

S T A T E O F N E W Y O R K

S. 2807

A. 4007

S E N A T E - A S S E M B L Y

February 1, 2011

IN SENATE -- A BUDGET BILL, submitted by the Governor pursuant to article seven of the Constitution -- read twice and ordered printed, and when printed to be committed to the Committee on Finance

IN ASSEMBLY -- 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

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

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

LBD12570-01-1

provisions of such chapter; to amend chapter 907 of the laws of 1984, 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 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; 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 (Part A); to amend chapter 503 of the laws of 2009 relating to the disposition of certain monies recovered by county district attorneys before the filing of an accusatory instrument, in relation thereto and the effective date thereof (Part B); to amend the correction law, in relation to the closure of correctional facilities (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 and to repeal certain provisions of the election law relating thereto (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); to amend the state finance law, in relation to reappropriation bills (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 repeal subdivision (b) of section 19-a of part PP of chapter 56 of the laws of 2009, providing funding for certain community projects, relating to increasing such funding, relating to certain monetary transfers; 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 the state finance law, in relation to community enhancement facilities projects, to amend chapter 432 of the laws of 1997, amending the state finance law and other laws relating to the issuance of bonds or notes for community enhancement facilities projects, in relation to the amount of bonds issued for community enhancement projects; to amend chapter 84 of the laws of 2002, relating to authorizing the New York state urban development corporation and the dormitory authority of the state of New York to issue bonds or notes for the purpose of financing certain project costs, in relation to providing for the administration of certain funds and accounts related to the 2002-2003 budget; to amend chapter 3 of the laws of 2004, relating to authorizing the New York state urban development corporation and the dormitory authority of the state of New York to issue bonds or notes, in relation to bonds or notes; to amend chapter 59 of the laws of 2004, relating to authorizing the New York state urban development corporation and the dormitory authority of the state of New York to issue bonds or notes, in relation to bonds

or notes; to amend chapter 59 of the laws of 2005, relating to the urban development corporation bonding authority, in relation to the issuance of bonds by the dormitory authority and the New York state urban development corporation; to amend chapter 161 of the laws of 2005, amending the education law and other laws relating to issuance of bonds or notes, in relation to the issuance of bonds by the dormitory authority and the New York state urban development corporation; to amend chapter 174 of the laws of 1968 constituting the New York state urban development corporation act, in relation to financing economic development and regional initiatives and in relation to the issuance of bonds or notes for the purpose of funding project costs for regional economic development council initiatives, communities impacted by the closure of New York state prison and correctional facilities and other states' costs associated with such projects; 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; and providing for the repeal of certain provisions upon expiration thereof (Part N); and to repeal section 99-d of the state finance law, relating to community projects fund (Part O)

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 O. 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.

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

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

8 S 4. Section 20 of chapter 261 of the laws of 1987, amending chapters
9 50, 53 and 54 of the laws of 1987, the correction law, the penal law and
10 other chapters and laws relating to correctional facilities, as amended
11 by section 4 of part U of chapter 56 of the laws of 2009, is amended to
12 read as follows:

13 S 20. This act shall take effect immediately except that section thir-
14 teen of this act shall expire and be of no further force or effect on
15 and after September 1, [2011] 2014 and shall not apply to persons
16 committed to the custody of the department after such date, and provided
17 further that the commissioner of correctional services shall report each
18 January first and July first during such time as the earned eligibility
19 program is in effect, to the chairmen of the senate crime victims, crime
20 and correction committee, the senate codes committee, the assembly
21 correction committee, and the assembly codes committee, the standards in
22 effect for earned eligibility during the prior six-month period, the
23 number of inmates subject to the provisions of earned eligibility, the
24 number who actually received certificates of earned eligibility during
25 that period of time, the number of inmates with certificates who are
26 granted parole upon their first consideration for parole, the number
27 with certificates who are denied parole upon their first consideration,
28 and the number of individuals granted and denied parole who did not have
29 earned eligibility certificates.

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

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

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

41 S 10. This act shall take effect 30 days after it shall have become a
42 law and shall remain in effect until September 1, [2011] 2014, and
43 provided further that the commissioner of correctional services shall
44 report each January first, and July first, to the chairman of the senate
45 crime victims, crime and correction committee, the senate codes commit-
46 tee, the assembly correction committee, and the assembly codes commit-
47 tee, the number of eligible inmates in each facility under the custody
48 and control of the commissioner who have applied for participation in
49 any program offered under the provisions of work release, furlough, or
50 leave, and the number of such inmates who have been approved for partic-
51 ipation.

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

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

S 8. Section 5 of 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, as amended by section 8 of part U of chapter 56 of the laws of 2009, is amended to read as follows:

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

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

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

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

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

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

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

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

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

13 S 13. Subdivision (p) of section 406 of chapter 166 of the laws of
14 1991, amending the tax law and other laws relating to taxes, as amended
15 by section 13 of part U of chapter 56 of the laws of 2009, is amended to
16 read as follows:

17 (p) The amendments to section 1809 of the vehicle and traffic law made
18 by sections three hundred thirty-seven and three hundred thirty-eight of
19 this act shall not apply to any offense committed prior to such effec-
20 tive date; provided, further, that section three hundred forty-one of
21 this act shall take effect immediately and shall expire November 1, 1993
22 at which time it shall be deemed repealed; sections three hundred
23 forty-five and three hundred forty-six of this act shall take effect
24 July 1, 1991; sections three hundred fifty-five, three hundred fifty-
25 six, three hundred fifty-seven and three hundred fifty-nine of this act
26 shall take effect immediately and shall expire June 30, 1995 and shall
27 revert to and be read as if this act had not been enacted; section three
28 hundred fifty-eight of this act shall take effect immediately and shall
29 expire June 30, 1998 and shall revert to and be read as if this act had
30 not been enacted; section three hundred sixty-four through three hundred
31 sixty-seven of this act shall apply to claims filed on or after such
32 effective date; sections three hundred sixty-nine, three hundred seven-
33 ty-two, three hundred seventy-three, three hundred seventy-four, three
34 hundred seventy-five and three hundred seventy-six of this act shall
35 remain in effect until September 1, [2011] 2014, at which time they
36 shall be deemed repealed; provided, however, that the mandatory
37 surcharge provided in section three hundred seventy-four of this act
38 shall apply to parking violations occurring on or after said effective
39 date; and provided further that the amendments made to section 235 of
40 the vehicle and traffic law by section three hundred seventy-two of this
41 act, the amendments made to section 1809 of the vehicle and traffic law
42 by sections three hundred thirty-seven and three hundred thirty-eight of
43 this act and the amendments made to section 215-a of the labor law by
44 section three hundred seventy-five of this act shall expire on September
45 1, [2011] 2014 and upon such date the provisions of such subdivisions
46 and sections shall revert to and be read as if the provisions of this
47 act had not been enacted; the amendments to subdivisions 2 and 3 of
48 section 400.05 of the penal law made by sections three hundred seventy-
49 seven and three hundred seventy-eight of this act shall expire on July
50 1, 1992 and upon such date the provisions of such subdivisions shall
51 revert and shall be read as if the provisions of this act had not been
52 enacted; the state board of law examiners shall take such action as is
53 necessary to assure that all applicants for examination for admission to
54 practice as an attorney and counsellor at law shall pay the increased
55 examination fee provided for by the amendment made to section 465 of the
56 judiciary law by section three hundred eighty of this act for any exam-

