (IC).
- 16 12. Environmental protection and oil spill compensation fund (303).
- 17 13. Hazardous waste remedial fund (312):
- 18 a. Site investigation and construction account (01).
- 19 b. Hazardous waste remedial clean up account (06).
- 20 14. Mass transportation operating assistance fund (313):
- 21 a. Public transportation systems account (01).
- 22 b. Metropolitan mass transportation (02).
- 23 15. Clean air fund (314):
- 24 a. Operating permit program account (01).
- 25 b. Mobile source account (02).
- 26 16. Centralized services fund (323).
- 27 17. State exposition special fund (325).
- 28 18. Agency enterprise fund (331):
- 29 a. OGS convention center account (55).
- 30 19. Agencies internal service fund (334):
- 31 a. Archives records management account (02).
- 32 b. Federal single audit account (05).
- 33 c. Civil service law: sec 11 admin account (09).
- 34 d. Civil service EHS occupational health program account (10).
- 35 e. Banking services account (12).
- 36 f. Cultural resources survey account (14).
- 37 g. Neighborhood work project (17).
- 38 h. Automation & printing chargeback account (18).
- 39 i. OFT NYT account (20).
- 40 j. Data center account (23).
- 41 k. Human service telecom account (24).
- 42 l. Centralized Technology services account (30).
- 43 m. OPWDD copy center account (26).
- 44 n. Intrusion detection account (27).
- 45 o. Domestic violence grant account (28).
- 46 p. Learning management system account.
- 47 20. Miscellaneous special revenue fund (339):
- 48 a. Statewide planning and research cooperative system account (03).
- 49 b. OPWDD provider of service account (05).
- 50 c. New York state thruway authority account (08).
- 51 d. Mental hygiene patient income account (13).
- 52 e. Financial control board account (15).
- 53 f. Regulation of racing account (16).
- 54 g. New York metropolitan transportation council account (17).
- 55 h. Quality of care account (20).
- 56 i. Cyber upgrade account (25).

1 j. Certificate of need account (26).
2 k. Hospital and nursing home management account (44).
3 l. State university dormitory income reimbursable account (47).
4 m. Energy research account (60).
5 n. Criminal justice improvement account (62).
6 o. Fingerprint identification and technology account (68).
7 p. Environmental laboratory reference fee account (81).
8 q. Clinical laboratory reference system assessment account (90).
9 r. Public employment relations board account (93).
10 s. Radiological health protection account (95).
11 t. Teacher certification account (A4).
12 u. Banking department account (A5).
13 v. Cable television account (A6).
14 w. Indirect cost recovery account (AH).
15 x. High school equivalency program account (AI).
16 y. Rail safety inspection account (AQ).
17 z. Child support revenue account (AX).
18 aa. Multi-agency training account (AY).
19 bb. Critical infrastructure account (B3).
20 cc. Insurance department account (B6).
21 dd. Bell jar collection account (BJ).
22 ee. Industry and utility service account (BK).
23 ff. Real property disposition account (BP).
24 gg. Parking account (BQ).
25 hh. Asbestos safety training program account (BW).
26 ii. Public service account (C3).
27 jj. Batavia school for the blind account (D9).
28 kk. Investment services account (DC).
29 ll. Surplus property account (DE).
30 mm. OPWDD day services account (DH).
31 nn. Financial oversight account (DI).
32 oo. Regulation of indian gaming account (DT).
33 pp. Special conservation activities account (CU).
34 qq. Interest assessment account (DZ).
35 rr. Office of the professions account (E3).
36 ss. Rome school for the deaf account (E6).
37 tt. Seized assets account (E8).
38 uu. Administrative adjudication account (E9).
39 vv. Federal salary sharing account (EC).
40 ww. New York City Assessment Account (EM).
41 xx. Cultural education account (EN).
42 yy. Examination and miscellaneous revenue account (ER).
43 zz. Transportation regulation account (F1).
44 aaa. Local services account (G3).
45 bbb. DHCR mortgage servicing account (H2).
46 ccc. Department of motor vehicles compulsory insurance account (H7).
47 ddd. Housing indirect cost recovery account (HI).
48 eee. DHCR-HCA application fee account (J5).
49 fff. EPIC premium account (J6).
50 ggg. Federal gasoline and diesel fuel excise tax account (L6).
51 hhh. OTDA income account (L7).
52 iii. Low income housing monitoring account (NG).
53 jjj. Procurement opportunities newsletter account (P4).
54 kkk. Corporation administration account (P6).
55 lll. Montrose veteran's home account (Q6).
56 mmm. Excelsior capital corporation reimbursement account (R1).

1 nnn. Motor fuel quality account (R4).
2 ooo. Deferred compensation administration account (R7).
3 ppp. Rent revenue other account (RR).
4 qqq. Rent revenue account (S8).
5 rrr. Tax revenue arrearage account (TR).
6 sss. Solid waste management account (W3).
7 ttt. Occupational health clinics account (W4).
8 uuu. Capacity contracting (XU).
9 vvv. Administrative cost recovery -
10 tax return preparer registration fee account (Y8).
11 www. Sales tax re-registration fee account (YD).
12 xxx. Equitable sharing agreement account (YP).
13 yyy. Point insurance reduction program account.
14 zzz. Internet point insurance reduction program account.
15 aaaa. Mental hygiene program fund account (10).
16 bbbb. Third party debt collection account.
17 cccc. Regulation of manufactured housing account (CM).
18 dddd. Business and licensing services account (A6).
19 eeee. Consumer protection account (F2).
20 21. State university income fund (345):
21 a. State university general income offset account (11).
22 22. State police and motor vehicle law enforcement fund (354):
23 a. State police motor vehicle law enforcement account (02).
24 23. Youth facilities improvement fund (357):
25 a. Youth facilities improvement account (01).
26 24. Highway safety program fund (362):
27 a. Highway safety program account (01).
28 25. Drinking water program management and administration fund (366):
29 a. EFC drinking water program account (01).
30 b. DOH drinking water program account (02).
31 26. New York city county clerks offset fund (368):
32 a. NYCCC operating offset account (01).
33 27. Housing assistance fund (374).
34 28. Housing program fund (376).
35 29. Department of transportation - engineering services fund (380):
36 a. Highway facility purpose account (01).
37 30. Miscellaneous capital projects fund (387):
38 a. Clean air capital account (08).
39 b. New York racing account.
40 31. Mental hygiene facilities capital improvement fund (389).
41 32. Joint labor/management administration fund (394):
42 a. Joint labor/management administration fund (01).
43 33. Audit and control revolving fund (395):
44 a. Executive direction internal audit account (04).
45 b. CIO Information technology centralized services account.
46 34. Health insurance internal service fund (396):
47 a. Health insurance internal service account (00).
48 b. Civil service employee benefits div admin (01).
49 35. Correctional industries revolving fund (397).
50 36. Correctional facilities capital improvement fund (399).
51 37. HCRA resources fund (061):
52 a. EPIC premium account (J6).
53 b. Hospital based grants program account (AF).
54 c. Child health plus program account (29).
55 S 1-a. The state comptroller is hereby authorized and directed to loan
56 money in accordance with the provisions set forth in subdivision 5 of

section 4 of the state finance law to any account within the following federal funds, provided the comptroller has made a determination that sufficient federal grant award authority is available to reimburse such loans:

1. Federal USDA-food nutrition services fund (261).
2. Federal health and human services fund (265).
3. Federal education grants fund (267).
4. Federal block grant fund (269).
5. Federal operating grants fund (290).
6. Federal capital projects fund (291).
7. Federal unemployment insurance administration fund (480).
8. Federal unemployment insurance occupational training fund (484).
9. Federal employment and training grants (486).

S 2. Notwithstanding any law to the contrary, and in accordance with section 4 of the state finance law, the comptroller is hereby authorized and directed to transfer, upon request of the director of the budget, on or before March 31, 2012, up to the unencumbered balance or the following amounts:

Economic Development and Public Authorities:

1. \$175,000 from the miscellaneous special revenue fund (339) underground facilities safety training account (US), to the general fund.
2. An amount up to the unencumbered balance from the miscellaneous special revenue fund (339), business and licensing services account (AG), to the general fund.
3. \$14,810,000 from the miscellaneous special revenue fund (339), code enforcement account (07), to the general fund.

Education:

1. \$2,210,000,000 from the general fund to the state lottery fund (160), education account (03), as reimbursement for disbursements made from such fund for supplemental aid to education pursuant to section 92-c of the state finance law that are in excess of the amounts deposited in such fund for such purposes pursuant to section 1612 of the tax law.
2. \$682,000,000 from the general fund to the state lottery fund (160), VLT education account (06), as reimbursement for disbursements made from such fund for supplemental aid to education pursuant to section 92-c of the state finance law that are in excess of the amounts deposited in such fund for such purposes pursuant to section 1612 of the tax law.
3. Moneys from the state lottery fund (160) up to an amount deposited in such fund pursuant to section 1612 of the tax law in excess of the current year appropriation for supplemental aid to education pursuant to section 92-c of the state finance law.
4. \$300,000 from the local government records management improvement fund (052) to the archives partnership trust fund (024).
5. \$810,000 from the general fund to the miscellaneous special revenue fund (339), Batavia school for the blind account (D9).
6. \$1,100,000 from the general fund to the miscellaneous special revenue fund (339), Rome school for the deaf account (E6).
7. \$80,000,000 from the state university dormitory income fund (330) to the state university residence hall rehabilitation fund (074).
8. \$343,400,000 from the state university dormitory income fund (330) to the miscellaneous special revenue fund (339), state university dormitory income reimbursable account (47).
9. \$1,000,000 from the miscellaneous special revenue fund (339), cultural education account (EN), to the miscellaneous special revenue fund (339), summer school of the arts account (38).

1 10. \$24,000,000 from any of the state education department special
2 revenue and internal service funds to the miscellaneous special revenue
3 fund (339), indirect cost recovery account (AH).
4 11. \$8,318,000 from the general fund to the state university income
5 fund (345), state university income offset account (11), for the state's
6 share of repayment of the STIP loan.
7 12. \$48,000,000 from the State University Income Fund (345), State
8 University Hospitals Income Reimbursable Account (22) to the general
9 fund for hospital debt service.
10 13. \$4,686,000 from the state university income fund (345), Long
11 Island Veterans' Home Account (09) to the general fund.
12 Environmental Affairs:
13 1. \$500,000 from the department of transportation's federal capital
14 projects fund (291) to the office of parks and recreation federal oper-
15 ating grants fund (290), miscellaneous operating grants account.
16 2. \$16,000,000 from any of the department of environmental conserva-
17 tion's special revenue federal funds to the special revenue fund (301)
18 federal grant indirect cost recovery account.
19 3. \$3,000,000 from any of the office of parks, recreation and historic
20 preservation capital projects federal funds and special revenue federal
21 funds to the special revenue fund (339) federal grant indirect cost
22 recovery account (Z1).
23 4. \$1,000,000 from any of the office of parks, recreation and historic
24 preservation special revenue federal funds to the special revenue fund
25 (339), I love NY water account (39).
26 Family Assistance:
27 1. \$10,000,000 from any of the office of children and family services,
28 office of temporary and disability assistance, or department of health
29 special revenue federal funds and the general fund, in accordance with
30 agreements with social services districts, to the miscellaneous special
31 revenue fund (339), office of human resources development state match
32 account (2C).
33 2. \$3,000,000 from any of the office of children and family services
34 or office of temporary and disability assistance special revenue federal
35 funds to the miscellaneous special revenue fund (339), family preserva-
36 tion and support services and family violence services account (GC).
37 3. \$6,000,000 from any of the office of children and family services
38 special revenue federal funds to the general fund for title IV-E
39 reimbursement of youth facility costs.
40 4. \$28,000,000 from any of the office of children and family services,
41 office of temporary and disability assistance, or department of health
42 special revenue federal funds and any other miscellaneous revenues
43 generated from the operation of office of children and family services
44 programs to the miscellaneous special revenue fund (339), office of
45 children and family services income account (AR).
46 5. \$10,000,000 from any of the office of children and family services
47 or office of temporary and disability assistance special revenue funds
48 or the general fund to the miscellaneous special revenue fund (339),
49 connections account (WK).
50 6. \$41,000,000 from any of the office of temporary and disability
51 assistance accounts within the federal health and human services fund
52 (265) to the general fund.
53 7. \$8,300,000 from any of the office of temporary and disability
54 assistance accounts within the federal health and human services fund
55 (265) to the miscellaneous special revenue fund (339), client notices
56 account (EG).