ination given on or after the effective date of this act notwithstanding that an applicant for such examination may have prepaid a lesser fee for such examination as required by the provisions of such section 465 as of the date prior to the effective date of this act; the provisions of section 306-a of the civil practice law and rules as added by section three hundred eighty-one of this act shall apply to all actions pending on or commenced on or after September 1, 1991, provided, however, that for the purposes of this section service of such summons made prior to such date shall be deemed to have been completed on September 1, 1991; the provisions of section three hundred eighty-three of this act shall apply to all money deposited in connection with a cash bail or a partially secured bail bond on or after such effective date; and the provisions of sections three hundred eighty-four and three hundred eighty-five of this act shall apply only to jury service commenced during a judicial term beginning on or after the effective date of this act; provided, however, that nothing contained herein shall be deemed to affect the application, qualification, expiration or repeal of any provision of law amended by any section of this act and such provisions shall be applied or qualified or shall expire or be deemed repealed in the same manner, to the same extent and on the same date as the case may be as otherwise provided by law;

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

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

S 15. Section 6 of chapter 713 of the laws of 1988, amending the vehicle and traffic law relating to the ignition interlock device program, as amended by section 15 of part U of chapter 56 of the laws of 2009, is amended to read as follows:

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

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

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

S 17. Section 4 of part D of 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, as amended by section 17 of part U of chapter 56 of the laws of 2009, is amended to read as follows:

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

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

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

S 19. Section 5 of 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, as amended by section 19 of part U of chapter 56 of the laws of 2009, is amended to read as follows:

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

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

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

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

S 2. This act shall take effect immediately, except that the provisions of this act shall be deemed to have been in full force and 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. 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 RECOVERY THE total amount of such monies to be retained by the county district attorney's office shall equal ten percent of the first twenty-five million dollars received by such office [during the state fiscal year], plus seven and one-half percent of such monies received by such office in excess of twenty-five million dollars but less than fifty million dollars, plus five percent of any such monies received by such office in excess of fifty million dollars but less than one hundred million dollars, plus one percent of such monies received by such office in excess of one hundred million dollars. The remainder of such monies shall be paid by the district attorney's office to the state and to the

1 county in equal amounts within thirty days of receipt, where disposition
2 of such monies is not otherwise prescribed by law. Monies distributed
3 to a county district attorney's office pursuant to this section shall be
4 used to enhance law enforcement efforts [and shall not supplant funds
5 for ordinary budgetary costs including salaries of personnel and
6 expenses of district attorneys].

7 S 2. This act shall take effect immediately [and shall remain in full
8 force and effect until the last day of March, 2011, when it shall expire
9 and be deemed repealed].

10 S 2. This act shall take effect immediately.

11 PART C

12 Section 1. Section 79-a of the correction law, as amended by section 1
13 of part H of chapter 56 of the laws of 2009, is amended to read as
14 follows:

15 S 79-a. Closure of correctional facilities[; notice]. Before the
16 closure of any correctional facility,[,] for reasons other than those
17 set forth in paragraph (a) of subdivision eight of section forty-five of
18 this chapter, the commissioner shall [take the following actions:

19 1.] confer with the department of civil service, the governor's office
20 of employee relations and any other appropriate state agencies to devel-
21 op strategies which attempt to minimize the impact of the closure on the
22 state work force[;

23 2. consult with the department of economic development and any other
24 appropriate state agencies to develop strategies which attempt to mini-
25 mize the impact of such closures on the local and regional economies;
26 and

27 3. provide notice by certified mail to (i) all local governments of
28 any political subdivision in which the correctional facility is located,
29 (ii) all employee labor organizations operating within, or representing
30 employees of, the correctional facility, and (iii) managerial and confi-
31 dential employees employed within the correctional facility at least
32 twelve months prior to any such closure].

33 S 2. Section 79-b of the correction law, as amended by section 1 of
34 part MM of chapter 56 of the laws of 2010, is amended to read as
35 follows:

36 S 79-b. [Adaptive reuse plan for consideration prior to prison
37 closure] ECONOMIC TRANSFORMATION PROGRAM. Not later than six months
38 [prior to the effective date of] AFTER THE closure of a correctional
39 facility, the [commissioner of economic development] CHAIRMAN OF THE
40 URBAN DEVELOPMENT CORPORATION shall[,] SUBMIT A PLAN DEVELOPED in
41 consultation with the [commissioner, the commissioners of civil service,
42 general services and the division of criminal justice services, the
43 director of the governor's office of employee relations, officials of
44 all local governments of any political subdivision in which the correc-
45 tional facility is located and any other appropriate state agencies or
46 authorities, provide a report for an adaptive reuse plan for any facili-
47 ty slated for closure which will evaluate the community impact of the
48 proposed closure including but not limited to the following factors: the
49 potential to utilize the property for another state government purpose,
50 including for a new purpose as part of the state criminal justice
51 system; potential for the sale or transfer of the property to a local
52 government or other governmental entity; potential for the sale of the
53 property to a private entity for development into a business, residen-
54 tial or other purpose; community input for local development; and the

1 condition of the facility and the investments required to keep the
2 structure in good repair, or to make it viable for reuse] REGIONAL
3 DEVELOPMENT COUNCIL REPRESENTING THE IMPACTED COMMUNITY. SUCH PLAN SHALL
4 CONTAIN RECOMMENDATIONS TO MINIMIZE THE ECONOMIC IMPACT OF THE CLOSURE
5 ON THE COMMUNITY IN WHICH THE CLOSED FACILITY IS LOCATED.

6 S 3. This act shall take effect immediately.

7 PART D

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

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

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

18 (b) [The sum of one million five hundred thousand dollars must be
19 deposited into the New York state emergency services revolving loan fund
20 annually;

21 (c)] Up to the sum of seventy-five million dollars annually may be
22 used for the provision of grants or reimbursements to counties for the
23 development, consolidation, or operation of public safety communications
24 systems or networks designed to support statewide interoperable communi-
25 cations for first responders, to be distributed pursuant to standards
26 and guidelines issued by the state. Annual grants may consider costs
27 borne by a municipality related to the issuance of local public safety
28 communications bonds pursuant to section twenty-four hundred thirty-two
29 of the public authorities law, when the municipality has qualified as an
30 approved participant in a statewide interoperable communications system
31 under the standards and guidelines issued by the state, and maintains
32 compliance with such standards and guidelines. The grant amount will be
33 prescribed pursuant to an agreement with the municipality, and may not
34 exceed thirty percent of the annual cost borne by the municipality in
35 relation to such bonds;

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

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

43 S 2. This act shall take effect immediately.

44 PART E

45 Section 1. Paragraph (f) of subdivision 1 of section 169 of the execu-
46 tive law, as separately amended by section 11 of part A-1 and section 10
47 of part 0 of chapter 56 of the laws of 2010, is amended to read as
48 follows:

49 (f) executive director of adirondack park agency, [commissioners of
50 the state liquor authority,] commissioners of the state civil service
51 commission, members of state commission of correction, members of unem-

ployment 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 4-126 of the election law is REPEALED.

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

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

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

1 POSTING shall include the information that such amendment has been so
2 referred.

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

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

12 S 4. This act shall take effect April 1, 2011.

13

PART G

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

18 As soon as practicable after May first in the year nineteen hundred
19 fifty-eight, and annually thereafter as soon as practicable after Janu-
20 ary first in each succeeding year, the chair of the board shall assess
21 upon and collect from all self-insurers[, except group self-insurers],
22 the state insurance fund, AND all insurance carriers [and group self-in-
23 surers,] (A) a sum equal to one hundred fifty per centum of the total
24 disbursements made from the special disability fund during the preceding
25 calendar year (not including any disbursements made on account of antic-
26 ipated liabilities or waiver agreements funded by bond proceeds and
27 related earnings), less the amount of the net assets in such fund as of
28 December thirty-first of said preceding calendar year, and (B) a sum
29 sufficient to cover debt service, and associated costs (the "debt
30 service assessment") to be paid during the calendar year by the dormito-
31 ry authority, as calculated in accordance with subparagraph five of this
32 paragraph. Such assessments shall be allocated to (i) self-insurers
33 [except group self-insurers] and the state insurance fund based upon the
34 proportion that the total compensation payments made by all self-insur-
35 ers [except group self-insurers] and the state insurance fund bore to
36 the total compensation payments made by all self-insurers [except group
37 self-insurers], the state insurance fund, AND all insurance carriers
38 [and group self-insurers], AND (ii) insurance carriers based upon the
39 proportion that the total compensation payments made by all insurance
40 carriers bore to the total compensation payments by all self-insurers
41 [except group self-insurers], the state insurance fund and all insurance
42 carriers [and group self-insurers] during the fiscal year which ended
43 within said preceding calendar year[, and (iii) group self-insurers
44 based upon the proportion that the total compensation payments made by
45 all group self-insurers bore to the total compensation payments made by
46 all self-insurers, the state insurance fund and all insurance carriers
47 during the fiscal year which ended within said preceding calendar year].
48 Insurance carriers and self-insurers shall be liable for all such
49 assessments regardless of the date on which they came into existence, or
50 whether they have made any claim for reimbursement from the special
51 disability fund. The portion of such sum allocated to self-insurers
52 [except group self-insurers] and the state insurance fund that shall be
53 collected from each self-insurer [except a group self-insurer] and the
54 state insurance fund shall be a sum equal to the proportion of the

1 amount which the total compensation payments of each such self-insurer
2 [except a group self-insurer] or the state insurance fund bore to the
3 total compensation payments made by all self-insurers [except group
4 self-insurers] and the state insurance fund during the fiscal year which
5 ended within said preceding calendar year. The portion of such sum allo-
6 cated to insurance carriers that shall be collected from each insurance
7 carrier shall be a sum equal to that proportion of the amount which the
8 total standard premium by each such insurance carrier bore to the total
9 standard premium reported by all insurance carriers during the calendar
10 year which ended within said preceding fiscal year. [The portion of such
11 sum allocated to group self-insurers that shall be collected from each
12 group self-insurer shall be a sum equal to that proportion of the amount
13 which the pure premium calculation for each such group self-insurer bore
14 to the total pure premium calculation for all group self-insurers for
15 the calendar year which ended within the preceding state fiscal year.]
16 The payments from the debt service assessment, unless otherwise set
17 forth in the special disability fund financing agreement, are hereby
18 pledged therefor and shall be deemed the first monies received on
19 account of assessments in each year. For the purposes of this paragraph,
20 "standard premium" shall mean the premium as defined for the purposes of
21 this assessment by the superintendent of insurance, in consultation with
22 the chair of the board and the workers' compensation rating board. [For
23 purposes of this paragraph "pure premium calculation" means the New York
24 state annual payroll as of December thirty-first of the preceding year
25 by class code for each employer member of a group self-insurer multi-
26 plied by the applicable loss cost for each class code as determined by
27 the workers' compensation rating board in effect on December thirty-
28 first of the preceding year, and for a group or individual self-insurer
29 who has ceased to self-insure shall be based on payroll at the time the
30 group or individual self-insurer ceased to self-insure reduced by a
31 factor reflecting the reduction in the group or individual self-
32 insurer's self-insurance liabilities since ceasing to self-insure.] An
33 employer who has ceased to be a self-insurer [or a group that ceases to
34 be licensed as a group self-insurer] shall continue to be liable for any
35 assessments into said fund on account of any compensation payments made
36 by him or her on his or her account during such fiscal year, and the
37 security fund, created under the provisions of section one hundred seven
38 of this chapter, shall, in the event of the insolvency of any insurance
39 company, be liable for any assessments that would have been made against
40 such company except for its insolvency. No assessment shall be payable
41 from the aggregate trust fund, created under the provisions of section
42 twenty-seven of this article, but such fund shall continue to be liable
43 for all compensation that shall be payable under any award or order of
44 the board, the commuted value of which has been paid into such fund.
45 Such assessments when collected shall be deposited with the commissioner
46 of taxation and finance for the benefit of such fund. Unless otherwise
47 provided, such assessments, shall not constitute an element of loss for
48 the purpose of establishing rates for compensation insurance but shall
49 for the purpose of collection be treated as separate costs by carriers.
50 All insurance carriers and the state insurance fund, shall collect such
51 assessments, from their policyholders through a surcharge based on
52 premiums in accordance with rules set forth by the superintendent of
53 insurance in consultation with the New York workers' compensation rating
54 board and the chair of the board. Such surcharge shall be considered as
55 part of premium for purposes prescribed by law including, but not limit-
56 ed to, computing premium tax, reporting to the superintendent of insur-

1 ance pursuant to section ninety-nine of this chapter and section three
2 hundred seven of the insurance law, determining the limitation of
3 expenditures for the administration of the state insurance fund pursuant
4 to section eighty-eight of this chapter and the cancellation by an
5 insurance carrier, including the state insurance fund, of a policy for
6 non-payment of premium. The provisions of this paragraph shall not apply
7 with respect to policies containing coverage pursuant to subsection (j)
8 of section three thousand four hundred twenty of the insurance law
9 relating to every policy providing comprehensive personal liability
10 insurance on a one, two, three or four family owner-occupied dwelling.
11 The state insurance fund shall[,] notify its insureds that such assess-
12 ments, shall be, for the purpose of recoupment, treated as separate
13 costs, [respectively] for the purpose of premiums billed on or after
14 October first, nineteen hundred ninety-four. FOR THE PURPOSES OF THIS
15 SECTION, A "SELF-INSURER" SHALL BE: (I) AN EMPLOYER AUTHORIZED TO
16 SELF-INSURE UNDER SUBDIVISION THREE OF SECTION FIFTY OF THIS CHAPTER,
17 ACTIVE GROUPS AUTHORIZED PURSUANT TO SUBDIVISION THREE-A OF SECTION
18 FIFTY OF THIS CHAPTER OR A GROUP OF EMPLOYERS AUTHORIZED TO SELF-INSURE
19 UNDER PARAGRAPH TEN OF SUBDIVISION THREE-A OF SECTION FIFTY OF THIS
20 CHAPTER; OR (II) A PUBLIC EMPLOYER AUTHORIZED AS SET FORTH IN PARAGRAPH
21 A OF SUBDIVISION FOUR OF SECTION FIFTY OF THIS CHAPTER TO SELF-INSURE
22 UNDER SUBDIVISION THREE, THREE-A OR FOUR OF SUCH SECTION OR ARTICLE FIVE
23 OF THIS CHAPTER, WHETHER INDIVIDUALLY OR AS A GROUP.