- 1 8. \$98,980,000 from any of the office of temporary and disability
2 assistance, department of health or office of children and family
3 services special revenue funds to the miscellaneous special revenue fund
4 (339), office of temporary and disability assistance income account
5 (L7).
- 6 9. \$2,500,000 from any of the office of temporary and disability
7 assistance or office of children and family services special revenue
8 federal funds to the miscellaneous special revenue fund (339), office of
9 temporary and disability assistance program account (AL).
- 10 10. \$50,000,000 from any of the office of children and family
11 services, office of temporary and disability assistance, department of
12 labor, and department of health special revenue federal funds to the
13 office of children and family services miscellaneous special revenue
14 fund (339), multi-agency training contract account (AY).
- 15 11. \$12,524,000 from the office of temporary and disability assistance
16 federal health and human services fund (265) to the miscellaneous
17 special revenue fund (339), child support revenue account (AX).
- 18 12. \$6,300,000 from any of the office of children and family services,
19 office of temporary and disability assistance, department of labor, or
20 department of health special revenue funds to the office of temporary
21 and disability assistance miscellaneous special revenue fund (339),
22 multi-agency systems development account (MD).
- 23 13. \$9,248,000 from any of the office of temporary and disability
24 assistance special revenue federal funds, to the miscellaneous special
25 revenue fund (339), OTDA training contract account (48).
- 26 14. \$223,000,000 from the miscellaneous special revenue fund (339),
27 youth facility per Diem account (YF), to the general fund.
- 28 15. \$10,000,000 from any of the office of temporary and disability
29 assistance special revenue federal funds, to the miscellaneous special
30 revenue fund (339), electronic benefit transfer and common benefit iden-
31 tification card account (GD).
- 32 16. Up to \$3,500,000 from the combined gifts, grants, and bequests
33 fund (020), WB Hoyt Memorial account (78) to the general fund.
- 34 17. \$1,300,000 from any of the office of temporary and disability
35 assistance and department of health special revenue federal funds to the
36 miscellaneous special revenue fund (339) welfare inspector general
37 administrative reimbursement account (WW).
- 38 18. Up to \$11,922,000 from the miscellaneous special revenue fund
39 (339) state central registry (CY) to the general fund.
- 40 General Government:
- 41 1. \$1,566,000 from the miscellaneous special revenue fund (339), exam-
42 ination and miscellaneous revenue account (ER) to the general fund.
- 43 2. \$12,500,000 from the general fund to the health insurance revolving
44 fund (396).
- 45 3. \$192,400,000 from the health insurance reserve receipts fund (167)
46 to the general fund.
- 47 4. \$150,000 from the general fund to the not-for-profit revolving loan
48 fund (055).
- 49 5. \$150,000 from the not-for-profit revolving loan fund (055) to the
50 general fund.
- 51 6. \$11,000,000 from the miscellaneous special revenue fund (339), real
52 property disposition account (BP), to the general fund.
- 53 7. \$3,000,000 from the miscellaneous special revenue fund (339),
54 surplus property account (DE), to the general fund.
- 55 8. \$19,260,000 from the general fund to the miscellaneous special
56 revenue fund (339), alcoholic beverage control account (DB).

1 9. \$1,500,000 from the miscellaneous special revenue fund (339),
2 federal liability account (FL), to the general fund.
3 10. \$23,000,000 from the miscellaneous special revenue fund (339),
4 revenue arrearage account (CR), to the general fund.
5 11. \$1,826,000 from the miscellaneous special revenue fund (339)
6 revenue arrearage account (CR), to the miscellaneous special revenue
7 fund (339) authority budget office account.
8 12. Intentionally omitted.
9 13. \$1,000,000 from the miscellaneous special revenue fund (339),
10 parking services account (BQ), to the general fund, for the purpose of
11 reimbursing the costs of debt service related to state parking facili-
12 ties.
13 14. Up to \$45,000,000 from the general fund to the miscellaneous
14 special revenue fund (339), statewide financial system account (FM).
15 Health:
16 1. \$12,000,000 from any of the department of health accounts within
17 the federal health and human services fund (265) to the general fund.
18 2. \$139,560,000 from any of the department of health accounts within
19 the federal health and human services fund (265) to the miscellaneous
20 special revenue fund (339), quality of care account (20).
21 3. \$1,000,000 from the general fund to the combined gifts, grants and
22 bequests fund (020), breast cancer research and education account (BD),
23 an amount equal to the monies collected and deposited into that account
24 in the previous fiscal year.
25 4. \$2,464,000 from any of the department of health accounts within the
26 federal health and human services fund (265) to the department of health
27 miscellaneous special revenue fund (339), statewide planning and
28 research cooperation system (SPARCS) program account (03).
29 5. \$250,000 from the general fund to the combined gifts, grants and
30 bequests fund (020), prostate cancer research, detection, and education
31 account (PR), an amount equal to the moneys collected and deposited into
32 that account in the previous fiscal year.
33 6. \$500,000 from the general fund to the combined gifts, grants and
34 bequests fund (020), Alzheimer's disease research and assistance account
35 (AA), an amount equal to the moneys collected and deposited into that
36 account in the previous fiscal year.
37 7. \$1,000,000 from the miscellaneous special revenue fund (339),
38 administration account (AP), to the general fund.
39 8. \$600,000,000 from any of the department of health accounts within
40 the federal health and human services fund (265) to the miscellaneous
41 special revenue fund (339), federal state health reform partnership
42 account (FS).
43 9. \$50,000,000 from the general fund to the miscellaneous special
44 revenue fund (339), empire state stem cell trust fund account (SR).
45 10. \$1,250,000 from the miscellaneous New York state agency fund
46 (169), medical assistance account to the department of health miscella-
47 neous special revenue fund (339), third party health insurance account
48 (35).
49 11. \$3,700,000 from the miscellaneous New York state agency fund
50 (169), medical assistance account to the office of medicaid inspector
51 general miscellaneous special revenue fund (339), recoveries and revenue
52 account (C9).
53 12. \$1,500,000 from the general fund to the miscellaneous special
54 revenue fund (339), quality of care improvement account (QC).
55 13. \$52,100,000 from the Health Care Reform Act Resources Act (061),
56 to the general fund.

1 14. \$37,800,000 from the Elderly Pharmaceutical Insurance Coverage
2 EPIC Premium account (339 J6), to the general fund.
3 Labor:
4 1. \$700,000 from the labor standards miscellaneous special revenue
5 fund (339), fee and penalty account (30), to the child performer
6 protection fund (025), child performer protection account (CP).
7 2. \$8,000,000 from the labor standards miscellaneous special revenue
8 fund (339), fee and penalty account (30), to the general fund.
9 3. \$10,500,000 from the unemployment insurance interest and penalty
10 special revenue fund (482), unemployment insurance special interest and
11 penalty account (01), to the general fund.
12 4. \$2,700,000 from the labor standards miscellaneous special revenue
13 fund (339), public work enforcement account (BA), to the general fund.
14 5. \$1,500,000 from the training and education program on occupational
15 safety and health fund (305), occupational safety and health inspection
16 account (02), to the general fund.
17 Mental Hygiene:
18 1. \$5,000,000 from the miscellaneous special revenue fund (339),
19 mental hygiene patient income account (13), to the miscellaneous special
20 revenue fund (339), federal salary sharing account (EC).
21 2. \$240,000,000 from the miscellaneous special revenue fund (339),
22 mental hygiene patient income account (13) to the miscellaneous special
23 revenue fund (339), provider of service accounts (05).
24 3. \$220,000,000 from the miscellaneous special revenue fund (339),
25 mental hygiene program fund account (10) to the miscellaneous special
26 revenue fund (339), provider of service account (05).
27 4. \$150,000,000 from the general fund to the miscellaneous special
28 revenue fund (339), mental hygiene patient income account (13).
29 5. \$150,000,000 from the general fund to the miscellaneous special
30 revenue fund (339), mental hygiene program fund account (10).
31 6. \$275,000,000 from the miscellaneous special revenue fund (339),
32 mental hygiene program fund account (10) to the general fund.
33 7. \$180,000,000 from the miscellaneous special revenue fund (339),
34 mental hygiene patient income account (13) to the general fund.
35 Public Protection:
36 1. \$1,350,000 from the miscellaneous special revenue fund (339), emer-
37 gency management account (61), to the general fund.
38 2. \$3,300,000 from the general fund to the miscellaneous special
39 revenue fund (339), recruitment incentive account (U2).
40 3. \$9,500,000 from the general fund to the correctional industries
41 revolving fund (397), correctional industries internal service account
42 (00).
43 4. \$8,678,000 from the miscellaneous special revenue fund (339),
44 statewide public safety communications account (LZ), to the general debt
45 service fund (311), revenue bond tax account (02).
46 5. \$10,000,000 from federal miscellaneous operating grants fund (290),
47 DMNA damage account (71), to the general fund.
48 6. \$16,000,000 from the general fund to the miscellaneous special
49 revenue fund (339), crimes against revenue program account (CA).
50 7. \$20,000,000 from any office of homeland security account within the
51 federal miscellaneous operating grants fund (290), receiving money
52 through the homeland security grants program, to the general fund.
53 8. \$11,500,000 from the federal miscellaneous operating grants fund
54 (290) world trade center account, to the general fund.
55 9. \$22,100,000 from the miscellaneous special revenue fund (339) crim-
56 inal justice improvement account (62) to the general fund.

10. \$20,000,000 from the miscellaneous special revenue fund (339), statewide public safety communications account (LZ), to the general fund.

11. \$4,000,000 from the miscellaneous special revenue fund (339) criminal justice improvement account (62) to the miscellaneous special revenue fund (339) legal services assistance account (IM).

12. \$660,000 from the miscellaneous special revenue fund (339), cell tower account (CT), to the general fund.

Transportation:

1. \$17,672,000 from the federal miscellaneous operating grants fund (290) to the special revenue fund (339), tri-state federal regional planning account (17).

2. \$20,147,000 from the federal capital projects fund (291) to the special revenue fund (339), tri-state federal regional planning accounts (17).

3. \$15,368,000 from the miscellaneous special revenue fund (339), compulsory insurance account (H7), to the general fund.

4. \$19,000,000 from the general fund to the mass transportation operating assistance fund (313), public transportation systems operating assistance account (01).

5. \$575,000,000 from the general fund to the dedicated highway and bridge trust fund (072).

6. \$606,000 from the miscellaneous special revenue fund (339), internet point insurance reduction program account (IC), to the general fund.

7. \$2,935,000 from the clean air fund (314), mobile source account (02), to the general fund.

8. \$5,000 from the miscellaneous special revenue fund (339), motorcycle safety account (AE), to the general fund.

9. \$165,000,000 from the mass transportation operating assistance fund (313), metropolitan mass transportation operating assistance account (02), to the general debt service fund (311), for reimbursement of the state's expenses in connection with payments of debt service and related expenses for the metropolitan transportation authority's state service contract bonds.

10. \$16,721,000 from the mass transportation operating assistance fund (313), metropolitan mass transportation operating assistance account (02) to the mass transportation operating assistance fund (313) public transportation systems operating assistance account (01).

11. \$35,008,000 from the mass transportation operating assistance fund (313), metropolitan mass transportation operating assistance account (02) to the general fund.

Miscellaneous:

1. \$75,000,000 from the general fund to any funds or accounts for the purpose of reimbursing certain outstanding accounts receivable balances.

2. \$250,000,000 from the general fund to the debt reduction reserve fund (064).

S 3. Notwithstanding any law to the contrary, and in accordance with section 4 of the state finance law, the comptroller is hereby authorized and directed to transfer, on or before March 31, 2012:

1. Upon request of the commissioner of environmental conservation, up to \$10,777,000 from revenues credited to any of the department of environmental conservation special revenue funds, including \$3,142,800 from the environmental protection and oil spill compensation fund (303), and \$1,742,600 from the conservation fund (302), to the environmental conservation special revenue fund (301), indirect charges account (BJ).

1 2. Upon request of the commissioner of agriculture and markets, up to
2 \$3,000,000 from any special revenue fund or enterprise fund within the
3 department of agriculture and markets to the miscellaneous special
4 revenue fund (339) administrative costs account, to pay appropriate
5 administrative expenses.