24 S 2. Subdivision 3 of section 50 of the workers' compensation law, as
25 amended by chapter 6 of the laws of 2007, the second undesignated para-
26 graph as amended by section 3 of part R of chapter 56 of the laws of
27 2010, is amended to read as follows:

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

1 himself or to revoke his consent furnished, under this section at any
2 time, for good cause shown. The employer OR GROUP OF EMPLOYERS qualify-
3 ing under this subdivision shall be known as a self-insurer.
4 If for any reason the status of an employer OR GROUP OF EMPLOYERS
5 under this subdivision is terminated, the securities or the surety bond,
6 or the securities, cash, or irrevocable letters of credit and surety
7 bond, on deposit referred to herein shall remain in the custody of the
8 chair for such time as the chair may deem proper and warranted under the
9 circumstances. In lieu thereof, and at the discretion of the chair, the
10 employer, his or her heirs or assigns or others carrying on or liquidat-
11 ing such business, may execute an assumption of workers' compensation
12 liability insurance policy securing such further and future contingent
13 liability as may arise from prior injuries to workers and be incurred by
14 reason of any change in condition of such workers warranting the board
15 making subsequent awards for payment of additional compensation. Such
16 policy shall be in a form approved by the superintendent of insurance
17 and issued by the state fund or any insurance company licensed to issue
18 this class of insurance in this state. In the event that such policy is
19 issued by an insurance company other than the state fund, then said
20 policy shall be deemed of the kind specified in paragraph fifteen of
21 subsection (a) of section one thousand one hundred thirteen of the
22 insurance law and covered by the workers' compensation security fund as
23 created and governed by article six-A of this chapter. It shall only be
24 issued for a single complete premium payment in advance by the employer
25 OR GROUP OF EMPLOYERS and in an amount deemed acceptable by the chair
26 and the superintendent of insurance. In lieu of the applicable premium
27 charge ordinarily required to be imposed by a carrier, said premium
28 shall include a surcharge in an amount to be determined by the chair to:
29 (i) satisfy all assessment liability due and owing to the board and/or
30 the chair under this chapter; and (ii) satisfy all future assessment
31 liability under this section. Said surcharge shall be payable to the
32 board simultaneous to the execution of the assumption of workers'
33 compensation liability insurance policy. However, the payment of said
34 surcharge does not relieve the carrier from any other liability, includ-
35 ing liability owed to the superintendent of insurance pursuant to arti-
36 cle [six-a] SIX-A of this chapter. When issued such policy shall be
37 non-cancellable without recourse for any cause during the continuance of
38 the liability secured and so covered.

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

43 S 3. Paragraph 9 of subdivision 3-a of section 50 of the workers'
44 compensation law is REPEALED and paragraph 2 and subparagraph (a) of
45 paragraph 7, paragraph 2 as amended by chapter 139 of the laws of 2008,
46 and subparagraph (a) of paragraph 7 as amended by section 4 of part R of
47 chapter 56 of the laws of 2010, are amended and three new paragraphs 10,
48 11 and 12 are added to read as follows:

49 (2) (a) Any group consisting exclusively of such employers may adopt a
50 plan for self-insurance, as a group, for the payment of compensation
51 under this chapter to their employees, except that no new groups may
52 adopt such a plan [prior to April first, two thousand nine], AND NO
53 GROUP NOT COMPOSED SOLELY OF PUBLIC ENTITIES SET FORTH IN PARAGRAPH A OF
54 SUBDIVISION FOUR OF THIS SECTION MAY INSURE ANY LIABILITIES FOR ANY
55 EMPLOYERS ON AND AFTER JANUARY FIRST, TWO THOUSAND TWELVE, EXCEPT AS
56 PROVIDED FOR IN PARAGRAPH TEN OF THIS SUBDIVISION. Under such plan the

1 group shall assume the liability of all the employers within the group
2 and pay all compensation for which the said employers are liable under
3 this chapter, except that in the case of municipal corporations as here-
4 in defined no proof of financial ability or deposit of securities or
5 cash need be made in compliance with this subdivision. The group quali-
6 fying under this subdivision shall be known as a group self-insurer and
7 the employers participating therein and covered thereby shall be known
8 as members.

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

51 (c) The chair shall evaluate, no less than once every three years, a
52 group self-insurer's compliance with the financial and regulatory
53 requirements for self-insurance. The chair may engage any qualified
54 person or organization to assist with such evaluation and any costs
55 incurred by the chair shall be borne by the group self-insurer under
56 examination. Failure to submit to such independent review or to pay such

1 costs, upon demand of the chair, shall be sufficient grounds to termi-
2 nate coverage of the group self-insurer.

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

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

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

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

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

38 (a) If for any reason, the status of a group self-insurer under this
39 subdivision is terminated, INCLUDING BY OPERATION OF LAW ON AND AFTER
40 JANUARY FIRST, TWO THOUSAND TWELVE, the securities or cash or the surety
41 bond on deposit referred to herein shall remain in the custody of the
42 chair for such time as the chair may deem proper and warranted. In lieu
43 thereof, and at the discretion of the chair, the group self-insurer, its
44 heirs or assigns or others carrying on or liquidating such group self-
45 insurer, including the chair on the group self-insurer's behalf, may
46 execute an assumption of workers' compensation liability insurance poli-
47 cy securing such further and future contingent liability as may arise
48 from prior injuries to workers and be incurred by reason of any change
49 in the condition of such workers warranting the board making subsequent
50 awards for payment of additional compensation. Such policy shall be in a
51 form approved by the superintendent of insurance and issued by the state
52 fund or any insurance company licensed to issue this class of insurance
53 in this state. In the event that such policy is issued by an insurance
54 company other than the state fund, then said policy shall be deemed of
55 the kind specified in paragraph fifteen of subsection (a) of section one
56 thousand one hundred thirteen of the insurance law and covered by the

1 workers' compensation security fund as created and governed by article
2 six-A of this chapter. It shall only be issued for a single complete
3 premium payment in advance by the group self-insurer and in an amount
4 deemed acceptable by the chair and the superintendent of insurance. In
5 lieu of the applicable premium charge ordinarily required to be imposed
6 by a carrier, said premium shall include a surcharge in an amount to be
7 determined by the chair to: (i) satisfy all assessment liability due and
8 owing to the board and/or the chair under this chapter; and (ii) satisfy
9 all future assessment liability under this section. Said surcharge shall
10 be payable to the board simultaneous to the execution of the assumption
11 of workers' compensation liability insurance policy. However, the
12 payment of said surcharge does not relieve the carrier from any other
13 liability, including liability owed to the superintendent of insurance
14 pursuant to article six-A of this chapter. When issued such policy
15 shall be noncancellable without recourse for any cause during the
16 continuance of the liability secured and so covered.

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

19 (1) THE MEMBERS OF THE GROUP SECURE THE SERVICES OF AN ADMINISTRATOR,
20 WHO SHALL CARRY OUT THE RESPONSIBILITIES OF SUCH AN ADMINISTRATOR AS SET
21 FORTH IN SUBDIVISION FIVE OF THIS SECTION, AND WHO SHALL BE SUBJECT TO
22 THE RESTRICTIONS AND PENALTIES APPLICABLE TO AN ADMINISTRATOR UNDER THIS
23 SECTION;

24 (2) THE MEMBERS OF THE GROUP, THROUGH THE ADMINISTRATOR, JOINTLY
25 DEPOSIT SUFFICIENT SECURITIES IN ACCORDANCE WITH SUBDIVISION THREE OF
26 THIS SECTION AS TO SECURE THE LIABILITY OF THE MEMBERS OF THE GROUP TO
27 PAY COMPENSATION, PROVIDED THE INITIAL DEPOSIT SHALL BE MADE BY NOVEMBER
28 FIRST, TWO THOUSAND ELEVEN;

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

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

37 (5) THE GROUP WAS FULLY FUNDED FOR FOUR OUT OF THE PREVIOUS FIVE
38 YEARS, AS DETERMINED BY THE CHAIR FOLLOWING A FINANCIAL REVIEW, AND THE
39 GROUP SELF-INSURER HAS SUFFICIENT FUNDS TO MEET ITS LIABILITIES;

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

41 (7) THE GROUP IS SUBJECT TO SUCH OTHER LIMITATIONS AND REQUIREMENTS OF
42 THIS SUBDIVISION UNLESS WAIVED BY THE CHAIR AND TO REGULATIONS OF THE
43 CHAIR.

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

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

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

51 (11) FORMER GROUP SELF-INSURER. ANY GROUP SELF-INSURER THAT HAS CEASED
52 TO SELF-INSURE, OR HAS CEASED TO SELF-INSURE ANY NEW LIABILITIES AFTER
53 JANUARY FIRST, TWO THOUSAND TWELVE IN ACCORDANCE WITH PARAGRAPH TWO OF
54 THIS SUBDIVISION, SHALL REMAIN SUBJECT TO ALL THE PROVISIONS OF THIS
55 SUBDIVISION AND THE REGULATIONS ISSUED PURSUANT THERETO AND ANY ASSESS-

1 MENTS PROVIDED FOR BY THIS SECTION UNTIL SUCH TIME AS THE GROUP SELF-IN-
2 SURER NO LONGER POSSESSES ANY LIABILITIES.

3 (12) ANY NON-MUNICIPAL GROUP OF EMPLOYERS AUTHORIZED TO SELF-INSURE
4 UNDER PARAGRAPH TEN OF THIS SECTION ON OR AFTER JANUARY FIRST, TWO THOU-
5 SAND TWELVE SHALL BE DEEMED A "PRIVATE SELF-INSURER" FOR PURPOSES OF THE
6 ASSESSMENTS SET FORTH IN SECTIONS FIFTEEN AND ONE HUNDRED FIFTY-ONE OF
7 THIS CHAPTER.

8 S 4. Subparagraph 2 of paragraph b of subdivision 5 of section 50 of
9 the workers' compensation law is REPEALED.

10 S 5. Paragraph (a) of subdivision 4 of section 141-a of the workers'
11 compensation law, as added by chapter 6 of the laws of 2007, is amended
12 to read as follows:

13 (a) Whenever the chair determines that an employer who is required to
14 secure compensation in accordance with this chapter has failed to secure
15 such compensation, or where an employer has failed to pay penalties
16 assessed against it pursuant to this chapter, OR FAILED TO PAY A JUDG-
17 MENT UNDER SECTION TWENTY-SIX OF THIS CHAPTER WITHIN NINETY DAYS AFTER
18 NOTICE TO THE EMPLOYER AND HAS NOT MOVED TO MODIFY OR VACATE SUCH JUDG-
19 MENT, such failure shall be deemed an immediate serious danger to public
20 health, safety, or welfare sufficient to justify service by the chair of
21 a stop-work order on the employer, requiring the cessation of all busi-
22 ness operations effective immediately, except where the employer's fail-
23 ure concerns only domestic or child care workers in his or her own
24 household. The chair may issue such order, which shall take effect as to
25 a particular employer worksite when served at that worksite, or as to
26 all employer worksites in the state for which the employer is not in
27 compliance when served on the employer. A stop-work order may be served
28 with regard to an employer's worksite by posting a copy of the stop-work
29 order in a conspicuous location at the worksite. The order shall remain
30 in effect until the chair directs that the stop-work order be removed,
31 upon a determination that the employer has come into compliance with the
32 coverage requirements of this chapter and has paid any penalty assessed
33 under this chapter. If the employer shall within thirty days after
34 notice of the stop-work order make an application in affidavit form for
35 a redetermination review of such order the chair shall make a decision
36 in writing on the issues raised in such application. The chair may
37 direct a conditional release from a stop-work order upon a finding that
38 the employer has complied with coverage requirements of this chapter and
39 has agreed to remit periodic payments of the penalty pursuant to a
40 payment agreement schedule with the chair. If an agreement or order of
41 conditional release is issued, failure by the employer to meet any term
42 or condition of such payment agreement shall result in the immediate
43 reinstatement of the stop-work order and the entire unpaid balance of
44 the penalty shall become immediately due. The chair may require an
45 employer who is found to have failed to comply with the coverage
46 requirements of this chapter to file with the board, as a condition of
47 release from a stop-work order, periodic reports for a probationary
48 period that shall not exceed two years, and that demonstrate the employ-
49 er's continued compliance with this chapter. The board shall by rule
50 specify the reports required and the time for filing under this subdivi-
51 sion.

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

1 (b) An itemized statement of the expenses so ascertained shall be open
2 to public inspection in the office of the board for thirty days after
3 notice to the state insurance fund, all insurance carriers and all self-
4 insurers [including group self-insurers] affected thereby, before the
5 board shall make an assessment for such expenses. The chair shall assess
6 upon and collect a proportion of such expenses as hereinafter provided
7 from each insurance carrier, the state insurance fund and each self-in-
8 surer [including group self-insurers]. The assessment for such expenses
9 shall be allocated to (i) self-insurers [except group self-insurers] and
10 the state insurance fund based upon the proportion that the total
11 compensation payments made by all self-insurers [except group self-in-
12 surers] and the state insurance fund in such year bore to the total
13 compensation payments made by all self-insurers [except group self-in-
14 surers], the state insurance fund, AND all insurance carriers [and group
15 self-insurers] and (ii) insurance carriers based upon the proportion
16 that the total compensation payments made by all insurance carriers in
17 such year bore to the total compensation payments by all self-insurers,
18 the state insurance fund and all insurance carriers[, and (iii) group
19 self-insurers based upon the proportion that the total compensation
20 payments made by all group self-insurers in such year bore to the total
21 compensation payments made by all self-insurers, the state insurance
22 fund and all insurance carriers]. The portion of the assessment for such
23 expenses allocated to self-insurers [except group self-insurers] and the
24 state insurance fund that shall be collected from each self-insurer
25 [except group self-insurers] and the state insurance fund shall be a sum
26 equal to the proportion of the amount which the total compensation
27 payments of each such self-insurer [except a group self-insurer] or the
28 state insurance fund in such year bore to the total compensation
29 payments made by all self-insurers [except group self-insurers] and the
30 state insurance fund. The portion of the assessment for such expenses
31 allocated to insurance carriers that shall be collected from each such
32 insurance carrier shall be a sum equal to that proportion of the amount
33 which the total standard premium by each such insurance carrier bore to
34 the total standard premium reported by all insurance carriers for the
35 calendar year which ended with the state fiscal year. [The portion of
36 such sum allocated to group self-insurers that shall be collected from
37 each group self-insurer shall be a sum equal to that proportion of the
38 amount which the pure premium calculation for each such group self-in-
39 surer bore to the total pure premium calculation for all group self-in-
40 surers for the calendar year which ended within the state fiscal year.]
41 The amounts so secured shall be used for the payment of the expenses of
42 administering this chapter. [Pure premium for assessments against indi-
43 vidual and group self-insurers who ceased to self-insure shall be based
44 on payroll at the time the individual or group self-insurer has ceased
45 to self-insure, reduced by a factor reflecting the reduction in the
46 group or individual self-insurer's self-insurance liabilities since
47 ceasing to self-insure.]
48 For purposes of this paragraph, "standard premium" shall mean the
49 premium as defined for the purposes of this assessment by the super-
50 intendent of insurance, in consultation with the chair of the board and
51 the workers' compensation rating board. [For purposes of this paragraph
52 "pure premium calculation" means the New York state annual payroll as of
53 December thirty-first of the preceding year by class code for each
54 employer member of a group self-insurer multiplied by the applicable
55 rate for each class code as determined by the workers' compensation
56 rating board in effect on December thirty-first of the preceding year.]