6 3. Upon request of the commissioner of agriculture and markets, up to
7 \$2,000,000 from the state exposition special fund (325), state fair
8 receipts account (01) to the miscellaneous capital projects fund (387),
9 state fair capital improvement account (13).

10 4. Upon request of the commissioner of the division of housing and
11 community renewal, up to \$5,500,000 from revenues credited to any divi-
12 sion of housing and community renewal federal or miscellaneous special
13 revenue fund to the agency cost recovery account (HI).

14 5. Upon request of the commissioner of the division of housing and
15 community renewal, up to \$5,500,000 may be transferred from any miscel-
16 laneous special revenue fund account (339), to any miscellaneous special
17 revenue fund (339).

18 6. Upon request of the commissioner of health up to \$15,000,000 from
19 revenues credited to any of the department of health's special revenue
20 funds, to the miscellaneous special revenue fund (339), administration
21 account (AP).

22 S 4. Notwithstanding section 2815 of the public health law or any
23 other contrary provision of law, upon the direction of the director of
24 the budget and the commissioner of health, the dormitory authority of
25 the state of New York is directed to transfer seven million dollars
26 annually from funds available and uncommitted in the New York state
27 health care restructuring pool to the health care reform act (HCRA)
28 resources fund - HCRA resources account.

29 S 5. On or before March 31, 2012, the comptroller is authorized and
30 directed to transfer the unencumbered balance from the family benefit
31 fund (329) to the general fund.

32 S 6. On or before March 31, 2012, the comptroller is hereby authorized
33 and directed to deposit earnings that would otherwise accrue to the
34 general fund that are attributable to the operation of section 98-a of
35 the state finance law, to the agencies internal service fund (334),
36 banking services account (12), for the purpose of meeting direct
37 payments from such account.

38 S 7. Notwithstanding any law to the contrary, upon the direction of
39 the director of the budget and upon requisition by the state university
40 of New York, the dormitory authority of the state of New York is
41 directed to transfer, up to \$22,000,000 in revenues generated from the
42 sale of notes or bonds, to the state university of New York for
43 reimbursement of bondable equipment for further transfer to the state's
44 general fund.

45 S 8. Notwithstanding any law to the contrary, the state university
46 chancellor or her designee is authorized and directed to transfer esti-
47 mated tuition revenue balances from the state university collection fund
48 (344) to the state university fund (345), state university revenue
49 offset account (12) on or before March 31, 2012.

50 S 9. Notwithstanding any law to the contrary, and in accordance with
51 section 4 of the state finance law, the comptroller is hereby authorized
52 and directed to transfer, upon request of the state university chancel-
53 lor or her designee, up to \$50,000,000 from the state university income
54 fund (345), state university hospitals income reimbursable account (22),
55 for hospital income reimbursable for services and expenses of hospital
56 operations and capital expenditures at the state university hospitals,

1 and the state university income fund (345) Long Island veterans' home
2 account (09) to the state university capital projects fund (384) on or
3 before June 30, 2012.

4 S 10. Notwithstanding any law to the contrary, and in accordance with
5 section 4 of the state finance law, the comptroller, after consultation
6 with the state university chancellor or his or her designee, is hereby
7 authorized and directed to transfer moneys, in the first instance, from
8 the state university collection fund (344), Stony Brook hospital
9 collection account (07), Brooklyn hospital collection account (08), and
10 Syracuse hospital collection account (09) to the state university income
11 fund (345), state university hospitals income reimbursable account (22)
12 in the event insufficient funds are available in the state university
13 income fund (345), state university hospitals income reimbursable
14 account (22) to transfer moneys, in amounts sufficient to permit the
15 full transfer of moneys authorized for transfer, to the general fund for
16 payment of debt service related to the SUNY hospitals. Notwithstanding
17 any law to the contrary, the comptroller is also hereby authorized and
18 directed, after consultation with the state university chancellor or his
19 or her designee, to transfer moneys from the state university income
20 fund (345) to the state university income fund (345), state university
21 hospitals income reimbursable account (22) in the event insufficient
22 funds are available in the state university income fund (345), state
23 university hospitals income reimbursable account (22) to pay hospital
24 operating costs or to transfer moneys, in amounts sufficient to permit
25 the full transfer of moneys authorized for transfer, to the general fund
26 for payment of debt service related to the SUNY hospitals on or before
27 March 31, 2012.

28 S 11. Notwithstanding any law to the contrary, and in accordance with
29 section 4 of the state finance law, the comptroller is hereby authorized
30 and directed to transfer monies, upon request of the director of the
31 budget, on or before March 31, 2012, from and to any of the following
32 accounts: the miscellaneous special revenue fund (339), patient income
33 account (13), the miscellaneous special revenue fund (339), mental
34 hygiene program fund account (10) or the general fund in any combina-
35 tion, the aggregate of which shall not exceed \$350 million.

36 S 12. Notwithstanding any law to the contrary, and in accordance with
37 section 4 of the state finance law, the comptroller is hereby authorized
38 and directed to transfer, at the request of the director of the budget,
39 up to \$500 million from the unencumbered balance of any special revenue
40 fund or account, or combination of funds and accounts, to the general
41 fund. The amounts transferred pursuant to this authorization shall be in
42 addition to any other transfers expressly authorized in the 2011-12
43 budget. Transfers from federal funds, debt service funds, capital
44 projects funds, or the community projects fund are not permitted pursu-
45 ant to this authorization. The director of the budget shall notify both
46 houses of the legislature in writing prior to initiating transfers
47 pursuant to this authorization.

48 S 13. Notwithstanding any law to the contrary, and in accordance with
49 section 4 of the state finance law, the comptroller is hereby authorized
50 and directed to transfer, at the request of the director of the budget,
51 up to \$75 million from the unencumbered balance of any non-general fund
52 or account, or combination of funds and accounts, to the general fund.
53 The amounts transferred pursuant to this authorization shall be equal to
54 those savings achieved in such non-general funds as a result of work-
55 force savings actions and are in addition to any other transfers
56 expressly authorized. Transfers from federal funds are not permitted

1 pursuant to this authorization. The director of the budget shall notify
2 both houses of the legislature in writing prior to initiating transfers
3 pursuant to this authorization.

4 S 14. Notwithstanding any provision of law to the contrary, the power
5 authority of the state of New York, as deemed feasible and advisable by
6 its trustees, is authorized and directed to make a contribution to the
7 state treasury to the credit of the general fund in the amount of
8 \$100,000,000 for the fiscal year commencing April 1, 2011. The power
9 authority of the state of New York will transfer not less than
10 \$40,000,000 by June 30, 2011 and will transfer the remainder, up to
11 \$60,000,000, by January 31, 2012.

12 S 14-a. In addition to any payment made by a public benefit corpo-
13 ration pursuant to an assessment imposed under sections 2975, 2975-a,
14 2976 and 2976-a of the public authorities law, a public benefit corpo-
15 ration is authorized to make voluntary contributions to the state gener-
16 al fund for any lawful purpose at any time from any public benefit
17 corporation funds in such amounts as deemed to be feasible and advisable
18 by such public benefit corporation's governing board after due consider-
19 ation of the public benefit corporation's legal and financial obli-
20 gations. Notwithstanding any other law, the payment of a voluntary
21 payment pursuant to this subdivision is deemed to be a valid and proper
22 purpose for which available funds may be applied. Voluntary contrib-
23 utions made pursuant to this subdivision shall be payable to the state
24 treasury to the credit of the general fund.

25 S 15. Intentionally omitted.

26 S 16. Subdivision 5 of section 97-rrr of the state finance law, as
27 amended by section 15 of part JJ of chapter 56 of the laws of 2010, is
28 amended to read as follows:

29 5. Notwithstanding the provisions of section one hundred seventy-one-a
30 of the tax law, as separately amended by chapters four hundred eighty-
31 one and four hundred eighty-four of the laws of nineteen hundred eight-
32 y-one, or any other provisions of law to the contrary, during the fiscal
33 year beginning April first, two thousand ten, the state comptroller is
34 hereby authorized and directed to deposit to the fund created pursuant
35 to this section from amounts collected pursuant to article twenty-two of
36 the tax law and pursuant to a schedule submitted by the director of the
37 budget, up to [\$3,308,000,000] \$3,292,520,000, as may be certified in
38 such schedule as necessary to meet the purposes of such fund for the
39 fiscal year beginning April first, two thousand [ten] ELEVEN.

40 S 17. Subdivision (b) of section 19-a of part PP of chapter 56 of the
41 laws of 2009 providing funding for certain community projects, relating
42 to increasing such funding, is REPEALED.

43 S 18. The comptroller is authorized and directed to deposit to the
44 general fund-state purposes account reimbursements from moneys appropri-
45 ated or reappropriated to the correctional facilities capital improve-
46 ment fund (399) by a chapter of the laws of 2011. Reimbursements shall
47 be available for spending from appropriations made to the department of
48 correctional services in the general fund-state purposes account by a
49 chapter of the laws of 2011 for costs associated with the administration
50 and security of capital projects and for other costs which are attribut-
51 able, according to a plan, to such capital projects.

52 S 19. Notwithstanding any other law, rule, or regulation to the
53 contrary, the comptroller is hereby authorized and directed to deposit
54 to the credit of the capital projects fund, reimbursement from the
55 proceeds of notes or bonds issued by the environmental facilities corpo-
56 ration for a capital appropriation for \$29,772,000 authorized by chapter

54 of the laws of 2001 to the department of environmental conservation for payment of a portion of the state's match for federal capitalization grants for the water pollution control revolving loan fund.

S 20. Notwithstanding any other law, rule, or regulation to the contrary, the comptroller is hereby authorized and directed to deposit, to the credit of the capital projects fund, reimbursement from the proceeds of notes or bonds issued by the environmental facilities corporation for a capital appropriation for \$29,365,000 authorized by chapter 54 of the laws of 2002 to the department of environmental conservation for payment of a portion of the state's match for federal capitalization grants for the water pollution control revolving loan fund, reimbursement from the proceeds of notes and bonds issued by the urban development corporation or other financing source for a capital appropriation for \$89,000,000 authorized by chapter 50 of the laws of 2002 to the office of general services for payment of capital construction costs for the Alfred E. Smith office building located in the city of Albany, reimbursement from the proceeds of notes and bonds issued by the urban development corporation or other financing source for capital appropriations for \$1,500,000 authorized by chapter 50 of the laws of 2002 to the office of general services for payment of capital construction costs for the Elk street parking garage building located in the city of Albany, reimbursement from the proceeds of notes or bonds issued by the urban development corporation for disbursements of up to \$12,000,000 from any capital appropriation or reappropriation authorized by chapter 50 of the laws of 2002 to the office of general services for various purposes, reimbursement from the proceeds of notes or bonds issued by the urban development corporation for a capital appropriation of \$13,250,000 authorized by chapter 55 of the laws of 2002 to the energy research and development authority for the Western New York Nuclear Service Center at West Valley, reimbursement from the proceeds of notes or bonds issued by the urban development corporation for a capital appropriation of \$14,300,000 authorized by chapter 55 of the laws of 2002 to the urban development corporation to finance a portion of the jobs now program, reimbursement from the proceeds of notes or bonds issued by the dormitory authority for disbursements of up to \$20,800,000 from any capital appropriation or reappropriation authorized by chapter 51 of the laws of 2002 to the judiciary for courthouse improvements, reimbursement from the proceeds of notes or bonds issued by the urban development corporation for disbursements of up to \$15,000,000 from appropriations or reappropriations authorized by chapter 50 of the laws of 2002 to any agency for costs related to homeland security, and reimbursement from the proceeds of notes or bonds issued by the environmental facilities corporation for a capital appropriation of \$10,000,000 authorized by chapter 54 of the laws of 2002 to the department of environmental conservation for Onondaga lake.