1 The amounts so secured shall be used for the payment of the expenses of
2 administering this chapter.

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

19 (c) Assessments for the special disability fund, the fund for reopened
20 cases and for the operations of the board shall not constitute elements
21 of loss but shall for collection purposes be treated as separate costs
22 by carriers. [All group self-insurers shall collect such assessments
23 from their employer members in a fair and equitable manner.] All insur-
24 ance carriers, including the state insurance fund, shall collect such
25 assessments from their policyholders through a surcharge based on premi-
26 um in accordance with rules set forth by the New York workers' compen-
27 sation rating board, as approved by the superintendent of insurance.
28 Such surcharge shall be considered as part of premium for purposes
29 prescribed by law including, but not limited to, computing premium tax,
30 reporting to the superintendent of insurance pursuant to section nine-
31 ty-nine of this chapter and section three hundred seven of the insurance
32 law, determining the limitation of expenditures for the administration
33 of the state insurance fund pursuant to section eighty-eight of this
34 chapter and the cancellation by an insurance carrier, including the
35 state insurance fund, of a policy for non-payment of premium.

36 S 7. This act shall take effect immediately; provided that sections
37 one and six of this act shall take effect January 1, 2011 and shall
38 apply to any assessment cycle beginning on or after such date; provided
39 further, that in the event that the total amount of assessments
40 collected by the chair of the workers' compensation board by May 1, 2011
41 pursuant to subparagraph 4 of paragraph (h) of subdivision 8 of section
42 15 of the workers' compensation law as amended by section one of this
43 act do not equal at least one hundred ten percent of the debt service
44 assessment, as defined in such provision of law, the chair of the work-
45 ers' compensation board shall, not later than June 1, 2011, and in
46 accordance with the provisions of subparagraph 4 of paragraph (h) of
47 subdivision 8 of section 15 of the workers' compensation law, as amended
48 by section one of this act, assess and collect a supplemental assessment
49 in an amount equal to the amount that would have been due from group
50 self-insurers in 2011 had this act not taken effect, and that the
51 provisions of subparagraph 4 of paragraph (h) of subdivision 8 of
52 section 15 of the workers' compensation law shall apply to such supple-
53 mental assessment in all respects except for the date and amount of such
54 special assessment and that such special assessment shall be deemed an
55 assessment pursuant to subparagraph 4 of paragraph (h) of subdivision 8
56 of section 15 of the workers' compensation law for all purposes.

1

PART H

2 Section 1. Paragraph (f) of subdivision 1 of section 169 of the execu-
3 tive law, as separately amended by section 11 of part A-1 and section 10
4 of part 0 of chapter 56 of the laws of 2010, is amended to read as
5 follows:

6 (f) executive director of adirondack park agency, commissioners of the
7 state liquor authority, [commissioners of the state civil service
8 commission,] members of state commission of correction, members of unem-
9 ployment insurance appeal board, and members of the workers' compen-
10 sation board.

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

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

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

38

PART I

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

43 (2) for the state fiscal year commencing April first, two thousand
44 eight and in each state fiscal year thereafter, the base level grant
45 received in the immediately preceding state fiscal year pursuant to
46 paragraph b of this subdivision AND CHAPTER THREE HUNDRED THIRTEEN OF
47 THE LAWS OF TWO THOUSAND TEN, excluding any deficit reduction adjustment
48 pursuant to paragraph e-1 of this subdivision, plus any additional
49 apportionments received in such year pursuant to paragraph d of this
50 subdivision and any per capita adjustments received in such year pursu-
51 ant to paragraph e of this subdivision [plus any additional aid received
52 in such year pursuant to paragraph p of this subdivision].

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

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

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

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

18 S 4. Paragraph j of subdivision 10 of section 54 of the state finance
19 law, as amended by section 4 of part Z of chapter 56 of the laws of
20 2010, is amended to read as follows:

21 j. Special aid and incentives for municipalities to the city of New
22 York. In the state fiscal year commencing April first, two thousand
23 seven a city with a population of one million or more shall receive
24 twenty million dollars on or before December fifteenth. In the state
25 fiscal year commencing April first, two thousand eight, a city with a
26 population of one million or more shall receive two hundred forty-five
27 million nine hundred forty-four thousand eight hundred thirty-four
28 dollars payable on or before December fifteenth. In the state fiscal
29 [years] YEAR commencing April first, two thousand nine [and April first,
30 two thousand eleven, and in each state fiscal year thereafter], a city
31 with a population of one million or more shall receive three hundred one
32 million six hundred fifty-eight thousand four hundred ninety-five
33 dollars payable on or before December fifteenth. Special aid and incen-
34 tives for municipalities to the city of New York shall be apportioned
35 and paid as required as follows:

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

38 (ii) Any amounts required to be paid to the New York city housing
39 development corporation pursuant to the New York city housing develop-
40 ment corporation act;

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

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

54 (v) The balance of the special account for the municipal assistance
55 corporation for the city of New York in the municipal assistance state
56 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.

16

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

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

48

PART K

Section 1. The paragraph heading of paragraph o of subdivision 10 of section 54 of the state finance law, as added by section 7 of part 0 of chapter 56 of the laws of 2008, is amended to read as follows:

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

5 S 2. Paragraph p of subdivision 10 of section 54 of the state finance
6 law, as amended by section 6 of part GG of chapter 56 of the laws of
7 2009, is amended to read as follows:

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

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

41 (III) Any municipality receiving a [merger incentive award] CITIZEN
42 EMPOWERMENT TAX CREDIT pursuant to this paragraph shall use AT LEAST
43 FIFTY PERCENT OF such aid [only] FOR PROPERTY TAX RELIEF AND THE BALANCE
44 OF SUCH AID for general municipal purposes. [In no case shall the addi-
45 tional aid pursuant to this paragraph exceed one million dollars. Such
46 additional aid shall in subsequent state fiscal years be considered
47 prior year aid for the purposes of determining such merged, consolidated
48 or surviving municipality's base level grant pursuant to paragraph b of
49 this subdivision.] FOR EACH LOCAL FISCAL YEAR FOLLOWING THE EFFECTIVE
50 DATE OF THE CHAPTER OF THE LAWS OF TWO THOUSAND ELEVEN WHICH AMENDED
51 THIS PARAGRAPH IN WHICH SUCH AID IS PAYABLE, A STATEMENT SHALL BE PLACED
52 ON EACH PROPERTY TAX BILL FOR SUCH MUNICIPALITY IN SUBSTANTIALLY THE
53 FOLLOWING FORM: "YOUR PROPERTY TAX SAVINGS THIS YEAR RESULTING FROM THE
54 STATE CITIZEN EMPOWERMENT TAX CREDIT RECEIVED AS THE RESULT OF LOCAL
55 GOVERNMENT RE-ORGANIZATION IS \$_____." THE PROPERTY TAX SAVINGS FROM
56 THE CITIZEN EMPOWERMENT TAX CREDIT FOR EACH PROPERTY TAX BILL SHALL BE

1 CALCULATED BY (1) MULTIPLYING THE AMOUNT OF THE CITIZEN EMPOWERMENT TAX
2 CREDIT USED FOR PROPERTY TAX RELIEF BY THE AMOUNT OF PROPERTY TAXES
3 LEVIED ON SUCH PROPERTY BY SUCH MUNICIPALITY AND (2) DIVIDING THE RESULT
4 BY THE TOTAL AMOUNT OF PROPERTY TAXES LEVIED BY SUCH MUNICIPALITY.

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

8 Q. LOCAL GOVERNMENT CITIZENS RE-ORGANIZATION EMPOWERMENT GRANT
9 PROGRAM. (I) (1) FOR THE PURPOSES OF THIS PARAGRAPH, "LOCAL GOVERNMENT
10 ENTITY" OR "ENTITY" SHALL MEAN A TOWN, VILLAGE, DISTRICT, SPECIAL
11 IMPROVEMENT DISTRICT OR OTHER IMPROVEMENT DISTRICT, INCLUDING, BUT NOT
12 LIMITED TO, SPECIAL DISTRICTS CREATED PURSUANT TO ARTICLES ELEVEN,
13 TWELVE, TWELVE-A OR THIRTEEN OF THE TOWN LAW, LIBRARY DISTRICTS, AND
14 OTHER DISTRICTS CREATED BY LAW; PROVIDED, HOWEVER, THAT A LOCAL GOVERN-
15 MENT ENTITY SHALL NOT INCLUDE SCHOOL DISTRICTS, CITY DISTRICTS OR
16 SPECIAL PURPOSE DISTRICTS CREATED BY COUNTIES UNDER COUNTY LAW.

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

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

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

29 (IV) LOCAL GOVERNMENT CITIZENS RE-ORGANIZATION EMPOWERMENT GRANTS MAY
30 BE USED TO COVER COSTS INCLUDING, BUT NOT LIMITED TO, LEGAL AND CONSULT-
31 ANT SERVICES, CAPITAL IMPROVEMENTS, TRANSITIONAL PERSONNEL COSTS AND
32 OTHER NECESSARY EXPENSES RELATED TO RE-ORGANIZATION ANALYSIS, PLANNING
33 AND IMPLEMENTATION. GRANTS MAY BE USED FOR CAPITAL IMPROVEMENTS, TRANSI-
34 TIONAL PERSONNEL COSTS OR JOINT EQUIPMENT PURCHASES ONLY WHERE SUCH
35 EXPENSES ARE INTEGRAL TO IMPLEMENTATION OF THE RE-ORGANIZATION. NO PART
36 OF THE GRANT SHALL BE USED BY THE APPLICANT FOR RECURRING EXPENSES SUCH
37 AS SALARIES, EXCEPT THAT THE SALARIES OF CERTAIN TRANSITIONAL PERSONNEL
38 ESSENTIAL FOR THE IMPLEMENTATION OF THE RE-ORGANIZATION SHALL BE ELIGI-
39 BLE FOR A PERIOD NOT TO EXCEED THREE YEARS.

40 (V) WHERE THE ELECTORS OF A LOCAL GOVERNMENT ENTITY HAVE FILED A PETI-
41 TION PURSUANT TO ARTICLE SEVENTEEN-A OF THE GENERAL MUNICIPAL LAW THAT
42 WILL REQUIRE A REFERENDUM ON THE QUESTION OF CONSOLIDATION OR DISSOL-
43 UTION OF THE LOCAL GOVERNMENT ENTITY, SUCH LOCAL GOVERNMENT ENTITY WILL
44 BE ELIGIBLE FOR AN EXPEDITED GRANT TO COVER COSTS ASSOCIATED WITH THE
45 DEVELOPMENT AND DISSEMINATION TO THE ELECTORS OF INFORMATION RELATED TO
46 THE RE-ORGANIZATION QUESTION BEFORE SUCH REFERENDUM. THE SECRETARY OF
47 STATE SHALL DEVELOP PROCESSES THAT WILL PERMIT EXPEDITED FINANCIAL AND
48 TECHNICAL ASSISTANCE TO SUCH LOCAL GOVERNMENT ENTITIES, INCLUDING BUT
49 NOT LIMITED TO PRE-QUALIFIED CONSULTANTS, DIRECT TECHNICAL ASSISTANCE
50 FROM PROGRAM STAFF AND PRE-ESTABLISHED WORK PLANS.

51 (VI) THE MAXIMUM CUMULATIVE GRANT AWARD FOR A LOCAL GOVERNMENT RE-OR-
52 GANIZATION SHALL NOT EXCEED ONE HUNDRED THOUSAND DOLLARS. A LOCAL
53 GOVERNMENT CITIZENS RE-ORGANIZATION EMPOWERMENT GRANT FOR A RE-ORGANIZA-
54 TION STUDY SHALL IN NO EVENT EXCEED FIFTY THOUSAND DOLLARS PER APPLICA-
55 TION, OF WHICH UP TO TWENTY-FIVE THOUSAND DOLLARS MAY BE AWARDED ON AN
56 EXPEDITED BASIS. A LOCAL GOVERNMENT CITIZENS RE-ORGANIZATION EMPOWERMENT

1 GRANT FOR THE PLANNING OR IMPLEMENTATION OF A RE-ORGANIZATION SHALL NOT
2 EXCEED FIFTY THOUSAND DOLLARS. IN NO EVENT SHALL THE CUMULATIVE GRANT
3 AWARDS FOR A LOCAL GOVERNMENT RE-ORGANIZATION EXCEED ONE HUNDRED THOU-
4 SAND DOLLARS.