S 21. Notwithstanding any other law, rule, or regulation to the contrary, the comptroller is hereby authorized and directed to deposit to the credit of the capital projects fund, reimbursement from the proceeds of notes or bonds issued by the environmental facilities corporation for a capital appropriation of \$30,174,000 authorized by chapter 55 of the laws of 2003 to the department of environmental conservation for payment of a portion of the state's match for federal capitalization grants for the water pollution control revolving loan fund, reimbursement from the proceeds of notes or bonds issued by the urban development corporation or other financing source for a capital appropriation of \$19,500,000 authorized by chapter 50 of the laws of 2003 to the office

1 of general services for payment of capital construction costs for the 51
2 Elk street parking garage building located in the city of Albany,
3 reimbursement from the proceeds of notes or bonds issued by the urban
4 development corporation for disbursements of up to \$10,000,000 from any
5 capital appropriation or reappropriation authorized by chapter 50 of the
6 laws of 2003 to the office of general services for various purposes,
7 reimbursement from the proceeds of notes or bonds issued by the environ-
8 mental facilities corporation for a capital appropriation of \$13,250,000
9 authorized by chapter 55 of the laws of 2003 to the energy research and
10 development authority for the Western New York Nuclear Service Center at
11 West Valley, reimbursement from the proceeds of notes or bonds issued by
12 the dormitory authority for disbursements of up to \$16,400,000 from any
13 capital appropriation or reappropriation authorized by chapter 51 of the
14 laws of 2003 to the judiciary for courthouse improvements, reimbursement
15 from the proceeds of notes or bonds issued by the urban development
16 corporation for disbursements of up to \$10,000,000 from appropriations
17 or reappropriations authorized by chapter 50 of the laws of 2003 to any
18 agency for costs related to homeland security, reimbursement from the
19 proceeds of notes or bonds issued by the environmental facilities corpo-
20 ration for a capital appropriation of \$10,000,000 authorized by chapter
21 55 of the laws of 2003 to the department of environmental conservation
22 for Onondaga lake, reimbursement from the proceeds of notes or bonds
23 issued by the environmental facilities corporation for disbursements of
24 up to \$11,000,000 from any capital appropriations or reappropriations
25 authorized by chapter 55 of the laws of 2003 to the department of envi-
26 ronmental conservation for environmental purposes, and reimbursement
27 from the proceeds of notes or bonds issued by the dormitory authority
28 for disbursements of up to \$100,000,000 from a capital appropriation
29 authorized by chapter 50 of the laws of 2003 to the department of state
30 for enhanced 911 wireless service.

31 S 22. Notwithstanding any other law, rule, or regulation to the
32 contrary, the comptroller is hereby authorized and directed to deposit
33 to the credit of the capital projects fund, reimbursement from the
34 proceeds of notes or bonds issued by the environmental facilities corpo-
35 ration for a capital appropriation for \$28,893,000 authorized by chapter
36 55 of the laws of 2004 to the department of environmental conservation
37 for payment of a portion of the state's match for federal capitalization
38 grants for the water pollution control revolving loan fund, reimburse-
39 ment from the proceeds of notes or bonds issued by the urban development
40 corporation for disbursements of up to \$10,000,000 from any capital
41 appropriation or reappropriation authorized by chapter 50 of the laws of
42 2004 to the office of general services for various purposes, reimburse-
43 ment from the proceeds of notes or bonds issued by the environmental
44 facilities corporation for a capital appropriation of \$11,350,000
45 authorized by chapter 55 of the laws of 2004 to the energy research and
46 development authority for the Western New York Nuclear Service Center at
47 West Valley, reimbursement from the proceeds of notes or bonds issued by
48 the environmental facilities corporation, for a capital appropriation of
49 \$10,000,000 authorized by chapter 55 of the laws of 2004 to the depart-
50 ment of environmental conservation for Onondaga lake, reimbursement from
51 the proceeds of notes or bonds issued by the environmental facilities
52 corporation for disbursements of up to \$11,000,000 from any capital
53 appropriations or reappropriations authorized by chapter 55 of the laws
54 of 2004 to the department of environmental conservation for environ-
55 mental purposes, reimbursement from the proceeds of notes or bonds
56 issued by the dormitory authority for a capital appropriation of

1 \$80,000,000 authorized by chapter 53 of the laws of 2004 to the educa-
2 tion department for capital transition grants for transportation,
3 reimbursement from the proceeds of notes or bonds issued by the dormito-
4 ry authority for a capital appropriation of \$243,000,000 authorized by
5 chapter 55 of the laws of 2004 for payment of costs related to economic
6 development projects, reimbursement from the proceeds of bonds or notes
7 issued by the urban development corporation for a capital appropriation
8 of \$83,500,000 authorized by chapter 53 of the laws of 2006, as amended
9 by chapter 108 of the laws of 2006, for payment of costs related to the
10 H. H. Richardson complex and the Darwin Martin House, and reimbursement
11 from the proceeds of notes or bonds issued by the dormitory authority
12 for a capital appropriation of \$290,000,000 authorized by chapter 3 of
13 the laws of 2004 for the New York state economic development program.

14 S 23. Notwithstanding any other law, rule, or regulation to the
15 contrary, the comptroller is hereby authorized and directed to deposit
16 to the credit of the capital projects fund, reimbursement from the
17 proceeds of notes or bonds issued by the environmental facilities corpo-
18 ration for a capital appropriation of \$29,602,000 authorized by chapter
19 55 of the laws of 2005 to the department of environmental conservation
20 for payment of a portion of the state's match for federal capitalization
21 grants for the water pollution control revolving loan fund, reimburse-
22 ment from the proceeds of notes or bonds issued by the urban development
23 corporation for disbursements of up to \$10,000,000 from any capital
24 appropriation or reappropriation authorized by chapter 50 of the laws of
25 2005 to the office of general services for various purposes, reimburse-
26 ment from the proceeds of notes or bonds issued by the environmental
27 facilities corporation for a capital appropriation of \$11,350,000
28 authorized by chapter 55 of the laws of 2005 to the energy research and
29 development authority for the Western New York Nuclear Service Center at
30 West Valley, reimbursement from the proceeds of notes or bonds issued by
31 the environmental facilities corporation for a capital appropriation of
32 \$10,000,000 authorized by chapter 55 of the laws of 2005 to the depart-
33 ment of environmental conservation for Onondaga lake, reimbursement from
34 the proceeds of notes or bonds issued by the environmental facilities
35 corporation for disbursements of up to \$11,000,000 from any capital
36 appropriations or reappropriations authorized by chapter 55 of the laws
37 of 2005 to the department of environmental conservation for environ-
38 mental purposes, reimbursement from the proceeds of notes or bonds
39 issued by the urban development corporation for a capital appropriation
40 of \$350,000,000 authorized by chapter 55 of the laws of 2005 for the
41 Javits center, reimbursement from the proceeds of notes or bonds issued
42 by the dormitory authority for a capital appropriation of \$88,344,000
43 authorized by chapter 62 of the laws of 2005 for regional development,
44 reimbursement from the proceeds of notes or bonds issued by the dormito-
45 ry authority for a capital appropriation of \$176,661,000 authorized by
46 chapter 62 of the laws of 2005 for technology and development,
47 reimbursement from the proceeds of notes or bonds issued by the urban
48 development corporation for a capital appropriation of \$48,517,000
49 authorized by chapter 162 of the laws of 2005 for the New York state
50 economic development program, reimbursement from the proceeds of notes
51 or bonds issued by the urban development corporation for a capital
52 appropriation of \$150,000,000 authorized by chapter 62 of the laws of
53 2005 for the higher education facilities capital matching grants
54 program, reimbursement from the proceeds of notes or bonds issued by the
55 dormitory authority or other financing source for a capital appropri-
56 ation of \$4,000,000 authorized by chapter 50 of the laws of 2005 to the

1 office of general services for payment of capital construction costs for
2 the Elk street parking garage building located in the city of Albany,
3 reimbursement from the proceeds of notes or bonds issued by the urban
4 development corporation for a capital appropriation of \$15,000,000
5 authorized by chapter 53 of the laws of 2005 to the state education
6 department for payment of capital construction costs for public broad-
7 casting facilities, reimbursement from the proceeds of notes or bonds
8 issued by the urban development corporation for a capital appropriation
9 of \$15,700,000 authorized by chapter 50 of the laws of 2005 to the divi-
10 sion of state police for public protection facilities, and reimbursement
11 from the proceeds of notes or bonds issued by the urban development
12 corporation for capital disbursements of up to \$3,000,000 from any capi-
13 tal appropriation or reappropriation authorized by chapter 50 of the
14 laws of 2005 to the division of military and naval affairs for various
15 purposes.

16 S 24. Notwithstanding any other law, rule, or regulation to the
17 contrary, the comptroller is hereby authorized and directed to deposit
18 to the credit of the capital projects fund, reimbursement from the
19 proceeds of notes or bonds issued by the environmental facilities corpo-
20 ration for a capital appropriation for \$29,600,000 authorized by chapter
21 55 of the laws of 2006 to the department of environmental conservation
22 for payment of a portion of the state's match for federal capitalization
23 grants for the water pollution control revolving loan fund, reimburse-
24 ment from the proceeds of notes or bonds issued by the urban development
25 corporation for disbursements of up to \$20,000,000 from any capital
26 appropriation or reappropriation authorized by chapter 50 of the laws of
27 2006 to the office of general services for various purposes, reimburse-
28 ment from the proceeds of notes or bonds issued by the environmental
29 facilities corporation for a capital appropriation of \$14,000,000
30 authorized by chapter 55 of the laws of 2006 to the energy research and
31 development authority for the Western New York Nuclear Service Center at
32 West Valley, reimbursement from the proceeds of notes or bonds issued by
33 the environmental facilities corporation for a capital appropriation of
34 \$10,000,000 authorized by chapter 55 of the laws of 2006 to the depart-
35 ment of environmental conservation for Onondaga lake, reimbursement from
36 the proceeds of notes or bonds issued by the environmental facilities
37 corporation for disbursements of up to \$12,000,000 from any capital
38 appropriations or reappropriations authorized by chapter 55 of the laws
39 of 2006 to the department of environmental conservation for environ-
40 mental purposes, reimbursement from the proceeds of notes or bonds
41 issued by the urban development corporation for capital disbursements of
42 up to \$3,000,000 from any capital appropriation or reappropriation
43 authorized by chapter 50 of the laws of 2006 to the division of military
44 and naval affairs for various purposes, reimbursement from the proceeds
45 of notes or bonds issued by the urban development corporation for
46 disbursements of up to \$12,400,000 from any capital appropriation or
47 reappropriation authorized by chapter 50 of the laws of 2006 to the
48 division of state police for public protection facilities, reimbursement
49 from the proceeds of notes or bonds issued by the urban development
50 corporation for a capital appropriation of \$117,000,000 authorized by
51 chapter 50 of the laws of 2006 to all state departments and agencies for
52 the purchase of equipment, reimbursement from the proceeds of notes or
53 bonds issued by the dormitory authority or the urban development corpo-
54 ration for all or a portion of capital appropriations of \$603,050,000
55 authorized by chapter 108 of the laws of 2006 to the urban development
56 corporation for economic development/other projects, reimbursement from

1 the proceeds of notes or bonds issued by the urban development corpo-
2 ration for a capital appropriation of \$269,500,000 authorized by chapter
3 108 of the laws of 2006 to the dormitory authority or the urban develop-
4 ment corporation for economic development projects, reimbursement from
5 the proceeds of notes or bonds issued by the dormitory authority or the
6 urban development corporation for a capital appropriation of
7 \$201,500,000 authorized by chapter 108 of the laws of 2006 to the urban
8 development corporation for university development projects, reimburse-
9 ment from the proceeds of notes or bonds issued by the dormitory author-
10 ity or for a capital appropriation of \$143,000,000 authorized by chapter
11 108 of the laws of 2006 to the urban development corporation for
12 cultural facilities projects, reimbursement from the proceeds of notes
13 or bonds issued by the dormitory authority or the urban development
14 corporation for capital appropriations totaling \$60,000,000 authorized
15 by chapter 108 of the laws of 2006 to the urban development corporation
16 for energy/environmental projects, reimbursement from the proceeds of
17 notes or bonds issued by the dormitory authority or the urban develop-
18 ment corporation for a capital appropriation of \$20,000,000 authorized
19 by chapter 108 of the laws of 2006 to the urban development corporation
20 for a competitive solicitation for construction of a pilot cellulosic
21 ethanol refinery, reimbursement from the proceeds of notes or bonds
22 issued by the urban development corporation for a capital appropriation
23 of \$74,700,000 authorized by chapter 55 of the laws of 2006 to the urban
24 development corporation for services and expenses related to infrastruc-
25 ture for a new stadium in Queens county, and reimbursement from the
26 proceeds of notes or bonds issued by the urban development corporation
27 for a capital appropriation of \$74,700,000 authorized by chapter 55 of
28 the laws of 2006 to the urban development corporation for services and
29 expenses related to infrastructure improvements to construct a new park-
30 ing facility at a new stadium in Bronx county, reimbursement from the
31 proceeds of notes and bonds issued by the environmental facilities
32 corporation for a capital appropriation of \$5,000,000 authorized by
33 chapter 55 of the laws of 2006 to the environmental facilities corpo-
34 ration for payment for the pipeline for jobs program, reimbursement from
35 the proceeds of notes or bonds issued by the dormitory authority for
36 capital disbursements of up to \$14,000,000 from any capital appropri-
37 ation or reappropriation authorized by chapter 53 of the laws of 2006
38 for the library construction purpose, reimbursement from the proceeds of
39 notes or bonds issued by the urban development corporation or the dormi-
40 tory authority for an appropriation of \$1,200,000 authorized by chapter
41 53 of the laws of 2006 for the towns of Bristol and Canandaigua public
42 water systems, reimbursement from the proceeds of notes or bonds issued
43 by the urban development corporation or the dormitory authority for an
44 appropriation of \$5,500,000 authorized by chapter 53 of the laws of 2006
45 for Belleayre mountain ski center, reimbursement from the proceeds of
46 notes or bonds issued by the urban development corporation or the dormi-
47 tory authority for an appropriation of \$25,000,000 authorized by chapter
48 53 of the laws of 2006 for the town of Smithtown/Kings Park psychiatric
49 center rehabilitation, reimbursement from the proceeds of notes or bonds
50 issued by the urban development corporation or the dormitory authority
51 for an appropriation of \$5,000,000 authorized by chapter 108 of the laws
52 of 2006 for a state of New York umbilical cord bank, reimbursement from
53 the proceeds of notes or bonds issued by the urban development corpo-
54 ration or the dormitory authority for an appropriation of \$5,500,000
55 authorized by chapter 53 of the laws of 2006 for an Old Gore mountain
56 ski bowl connection, reimbursement from the proceeds of notes or bonds

1 issued by the urban development corporation or the dormitory authority
2 for an appropriation of \$2,000,000 authorized by chapter 53 of the laws
3 of 2006 for a Cornell equine drug testing laboratory, reimbursement from
4 the proceeds of notes or bonds issued by the urban development corpo-
5 ration or the dormitory authority for an appropriation of \$2,000,000
6 authorized by chapter 53 of the laws of 2006 for a Fredonia vineyard
7 laboratory, reimbursement from the proceeds of notes or bonds issued by
8 the urban development corporation or the dormitory authority for an
9 appropriation of \$99,500,000 authorized by chapter 108 of the laws of
10 2006 to the office for technology for payment of capital construction
11 costs for a consolidated data center, reimbursement from the proceeds of
12 notes or bonds issued by the dormitory authority or the urban develop-
13 ment corporation for an appropriation of \$40,000,000 authorized by chap-
14 ter 108 of the laws of 2006 for a food testing laboratory, reimbursement
15 from the proceeds of notes or bonds issued by the New York state thruway
16 authority for an appropriation of \$22,000,000 authorized by chapter 108
17 of the laws of 2006 to the department of transportation for high speed
18 rail, reimbursement from the proceeds of notes or bonds issued by the
19 urban development corporation for capital disbursements of up to
20 \$500,000,000 from an appropriation authorized by chapter 108 of the laws
21 of 2006 to the urban development corporation for development of a semi-
22 conductor manufacturing facility, reimbursement from the proceeds of
23 notes or bonds issued by the urban development corporation of up to
24 \$150,000,000 from an appropriation authorized by chapter 108 of the laws
25 of 2006 to the urban development corporation for research and develop-
26 ment activities of a semiconductor manufacturer, and reimbursement from
27 the proceeds of notes or bonds issued by the urban development corpo-
28 ration for capital disbursements of up to \$300,000,000 from an appropri-
29 ation to the urban development corporation authorized by chapter 108 of
30 the laws of 2006 for community revitalization projects.

31 S 25. Notwithstanding any other law, rule, or regulation to the
32 contrary, the comptroller is hereby authorized and directed to deposit
33 to the credit of the capital projects fund, reimbursement from the
34 proceeds of notes or bonds issued by the environmental facilities corpo-
35 ration for a capital appropriation of \$29,600,000 authorized by chapter
36 55 of the laws of 2007 to the department of environmental conservation
37 for payment of a portion of the state's match for federal capitalization
38 grants for the water pollution control revolving loan fund, reimburse-
39 ment from the proceeds of notes or bonds issued by the urban development
40 corporation for disbursements of up to \$20,000,000 from any capital
41 appropriation or reappropriation authorized by chapter 50 of the laws of
42 2007 to the office of general services for various purposes, reimburse-
43 ment from the proceeds of notes or bonds issued by the environmental
44 facilities corporation for a capital appropriation of \$13,500,000
45 authorized by chapter 55 of the laws of 2007 to the energy research and
46 development authority for the Western New York Nuclear Service Center at
47 West Valley, reimbursement from the proceeds of notes or bonds issued by
48 the environmental facilities corporation for a capital appropriation of
49 \$10,000,000 authorized by chapter 55 of the laws of 2007 to the depart-
50 ment of environmental conservation for Onondaga lake, reimbursement from
51 the proceeds of notes or bonds issued by the environmental facilities
52 corporation for disbursements of up to \$12,000,000 from any capital
53 appropriations or reappropriations authorized by chapter 55 of the laws
54 of 2007 to the department of environmental conservation for environ-
55 mental purposes, reimbursement from the proceeds of notes or bonds
56 issued by the urban development corporation for capital disbursements of

1 up to \$3,000,000 from any capital appropriation or reappropriation
2 authorized by chapter 50 of the laws of 2007 to the division of military
3 and naval affairs for various purposes, reimbursement from the proceeds
4 of notes or bonds issued by the urban development corporation for
5 disbursements from a capital appropriation of \$50,000,000 authorized by
6 chapter 50 of the laws of 2007 to the division of state police for
7 construction of a Troop G facility, reimbursement from the proceeds of
8 notes or bonds issued by the urban development corporation for disburse-
9 ments from a capital appropriation of \$6,000,000 authorized by chapter
10 50 of the laws of 2007 to the division of state police for construction
11 of evidence storage facilities, reimbursement from the proceeds of notes
12 or bonds issued by the dormitory authority or the urban development
13 corporation for capital appropriations totaling \$77,900,000 authorized
14 by chapter 51 of the laws of 2007 to the judiciary for court training
15 facilities and courthouse improvement projects, reimbursement from the
16 proceeds of notes or bonds issued by the urban development corporation
17 for a capital appropriation of \$20,000,000 authorized by chapter 50 of
18 the laws of 2007 to all state departments and agencies for the purchase
19 of equipment, reimbursement from the proceeds of notes or bonds issued
20 by the dormitory authority for capital disbursements of up to
21 \$14,000,000 from any capital appropriation or reappropriation authorized
22 by chapter 53 of the laws of 2007 for library construction, reimburse-
23 ment from the proceeds of notes or bonds issued by the dormitory author-
24 ity for capital disbursements of up to \$60,000,000 from any capital
25 appropriation or reappropriation authorized by chapter 53 of the laws of
26 2007 for cultural education storage facilities, reimbursement from the
27 proceeds of notes or bonds issued by the urban development corporation
28 for capital disbursements of up to \$15,000,000 from any capital appro-
29 priation or reappropriation authorized by chapter 55 of the laws of 2007
30 for the Roosevelt Island Operating Corporation aerial tramway,
31 reimbursement from the proceeds of notes or bonds issued by the urban
32 development corporation for capital disbursements of up to \$20,000,000
33 from any capital appropriation or reappropriation authorized by chapter
34 55 of the laws of 2007 for Governor's Island, reimbursement from the
35 proceeds of notes or bonds issued by the urban development corporation
36 for capital disbursements of up to \$7,500,000 from any capital appropri-
37 ation or reappropriation authorized by chapter 55 of the laws of 2007
38 for Harriman research and technology park, reimbursement from the
39 proceeds of notes or bonds issued by the urban development corporation
40 for capital disbursements of up to \$7,950,000 from any capital appropri-
41 ation or reappropriation authorized by chapter 55 of the laws of 2007
42 for USA Niagara, and reimbursement from the proceeds of notes or bonds
43 issued by the urban development corporation for capital disbursements of
44 up to \$1,300,000 from appropriations authorized by chapter 50 of the
45 laws of 2007 made to the office of general services for legislative
46 office building hearing rooms.

47 S 26. Notwithstanding any other law, rule, or regulation to the
48 contrary, the comptroller is hereby authorized and directed to deposit
49 to the credit of the capital projects fund, reimbursement from the
50 proceeds of notes or bonds issued by the environmental facilities corpo-
51 ration for a capital appropriation of \$29,600,000 authorized by chapter
52 55 of the laws of 2008 to the department of environmental conservation
53 for payment of a portion of the state's match for federal capitalization
54 grants for the water pollution control revolving loan fund, reimburse-
55 ment from the proceeds of notes or bonds issued by the urban development
56 corporation for a capital appropriation of \$141,000,000 authorized by

1 chapter 50 of the laws of 2008 to all state departments and agencies for
2 the purchase of equipment or systems development, reimbursement from the
3 proceeds of notes or bonds issued by the urban development corporation
4 for disbursements of up to \$45,500,000 from any capital appropriation or
5 reappropriation authorized by chapter 50 of the laws of 2008 to the
6 office of general services for various purposes, reimbursement from the
7 proceeds of notes or bonds issued by the environmental facilities corpo-
8 ration for a capital appropriation of \$13,500,000 authorized by chapter
9 55 of the laws of 2008 to the energy research and development authority
10 for the Western New York Nuclear Service Center at West Valley,
11 reimbursement from the proceeds of notes or bonds issued by the environ-
12 mental facilities corporation for a capital appropriation of \$10,000,000
13 authorized by chapter 55 of the laws of 2008 to the department of envi-
14 ronmental conservation for Onondaga lake, reimbursement from the
15 proceeds of notes or bonds issued by the environmental facilities corpo-
16 ration for disbursements of up to \$12,000,000 from any capital appropri-
17 ations or reappropriations authorized by chapter 55 of the laws of 2008
18 to the department of environmental conservation for environmental
19 purposes, reimbursement from the proceeds of notes or bonds issued by
20 the urban development corporation for capital disbursements of up to
21 \$3,000,000 from any capital appropriation or reappropriation authorized
22 by chapter 50 of the laws of 2008 to the division of military and naval
23 affairs for various purposes, reimbursement from the proceeds of notes
24 or bonds issued by the urban development corporation for a capital
25 appropriation of \$2,500,000 authorized by chapter 50 of the laws of 2008
26 to the office for technology for activities related to broadband
27 service, reimbursement from the proceeds of notes or bonds issued by the
28 urban development corporation for a capital appropriation of \$6,000,000
29 authorized by chapter 50 of the laws of 2008 to the division of state
30 police for rehabilitation of facilities, reimbursement from the proceeds
31 of notes or bonds issued by the dormitory authority of the state of New
32 York or other financing source for a capital appropriation authorized by
33 chapter 53 of the laws of 2008 of \$14,000,000 to the education depart-
34 ment for library construction, reimbursement from the proceeds of notes
35 or bonds issued by the dormitory authority of the state of New York or
36 other financing source for a capital appropriation authorized by chapter
37 53 of the laws of 2008 of \$15,000,000 to the education department for
38 museum renewal projects, reimbursement from the proceeds of notes or
39 bonds issued by the urban development corporation for capital appropri-
40 ation of \$50,000,000 authorized by chapter 53 of the laws of 2008 to the
41 urban development corporation for services and expenses related to the
42 investment opportunity fund, reimbursement from the proceeds of notes or
43 bonds issued by the urban development corporation for capital appropri-
44 ation of \$28,000,000 authorized by chapter 53 of the laws of 2008 to the
45 urban development corporation for services and expenses related to arts
46 and cultural projects, reimbursement from the proceeds of bonds or notes
47 issued by the urban development corporation for a capital appropriation
48 of \$32,148,000 authorized by chapter 53 of the laws of 2008 for economic
49 and community development projects, reimbursement from the proceeds of
50 bonds or notes issued by the urban development corporation for a capital
51 appropriation of \$30,000,000 authorized by chapter 53 of the laws of
52 2008 for New York city waterfront development projects, reimbursement
53 from the proceeds of bonds or notes issued by the urban development
54 corporation for a capital appropriation of \$45,000,000 authorized by
55 chapter 53 of the laws of 2008 for Luther Forest infrastructure
56 projects, reimbursement from the proceeds of notes or bonds issued by

1 the urban development corporation for capital appropriation of
2 \$35,000,000 authorized by chapter 53 of the laws of 2008 to the urban
3 development corporation for services and expenses related to downstate
4 regional projects, reimbursement from the proceeds of notes or bonds
5 issued by the urban development corporation for capital appropriation of
6 \$137,037,000 authorized by chapter 53 of the laws of 2008 to the urban
7 development corporation for services and expenses related to upstate
8 city-by-city projects, reimbursement from the proceeds of notes or bonds
9 issued by the urban development corporation for capital appropriation of
10 \$35,000,000 authorized by chapter 53 of the laws of 2008 to the urban
11 development corporation for services and expenses related to the down-
12 state revitalization projects, reimbursement from the proceeds of notes
13 or bonds issued by the urban development corporation for capital appro-
14 priation of \$117,265,000 authorized by chapter 53 of the laws of 2008 to
15 the urban development corporation for services and expenses related to
16 the upstate regional blueprint fund, reimbursement from the proceeds of
17 notes or bonds issued by the urban development corporation for capital
18 appropriation of \$25,000,000 authorized by chapter 53 of the laws of
19 2008 to the urban development corporation for services and expenses
20 related to the upstate agricultural economic development fund,
21 reimbursement from the proceeds of notes or bonds issued by the urban
22 development corporation for capital appropriation of \$350,000,000
23 authorized by chapter 53 of the laws of 2008 to the urban development
24 corporation for services and expenses related to the New York state
25 capital assistance program, reimbursement from the proceeds of notes or
26 bonds issued by the urban development corporation for capital appropri-
27 ation of \$341,332,000 authorized by chapter 53 of the laws of 2008 to
28 the urban development corporation for services and expenses related to
29 the New York state economic development assistance program, and
30 reimbursement from the proceeds of notes or bonds issued by the urban
31 development corporation for capital appropriation of \$20,000,000 author-
32 ized by chapter 55 of the laws of 2008 to the urban development corpo-
33 ration for services and expenses related to the empire state economic
34 development fund.

35 S 27. Notwithstanding any other law, rule, or regulation to the
36 contrary, the comptroller is hereby authorized and directed to deposit
37 to the credit of the capital projects fund, reimbursement from the
38 proceeds of notes or bonds issued by the environmental facilities corpo-
39 ration for a capital appropriation of \$29,600,000 authorized by chapter
40 55 of the laws of 2009 to the department of environmental conservation
41 for payment of a portion of the state's match for federal capitalization
42 grants for the water pollution control revolving loan fund, reimburse-
43 ment from the proceeds of notes or bonds issued by the urban development
44 corporation for a capital appropriation of \$129,800,000 authorized by
45 chapter 50 of the laws of 2009 to all state departments and agencies for
46 the purchase of equipment or systems development, reimbursement from the
47 proceeds of notes or bonds issued by the urban development corporation
48 for disbursements of up to \$24,000,000 from any capital appropriation or
49 reappropriation authorized by chapter 50 of the laws of 2009 to the
50 office of general services for various purposes, reimbursement from the
51 proceeds of notes or bonds issued by the environmental facilities corpo-
52 ration for a capital appropriation of \$13,500,000 authorized by chapter
53 55 of the laws of 2009 to the energy research and development authority
54 for the Western New York Nuclear Service Center at West Valley,
55 reimbursement from the proceeds of notes or bonds issued by the environ-
56 mental facilities corporation for a capital appropriation of \$10,000,000

1 authorized by chapter 55 of the laws of 2009 to the department of envi-
2 ronmental conservation for Onondaga lake, reimbursement from the
3 proceeds of notes or bonds issued by the environmental facilities corpo-
4 ration for disbursements of up to \$12,000,000 from any capital appropri-
5 ations or reappropriations authorized by chapter 55 of the laws of 2009
6 to the department of environmental conservation for environmental
7 purposes, reimbursement from the proceeds of notes or bonds issued by
8 the urban development corporation for capital disbursements of up to
9 \$3,000,000 from any capital appropriation or reappropriation authorized
10 by chapter 50 of the laws of 2009 to the division of military and naval
11 affairs for various purposes, reimbursement from the proceeds of notes
12 or bonds issued by the urban development corporation for a capital
13 appropriation of \$6,000,000 authorized by chapter 50 of the laws of 2009
14 to the division of state police for rehabilitation of facilities,
15 reimbursement from the proceeds of notes or bonds issued by the dormito-
16 ry authority of the state of New York or other financing source for a
17 capital appropriation authorized by chapter 53 of the laws of 2009 of
18 \$14,000,000 to the state education department for library construction,
19 reimbursement from the proceeds of notes or bonds issued by the dormito-
20 ry authority of the state of New York or other financing source for a
21 capital appropriation of \$4,000,000 to the state education department
22 for rehabilitation associated with the St. Regis Mohawk elementary
23 school authorized by chapter 53 of the laws of 2009 and reimbursement
24 from the proceeds of notes or bonds issued by the urban development
25 corporation for capital appropriation of \$25,000,000 authorized by chap-
26 ter 55 of the laws of 2009 to the urban development corporation for
27 services and expenses related to the empire state economic development
28 fund.

29 S 28. Notwithstanding any other law, rule, or regulation to the
30 contrary, the comptroller is hereby authorized and directed to deposit
31 to the credit of the capital projects fund, reimbursement from the
32 proceeds of notes or bonds issued by the environmental facilities corpo-
33 ration for a capital appropriation of \$29,600,000 authorized by chapter
34 55 of the laws of 2010 to the department of environmental conservation
35 for payment of a portion of the state's match for federal capitalization
36 grants for the water pollution control revolving loan fund, reimburse-
37 ment from the proceeds of notes or bonds issued by the urban development
38 corporation for a capital appropriation of \$187,285,000 authorized by
39 chapter 50 of the laws of 2010 to all state departments and agencies for
40 the purchase of equipment or systems development, reimbursement from the
41 proceeds of notes or bonds issued by the urban development corporation
42 for disbursements of up to \$26,950,000 from any capital appropriation or
43 reappropriation authorized by chapter 50 of the laws of 2010 to the
44 office of general services for various purposes, reimbursement from the
45 proceeds of notes or bonds issued by the environmental facilities corpo-
46 ration for a capital appropriation of \$5,000,000 authorized by chapter
47 55 of the laws of 2010 to the department of environmental conservation
48 for Onondaga lake, reimbursement from the proceeds of notes or bonds
49 issued by the environmental facilities corporation for disbursements of
50 up to \$12,000,000 from any capital appropriations or reappropriations
51 authorized by chapter 55 of the laws of 2010 to the department of envi-
52 ronmental conservation for environmental purposes, reimbursement from
53 the proceeds of notes or bonds issued by the urban development corpo-
54 ration for capital disbursements of up to \$3,000,000 from any capital
55 appropriation or reappropriation authorized by chapter 50 of the laws of
56 2010 to the division of military and naval affairs for various purposes,

1 reimbursement from the proceeds of notes or bonds issued by the urban
2 development corporation for a capital appropriation of \$6,000,000
3 authorized by chapter 50 of the laws of 2010 to the division of state
4 police for rehabilitation of facilities, reimbursement from the proceeds
5 of notes or bonds issued by the dormitory authority of the state of New
6 York or other financing source for a capital appropriation of
7 \$14,000,000 authorized by chapter 53 of the laws of 2010 to the state
8 education department for library construction, reimbursements from the
9 proceeds of notes or bonds issued by the dormitory authority of the
10 state of New York or other financing source for a capital appropriation
11 of \$20,400,000 authorized by chapter 100 of the laws of 2010 to the
12 state education department for the longitudinal data system and
13 reimbursement from the proceeds of notes or bonds issued by the dormito-
14 ry authority of the state of New York or other financing source for a
15 capital appropriation of \$42,000,000 for the state preparedness and
16 training center.

17 S 29. Notwithstanding any other law, rule, or regulation to the
18 contrary, the comptroller is hereby authorized and directed to deposit
19 to the credit of the capital projects fund, reimbursement from the
20 proceeds of notes or bonds issued by the environmental facilities corpo-
21 ration for a capital appropriation of \$35,000,000 authorized by a chap-
22 ter of the laws of 2011 to the department of environmental conservation
23 for payment of a portion of the state's match for federal capitalization
24 grants for the water pollution control revolving loan fund, reimburse-
25 ment from the proceeds of notes or bonds issued by the urban development
26 corporation for a capital appropriation of \$92,751,000 authorized by a
27 chapter of the laws of 2011 to all state departments and agencies for
28 the purchase of equipment or systems development, reimbursement from the
29 proceeds of notes or bonds issued by the urban development corporation
30 for disbursements of up to \$40,000,000 from any capital appropriation or
31 reappropriation authorized by a chapter of the laws of 2011 to the
32 office of general services for various purposes, reimbursement from the
33 proceeds of notes or bonds issued by the environmental facilities corpo-
34 ration for disbursements of up to \$12,000,000 from any capital appropri-
35 ations or reappropriations authorized by a chapter of the laws of 2011
36 to the department of environmental conservation for environmental
37 purposes, reimbursement from the proceeds of notes or bonds issued by
38 the urban development corporation for capital disbursements of up to
39 \$3,000,000 from any capital appropriation or reappropriation authorized
40 by a chapter of the laws of 2011 to the division of military and naval
41 affairs for various purposes, reimbursement from the proceeds of notes
42 or bonds issued by the urban development corporation for a capital
43 appropriation of \$6,000,000 authorized by a chapter of the laws of 2011
44 to the division of state police for rehabilitation of facilities,
45 reimbursement from the proceeds of notes or bonds issued by the dormito-
46 ry authority of the state of New York or other financing source for a
47 capital appropriation of \$14,000,000 authorized by a chapter of the laws
48 of 2011 to the state education department for library construction.

49 S 30. Notwithstanding any other law, rule, or regulation to the
50 contrary, the comptroller is hereby authorized and directed to deposit
51 to the credit of the state university residence hall rehabilitation fund
52 (074), reimbursement from the proceeds of notes or bonds issued by the
53 dormitory authority of the state of New York for capital disbursements
54 of up to \$331,000,000 from any appropriation or reappropriation author-
55 ized by a chapter of the laws of 2011.

1 S 31. Notwithstanding any other law, rule, or regulation to the
2 contrary, the comptroller is hereby authorized and directed to deposit
3 to the credit of the capital projects fund, reimbursement from the
4 proceeds of notes or bonds issued by the dormitory authority and urban
5 development corporation for disbursements of up to \$8,000,000 from an
6 appropriation authorized by chapter 50 of the laws of 2009 for drug
7 courts.

8 S 32. Notwithstanding any other law, rule, or regulation to the
9 contrary, the comptroller is hereby authorized and directed to deposit
10 to the credit of the city university special revenue fund (377),
11 reimbursement from the proceeds of notes or bonds issued by the Dormito-
12 ry Authority of the State of New York for capital disbursements of up to
13 \$20,000,000 from any appropriation or reappropriation authorized by
14 chapter 53 of the laws of 2009 to the city university of New York for
15 various purposes.

16 S 33. Notwithstanding any other law, rule, or regulation to the
17 contrary, the state comptroller is hereby authorized and directed to use
18 any balance remaining in the mental health services fund debt service
19 appropriation, after payment by the state comptroller of all obligations
20 required pursuant to any lease, sublease, or other financing arrangement
21 between the dormitory authority of the state of New York as successor to
22 the New York state medical care facilities finance agency, and the
23 facilities development corporation pursuant to chapter 83 of the laws of
24 1995 and the department of mental hygiene for the purpose of making
25 payments to the dormitory authority of the state of New York for the
26 amount of the earnings for the investment of monies deposited in the
27 mental health services fund that such agency determines will or may have
28 to be rebated to the federal government pursuant to the provisions of
29 the internal revenue code of 1986, as amended, in order to enable such
30 agency to maintain the exemption from federal income taxation on the
31 interest paid to the holders of such agency's mental services facilities
32 improvement revenue bonds. On or before June 30, 2011, such agency shall
33 certify to the state comptroller its determination of the amounts
34 received in the mental health services fund as a result of the invest-
35 ment of monies deposited therein that will or may have to be rebated to
36 the federal government pursuant to the provisions of the internal reven-
37 ue code of 1986, as amended.

38 S 34. (1) Notwithstanding any other law, rule, or regulation to the
39 contrary, the state comptroller shall at the commencement of each month
40 certify to the director of the budget, the commissioner of environmental
41 conservation, the chair of the senate finance committee, and the chair
42 of the assembly ways and means committee the amounts disbursed from all
43 appropriations for hazardous waste site remediation disbursements for
44 the month preceding such certification.

45 (2) Notwithstanding any law to the contrary, prior to the issuance by
46 the comptroller of bonds authorized pursuant to subdivision a of section
47 4 of the environmental quality bond act of nineteen hundred eighty-six,
48 as enacted by chapter 511 of the laws of 1986, disbursements from all
49 appropriations for that purpose shall first be reimbursed from moneys
50 credited to the hazardous waste remedial fund, site investigation and
51 construction account, to the extent moneys are available in such
52 account. For purposes of determining moneys available in such account,
53 the commissioner of environmental conservation shall certify to the
54 comptroller the amounts required for administration of the hazardous
55 waste remedial program.

1 (3) The comptroller is hereby authorized and directed to transfer any
2 balance above the amounts certified by the commissioner of environmental
3 conservation to reimburse disbursements pursuant to all appropriations
4 from such site investigation and construction account; provided, howev-
5 er, that if such transfers are determined by the comptroller to be
6 insufficient to assure that interest paid to holders of state obli-
7 gations issued for hazardous waste purposes pursuant to the environ-
8 mental quality bond act of nineteen hundred eighty-six, as enacted by
9 chapter 511 of the laws of 1986, is exempt from federal income taxation,
10 the comptroller is hereby authorized and directed to transfer, from such
11 site investigation and construction account to the general fund, the
12 amount necessary to redeem bonds in an amount necessary to assure the
13 continuation of such tax exempt status. Prior to the making of any such
14 transfers, the comptroller shall notify the director of the budget of
15 the amount of such transfers.

16 S 35. Subdivision 8 of section 68-b of the state finance law, as
17 amended by chapter 79 of the laws of 2010, is amended to read as
18 follows:

19 8. Revenue bonds may only be issued for authorized purposes, as
20 defined in section sixty-eight-a of this article. Notwithstanding the
21 foregoing, the dormitory authority of the state of New York and the
22 urban development corporation may issue revenue bonds for any authorized
23 purpose of any other such authorized issuer through March thirty-first,
24 two thousand [eleven] TWELVE. The authorized issuers shall not issue
25 any revenue bonds in an amount in excess of statutory authorizations for
26 such authorized purposes. Authorizations for such authorized purposes
27 shall be reduced in an amount equal to the amount of revenue bonds
28 issued for such authorized purposes under this article. Such reduction
29 shall not be made in relation to revenue bonds issued to fund reserve
30 funds, if any, and costs of issuance, if these items are not counted
31 under existing authorizations, nor shall revenue bonds issued to refund
32 bonds issued under existing authorizations reduce the amount of such
33 authorizations.

34 S 36. Subdivision 2 of section 68-a of the state finance law, as
35 amended by chapter 79 of the laws of 2010, is amended to read as
36 follows:

37 2. "Authorized purpose" for purposes of this article and section nine-
38 ty-two-z of this chapter shall mean any purposes for which state-sup-
39 ported debt, as defined by section sixty-seven-a of this chapter, may or
40 has been issued except debt for which the state is constitutionally
41 obligated thereunder to pay debt service and related expenses, and
42 except (a) as authorized in paragraph (b) of subdivision one of section
43 three hundred eighty-five of the public authorities law, (b) as author-
44 ized for the department of health of the state of New York facilities as
45 specified in paragraph a of subdivision two of section sixteen hundred
46 eighty of the public authorities law, (c) state university of New York
47 dormitory facilities as specified in subdivision eight of section
48 sixteen hundred seventy-eight of the public authorities law, and (d) as
49 authorized for mental health services facilities by section nine-a of
50 section one of chapter three hundred ninety-two of the laws of nineteen
51 hundred seventy-three constituting the New York state medical care
52 facilities financing act. Notwithstanding the provisions of clause (d)
53 of this subdivision, for the period April first, two thousand nine
54 through March thirty-first, two thousand [eleven] TWELVE, mental health
55 services facilities, as authorized by section nine-a of section one of
56 chapter three hundred ninety-two of the laws of nineteen hundred seven-

ty-three constituting the New York state medical care facilities financing act, shall constitute an authorized purpose.

S 37. Section 51 of part RR of chapter 57 of the laws of 2008, providing for the administration of certain funds and accounts related to the 2008-2009 budget, as amended by chapter 48 of the laws of 2010, is amended to read as follows:

S 51. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2008; provided, however, that the amendments to subdivision 6 of section 4 and subdivision 4 of section 40 of the state finance law made by sections fifteen and sixteen of this act shall expire on the same date such subdivisions expire; and provided, further, however, that section thirty-four of this act shall take effect on the same date as the reversion of section 69-c of the state finance law as provided in section 58 of part T of chapter 57 of the laws of 2007, as amended; provided, further that such amendments shall expire and be deemed repealed March 31, [2011] 2012; and provided, further, however, that sections one, three, four, and eighteen through twenty-seven of this act shall expire March 31, 2009 when upon such date the provisions of such sections shall be deemed repealed; and provided further that section fourteen of this act shall expire March 31, 2011 when upon such date the provisions of such section shall be deemed repealed.

S 38. Subdivision 3 of section 1285-p of the public authorities law, as amended by section 48 of part JJ of chapter 56 of the laws of 2010, is amended to read as follows:

3. The maximum amount of bonds that may be issued for the purpose of financing environmental infrastructure projects authorized by this section shall be nine hundred [three] FIFTEEN million seven hundred forty-seven thousand dollars, exclusive of bonds issued to fund any debt service reserve funds, pay costs of issuance of such bonds, and bonds or notes issued to refund or otherwise repay bonds or notes previously issued. Such bonds and notes of the corporation shall not be a debt of the state, and the state shall not be liable thereon, nor shall they be payable out of any funds other than those appropriated by the state to the corporation for debt service and related expenses pursuant to any service contracts executed pursuant to subdivision one of this section, and such bonds and notes shall contain on the face thereof a statement to such effect.

S 39. Subdivision (a) of section 28 of part Y of chapter 61 of the laws of 2005, providing for the administration of certain funds and accounts related to the 2005-2006 budget, as amended by section 49 of part JJ of chapter 56 of the laws of 2010, is amended to read as follows:

(a) Subject to the provisions of chapter 59 of the laws of 2000, but notwithstanding any provisions of law to the contrary, one or more authorized issuers as defined by section 68-a of the state finance law are hereby authorized to issue bonds or notes in one or more series in an aggregate principal amount not to exceed [\$18,000,000] \$21,000,000, excluding bonds issued to finance one or more debt service reserve funds, to pay costs of issuance of such bonds, and bonds or notes issued to refund or otherwise repay such bonds or notes previously issued, for the purpose of financing capital projects for public protection facilities in the Division of Military and Naval Affairs, debt service and leases; and to reimburse the state general fund for disbursements made therefor. Such bonds and notes of such authorized issuer shall not be a debt of the state, and the state shall not be liable thereon, nor shall

1 they be payable out of any funds other than those appropriated by the
2 state to such authorized issuer for debt service and related expenses
3 pursuant to any service contract executed pursuant to subdivision (b) of
4 this section and such bonds and notes shall contain on the face thereof
5 a statement to such effect. Except for purposes of complying with the
6 internal revenue code, any interest income earned on bond proceeds shall
7 only be used to pay debt service on such bonds.

8 S 40. Subdivision (a) of section 48 of part K of chapter 81 of the
9 laws of 2002, providing for the administration of certain funds and
10 accounts related to the 2002-2003 budget, as amended by section 50 of
11 part JJ of chapter 56 of the laws of 2010, is amended to read as
12 follows:

13 (a) Subject to the provisions of chapter 59 of the laws of 2000 but
14 notwithstanding the provisions of section 18 of the urban development
15 corporation act, the corporation is hereby authorized to issue bonds or
16 notes in one or more series in an aggregate principal amount not to
17 exceed \$67,000,000 excluding bonds issued to fund one or more debt
18 service reserve funds, to pay costs of issuance of such bonds, and bonds
19 or notes issued to refund or otherwise repay such bonds or notes previ-
20 ously issued, for the purpose of financing capital costs related to
21 homeland security and training facilities for the division of state
22 police, the division of military and naval affairs, and any other state
23 agency, including the reimbursement of any disbursements made from the
24 state capital projects fund, and is hereby authorized to issue bonds or
25 notes in one or more series in an aggregate principal amount not to
26 exceed [\$165,800,000] \$205,800,000, excluding bonds issued to fund one
27 or more debt service reserve funds, to pay costs of issuance of such
28 bonds, and bonds or notes issued to refund or otherwise repay such bonds
29 or notes previously issued, for the purpose of financing improvements to
30 State office buildings and other facilities located statewide, including
31 the reimbursement of any disbursements made from the state capital
32 projects fund. Such bonds and notes of the corporation shall not be a
33 debt of the state, and the state shall not be liable thereon, nor shall
34 they be payable out of any funds other than those appropriated by the
35 state to the corporation for debt service and related expenses pursuant
36 to any service contracts executed pursuant to subdivision (b) of this
37 section, and such bonds and notes shall contain on the face thereof a
38 statement to such effect.

39 S 41. Subdivision 4 of section 66-b of the state finance law, as
40 amended by section 51 of part JJ of chapter 56 of the laws of 2010, is
41 amended to read as follows:

42 4. Subject to the provisions of chapter fifty-nine of the laws of two
43 thousand, but notwithstanding any other provisions of law to the contra-
44 ry, the maximum amount of certificates of participation or similar
45 instruments representing periodic payments due from the state of New
46 York, issued on behalf of state departments and agencies, the city
47 university of New York and any other state entity otherwise specified
48 after March thirty-first, two thousand three shall be seven hundred
49 [fifty-one] EIGHTY-FOUR million two hundred eighty-five thousand
50 dollars. Such amount shall be exclusive of certificates of participation
51 or similar instruments issued to fund a reserve fund or funds, costs of
52 issuance and to refund outstanding certificates of participation.

53 S 42. Subdivision 1 of section 16 of part D of chapter 389 of the laws
54 of 1997, providing for the financing of the correctional facilities
55 improvement fund and the youth facility improvement fund, as amended by

1 section 52 of part JJ of chapter 56 of the laws of 2010, is amended to
2 read as follows:

3 1. Subject to the provisions of chapter 59 of the laws of 2000, but
4 notwithstanding the provisions of section 18 of section 1 of chapter 174
5 of the laws of 1968, the New York state urban development corporation is
6 hereby authorized to issue bonds, notes and other obligations in an
7 aggregate principal amount not to exceed six billion [one] FOUR hundred
8 [sixty-four] NINETY million [sixty-nine] FOUR HUNDRED SIXTY-NINE thou-
9 sand dollars [\$6,164,069,000] \$6,490,469,000, and shall include all
10 bonds, notes and other obligations issued pursuant to chapter 56 of the
11 laws of 1983, as amended or supplemented. The proceeds of such bonds,
12 notes or other obligations shall be paid to the state, for deposit in
13 the correctional facilities capital improvement fund to pay for all or
14 any portion of the amount or amounts paid by the state from appropri-
15 ations or reappropriations made to the department [of correctional
16 services] OF CORRECTIONS AND COMMUNITY SUPERVISION from the correctional
17 facilities capital improvement fund for capital projects. The aggregate
18 amount of bonds, notes or other obligations authorized to be issued
19 pursuant to this section shall exclude bonds, notes or other obligations
20 issued to refund or otherwise repay bonds, notes or other obligations
21 theretofore issued, the proceeds of which were paid to the state for all
22 or a portion of the amounts expended by the state from appropriations or
23 reappropriations made to the department of [correctional services]
24 CORRECTIONS AND COMMUNITY SUPERVISION; provided, however, that upon any
25 such refunding or repayment the total aggregate principal amount of
26 outstanding bonds, notes or other obligations may be greater than six
27 billion [one] FOUR hundred [sixty-four] NINETY million [sixty-nine] FOUR
28 HUNDRED SIXTY-NINE thousand dollars [\$6,164,069,000] \$6,490,469,000,
29 only if the present value of the aggregate debt service of the refunding
30 or repayment bonds, notes or other obligations to be issued shall not
31 exceed the present value of the aggregate debt service of the bonds,
32 notes or other obligations so to be refunded or repaid. For the purposes
33 hereof, the present value of the aggregate debt service of the refunding
34 or repayment bonds, notes or other obligations and of the aggregate debt
35 service of the bonds, notes or other obligations so refunded or repaid,
36 shall be calculated by utilizing the effective interest rate of the
37 refunding or repayment bonds, notes or other obligations, which shall be
38 that rate arrived at by doubling the semi-annual interest rate
39 (compounded semi-annually) necessary to discount the debt service
40 payments on the refunding or repayment bonds, notes or other obligations
41 from the payment dates thereof to the date of issue of the refunding or
42 repayment bonds, notes or other obligations and to the price bid includ-
43 ing estimated accrued interest or proceeds received by the corporation
44 including estimated accrued interest from the sale thereof.

45 S 43. Subdivision 1 of section 17 of part D of chapter 389 of the laws
46 of 1997, providing for the financing of the correctional facilities
47 improvement fund and the youth facility improvement fund, as amended by
48 section 53 of part JJ of chapter 56 of the laws of 2010, is amended to
49 read as follows:

50 1. Subject to the provisions of chapter 59 of the laws of 2000, but
51 notwithstanding the provisions of section 18 of section 1 of chapter 174
52 of the laws of 1968, the New York state urban development corporation is
53 hereby authorized to issue bonds, notes and other obligations in an
54 aggregate principal amount not to exceed [three] FOUR hundred [seventy-
55 nine] TWENTY-NINE million five hundred fifteen thousand dollars
56 [(\$379,515,000)] (\$429,515,000), which authorization increases the

1 aggregate principal amount of bonds, notes and other obligations author-
2 ized by section 40 of chapter 309 of the laws of 1996, and shall include
3 all bonds, notes and other obligations issued pursuant to chapter 211 of
4 the laws of 1990, as amended or supplemented. The proceeds of such
5 bonds, notes or other obligations shall be paid to the state, for depos-
6 it in the youth facilities improvement fund, to pay for all or any
7 portion of the amount or amounts paid by the state from appropriations
8 or reappropriations made to the office of children and family services
9 from the youth facilities improvement fund for capital projects. The
10 aggregate amount of bonds, notes and other obligations authorized to be
11 issued pursuant to this section shall exclude bonds, notes or other
12 obligations issued to refund or otherwise repay bonds, notes or other
13 obligations theretofore issued, the proceeds of which were paid to the
14 state for all or a portion of the amounts expended by the state from
15 appropriations or reappropriations made to the office of children and
16 family services; provided, however, that upon any such refunding or
17 repayment the total aggregate principal amount of outstanding bonds,
18 notes or other obligations may be greater than [three] FOUR hundred
19 [seventy-nine] TWENTY-NINE million five hundred fifteen thousand dollars
20 [(\$379,515,000)] \$429,515,000, only if the present value of the aggre-
21 gate debt service of the refunding or repayment bonds, notes or other
22 obligations to be issued shall not exceed the present value of the
23 aggregate debt service of the bonds, notes or other obligations so to be
24 refunded or repaid. For the purposes hereof, the present value of the
25 aggregate debt service of the refunding or repayment bonds, notes or
26 other obligations and of the aggregate debt service of the bonds, notes
27 or other obligations so refunded or repaid, shall be calculated by
28 utilizing the effective interest rate of the refunding or repayment
29 bonds, notes or other obligations, which shall be that rate arrived at
30 by doubling the semi-annual interest rate (compounded semi-annually)
31 necessary to discount the debt service payments on the refunding or
32 repayment bonds, notes or other obligations from the payment dates ther-
33 eof to the date of issue of the refunding or repayment bonds, notes or
34 other obligations and to the price bid including estimated accrued
35 interest or proceeds received by the corporation including estimated
36 accrued interest from the sale thereof.

37 S 44. Paragraph (a) of subdivision 2 of section 47-e of the private
38 housing finance law, as amended by section 54 of part JJ of chapter 56
39 of the laws of 2010, is amended to read as follows:

40 (a) Subject to the provisions of chapter fifty-nine of the laws of two
41 thousand, in order to enhance and encourage the promotion of housing
42 programs and thereby achieve the stated purposes and objectives of such
43 housing programs, the agency shall have the power and is hereby author-
44 ized from time to time to issue negotiable housing program bonds and
45 notes in such principal amount as shall be necessary to provide suffi-
46 cient funds for the repayment of amounts disbursed (and not previously
47 reimbursed) pursuant to law or any prior year making capital appropri-
48 ations or reappropriations for the purposes of the housing program;
49 provided, however, that the agency may issue such bonds and notes in an
50 aggregate principal amount not exceeding two billion [five] SIX hundred
51 [thirty-two] THIRTY-SIX million [two] FOUR hundred ninety-nine thousand
52 dollars, plus a principal amount of bonds issued to fund the debt
53 service reserve fund in accordance with the debt service reserve fund
54 requirement established by the agency and to fund any other reserves
55 that the agency reasonably deems necessary for the security or marketa-
56 bility of such bonds and to provide for the payment of fees and other

1 charges and expenses, including underwriters' discount, trustee and
2 rating agency fees, bond insurance, credit enhancement and liquidity
3 enhancement related to the issuance of such bonds and notes. No reserve
4 fund securing the housing program bonds shall be entitled or eligible to
5 receive state funds apportioned or appropriated to maintain or restore
6 such reserve fund at or to a particular level, except to the extent of
7 any deficiency resulting directly or indirectly from a failure of the
8 state to appropriate or pay the agreed amount under any of the contracts
9 provided for in subdivision four of this section.

10 S 45. Paragraph j of subdivision 2 of section 1680 of the public
11 authorities law, as amended by section 37 of part PP of chapter 56 of
12 the laws of 2009, is amended to read as follows:

13 j. Subject to the provisions of chapter fifty-nine of the laws of two
14 thousand, the maximum amount of bonds and notes to be issued after March
15 thirty-first, two thousand two for a housing unit for the use of
16 students at a state-operated institution or statutory or contract
17 college under the jurisdiction of the state university of New York shall
18 be one billion [two] FIVE hundred [thirty] SIXTY-ONE million dollars.
19 Such amount shall be exclusive of bonds and notes issued to fund any
20 reserve fund or funds, costs of issuance, and to refund any outstanding
21 bonds and notes relating to a housing unit under the jurisdiction of the
22 state university of New York.

23 S 46. Subdivision (b) of section 11 of chapter 329 of the laws of
24 1991, amending the state finance law and other laws relating to the
25 establishment of the dedicated highway and bridge trust fund, as amended
26 by section 2 of part C of chapter 109 of the laws of 2010, is amended to
27 read as follows:

28 (b) Any service contract or contracts for projects authorized pursuant
29 to sections 10-c, 10-f, 10-g and 80-b of the highway law and section
30 14-k of the transportation law, and entered into pursuant to subdivision
31 (a) of this section, shall provide for state commitments to provide
32 annually to the thruway authority a sum or sums, upon such terms and
33 conditions as shall be deemed appropriate by the director of the budget,
34 to fund, or fund the debt service requirements of any bonds or any obli-
35 gations of the thruway authority issued to fund such projects having a
36 cost not in excess of [\$6,286,660,000] \$6,695,169,000 cumulatively by
37 the end of fiscal year [2010-2011] 2011-12.

38 S 47. Intentionally omitted.

39 S 48. Intentionally omitted.

40 S 49. Subdivision 1 of section 1689-i of the public authorities law,
41 as amended by section 46 of part JJ of chapter 56 of the laws of 2010,
42 is amended to read as follows:

43 1. The dormitory authority is authorized to issue bonds, at the
44 request of the commissioner of education, to finance eligible library
45 construction projects pursuant to section two hundred seventy-three-a of
46 the education law, in amounts certified by such commissioner not to
47 exceed a total principal amount of [seventy] EIGHTY-FOUR million
48 dollars.

49 S 50. Intentionally omitted.

50 S 51. Intentionally omitted.

51 S 52. Intentionally omitted.

52 S 53. Intentionally omitted.

53 S 54. Intentionally omitted.

54 S 55. Intentionally omitted.

55 S 56. Intentionally omitted.

56 S 57. Intentionally omitted.

1 S 58. Intentionally omitted.

2 S 58-a. Paragraph (a) of section 55 of part JJ of chapter 56 of the
3 laws of 2010, relating to providing for the administration of certain
4 funds and accounts related to the 2010-2011 budget, is amended to read
5 as follows:

6 (a) section forty-two of this act shall be deemed to have been in full
7 force and effect on and after April 1, [2008] 2007;

8 S 59. This act shall take effect immediately and shall be deemed to
9 have been in full force and effect on and after April 1, 2011; provided
10 further that sections one through fourteen-a and sections eighteen
11 through twenty-eight of this act shall expire March 31, 2012, when upon
12 such date, the provisions of such sections shall be deemed repealed;
13 provided further that the amendments to subdivision 5 of section 97-rrr
14 of the state finance law made by section sixteen of this act shall not
15 affect the expiration of such subdivision and shall expire therewith.

16 PART O

17 Intentionally omitted.

18 PART P

19 Section 1. Notwithstanding any other law, the State University Down-
20 state Medical Center may create a not-for-profit corporation of which
21 the State University Downstate Medical Center is the sole member, that
22 will acquire the medical facilities owned by the Long Island College
23 Hospital in exchange for the assumption by such not-for-profit corpo-
24 ration of certain obligations of the Long Island College Hospital,
25 including debt obligations to the Dormitory Authority, and such other
26 consideration as may be mutually agreed to; and the State University
27 Downstate Medical Center may enter into a long-term lease with such
28 not-for-profit corporation for the facilities acquired by such not-for-
29 profit corporation from the Long Island College Hospital, on such terms
30 and conditions as shall be agreed to between the State University Down-
31 state Medical Center and such not-for-profit corporation, including
32 provisions for the payment of lease payments sufficient to fund the debt
33 obligations acquired by such not-for-profit corporation, subject to the
34 approval of the comptroller, the attorney general and the director of
35 the budget.

36 S 2. This act shall take effect immediately.

37 PART Q

38 Section 1. Section 13 of chapter 141 of the laws of 1994, amending the
39 legislative law and the state finance law relating to the operation and
40 administration of the legislature, as amended by section 2 of part QQ of
41 chapter 56 of the laws of 2010, is amended to read as follows:

42 S 13. This act shall take effect immediately and shall be deemed to
43 have been in full force and effect as of April 1, 1994, provided that,
44 the provisions of section 5-a of the legislative law as amended by
45 sections two and two-a of this act shall take effect on January 1, 1995,
46 and provided further that, the provisions of article 5-A of the legisla-
47 tive law as added by section eight of this act shall expire June 30,
48 [2011] 2012 when upon such date the provisions of such article shall be
49 deemed repealed; and provided further that section twelve of this act

1 shall be deemed to have been in full force and effect on and after April
2 10, 1994.

3 S 2. This act shall take effect immediately, provided, however, if
4 section two of this act shall take effect on or after June 30, 2011
5 section two of this act shall be deemed to have been in full force and
6 effect on and after June 30, 2011.

7 S 2. Severability clause. If any clause, sentence, paragraph, subdivi-
8 sion, section or part of this act shall be adjudged by any court of
9 competent jurisdiction to be invalid, such judgment shall not affect,
10 impair, or invalidate the remainder thereof, but shall be confined in
11 its operation to the clause, sentence, paragraph, subdivision, section
12 or part thereof directly involved in the controversy in which such judg-
13 ment shall have been rendered. It is hereby declared to be the intent of
14 the legislature that this act would have been enacted even if such
15 invalid provisions had not been included herein.

16 S 3. This act shall take effect immediately provided, however, that
17 the applicable effective date of Parts A through Q of this act shall be
18 as specifically set forth in the last section of such Parts.