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

8 R. LOCAL GOVERNMENT EFFICIENCY GRANT PROGRAM BEGINNING IN THE STATE
9 FISCAL YEAR COMMENCING APRIL FIRST, TWO THOUSAND ELEVEN. (I) (1) FOR THE
10 PURPOSES OF THIS PARAGRAPH, "MUNICIPALITY" SHALL MEAN A COUNTY, CITY,
11 TOWN, VILLAGE, SPECIAL IMPROVEMENT DISTRICT, FIRE DISTRICT, PUBLIC
12 LIBRARY, ASSOCIATION LIBRARY, WATER AUTHORITY, SEWER AUTHORITY, REGIONAL
13 PLANNING AND DEVELOPMENT BOARD, SCHOOL DISTRICT, OR BOARD OF COOPERATIVE
14 EDUCATIONAL SERVICES; PROVIDED, HOWEVER, THAT FOR THE PURPOSES OF THIS
15 DEFINITION, A BOARD OF COOPERATIVE EDUCATIONAL SERVICES SHALL BE CONSID-
16 ERED A MUNICIPALITY ONLY IN INSTANCES WHERE SUCH BOARD OF COOPERATIVE
17 EDUCATIONAL SERVICES ADVANCES A JOINT APPLICATION ON BEHALF OF SCHOOL
18 DISTRICTS AND OTHER MUNICIPALITIES WITHIN THE BOARD OF COOPERATIVE
19 EDUCATIONAL SERVICES REGION; PROVIDED, HOWEVER, THAT ANY AGREEMENTS WITH
20 A BOARD OF COOPERATIVE EDUCATIONAL SERVICES: SHALL NOT GENERATE ADDI-
21 TIONAL STATE AID; SHALL BE DEEMED NOT TO BE A PART OF THE PROGRAM, CAPI-
22 TAL AND ADMINISTRATIVE BUDGETS OF THE BOARD OF COOPERATIVE EDUCATIONAL
23 SERVICES FOR THE PURPOSES OF COMPUTING CHARGES UPON COMPONENT SCHOOL
24 DISTRICTS PURSUANT TO SUBDIVISION ONE AND SUBPARAGRAPH SEVEN OF PARA-
25 GRAPH B OF SUBDIVISION FOUR OF SECTION NINETEEN HUNDRED FIFTY AND SUBDI-
26 VISION ONE OF SECTION NINETEEN HUNDRED FIFTY-ONE OF THE EDUCATION LAW;
27 AND SHALL BE DEEMED TO BE A COOPERATIVE MUNICIPAL SERVICE FOR PURPOSES
28 OF SUBPARAGRAPH TWO OF PARAGRAPH D OF SUBDIVISION FOUR OF SECTION NINE-
29 TEEN HUNDRED FIFTY OF THE EDUCATION LAW.

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

34 (II) WITHIN THE ANNUAL AMOUNTS APPROPRIATED THEREFOR, THE SECRETARY OF
35 STATE MAY AWARD COMPETITIVE GRANTS TO MUNICIPALITIES TO COVER COSTS
36 ASSOCIATED WITH LOCAL GOVERNMENT EFFICIENCY PROJECTS, INCLUDING, BUT NOT
37 LIMITED TO, PLANNING FOR OR IMPLEMENTATION OF A MUNICIPAL CONSOLIDATION
38 OR DISSOLUTION, A FUNCTIONAL CONSOLIDATION, A CITY OR COUNTY CHARTER
39 REVISION THAT INCLUDES FUNCTIONAL CONSOLIDATION, SHARED OR COOPERATIVE
40 SERVICES, AND REGIONALIZED DELIVERY OF SERVICES; PROVIDED, HOWEVER, THAT
41 SUCH LOCAL GOVERNMENT EFFICIENCY PROJECTS MUST DEMONSTRATE NEW OPPORTU-
42 NITIES FOR FINANCIAL SAVINGS AND OPERATIONAL EFFICIENCIES; PROVIDED,
43 FURTHER, THAT ELIGIBLE LOCAL GOVERNMENT EFFICIENCY PROJECTS SHALL NOT
44 INCLUDE STUDIES AND PLANS FOR A LOCAL GOVERNMENT RE-ORGANIZATION ELIGI-
45 BLE TO RECEIVE A LOCAL GOVERNMENT CITIZENS RE-ORGANIZATION EMPOWERMENT
46 GRANT PURSUANT TO PARAGRAPH Q OF THIS SUBDIVISION. THE SECRETARY OF
47 STATE MAY FOCUS THE GRANT PROGRAM IN SPECIFIC FUNCTIONAL AREAS, WITHIN
48 DISTRESSED COMMUNITIES AND AREAS OF HISTORICALLY HIGH LOCAL GOVERNMENT
49 COSTS AND PROPERTY TAXES, OR IN AREAS OF UNIQUE OPPORTUNITY, IN WHICH
50 CASE SUCH AREAS OF FOCUS SHALL BE DETAILED IN A REQUEST FOR APPLICA-
51 TIONS.

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

55 (IV) LOCAL GOVERNMENT EFFICIENCY GRANTS MAY BE USED TO COVER COSTS
56 INCLUDING, BUT NOT LIMITED TO, LEGAL AND CONSULTANT SERVICES, CAPITAL

1 IMPROVEMENTS, TRANSITIONAL PERSONNEL COSTS AND OTHER NECESSARY EXPENSES
2 RELATED TO IMPLEMENTING THE APPROVED LOCAL GOVERNMENT EFFICIENCY GRANT
3 WORK PLAN. GRANTS MAY BE USED FOR CAPITAL IMPROVEMENTS, TRANSITIONAL
4 PERSONNEL COSTS OR JOINT EQUIPMENT PURCHASES ONLY WHERE SUCH EXPENSES
5 ARE INTEGRAL TO IMPLEMENTATION OF THE LOCAL GOVERNMENT EFFICIENCY
6 PROJECT. NO PART OF THE GRANT SHALL BE USED BY THE APPLICANT FOR RECUR-
7 RING EXPENSES SUCH AS SALARIES, EXCEPT THAT THE SALARIES OF CERTAIN
8 TRANSITIONAL PERSONNEL ESSENTIAL FOR THE IMPLEMENTATION OF THE APPROVED
9 LOCAL GOVERNMENT EFFICIENCY GRANT WORK PLAN SHALL BE ELIGIBLE FOR A
10 PERIOD NOT TO EXCEED THREE YEARS. THE AMOUNTS AWARDED TO A SCHOOL
11 DISTRICT PURSUANT TO THIS SUBPARAGRAPH SHALL NOT BE INCLUDED IN THE
12 APPROVED OPERATING EXPENSE OF THE SCHOOL DISTRICT AS DEFINED IN PARA-
13 GRAPH T OF SUBDIVISION ONE OF SECTION THIRTY-SIX HUNDRED TWO OF THE
14 EDUCATION LAW.

15 (V) THE MAXIMUM CUMULATIVE GRANT AWARD FOR A LOCAL GOVERNMENT EFFI-
16 CIENCY PROJECT SHALL NOT EXCEED TWO HUNDRED THOUSAND DOLLARS PER MUNICI-
17 PALITY; PROVIDED, HOWEVER, THAT IN NO CASE SHALL SUCH A PROJECT RECEIVE
18 A CUMULATIVE GRANT AWARD IN EXCESS OF ONE MILLION DOLLARS. THE MAXIMUM
19 GRANT AWARD FOR A LOCAL GOVERNMENT EFFICIENCY PLANNING PROJECT, OR THE
20 PLANNING COMPONENT OF A PROJECT THAT INCLUDES BOTH PLANNING AND IMPE-
21 MENTATION OF A LOCAL GOVERNMENT EFFICIENCY PROJECT, SHALL NOT EXCEED
22 TWENTY-FIVE THOUSAND DOLLARS PER MUNICIPALITY; PROVIDED, HOWEVER, THAT
23 IN NO EVENT SHALL SUCH A PLANNING PROJECT RECEIVE A GRANT AWARD IN
24 EXCESS OF TWO HUNDRED THOUSAND DOLLARS.

25 (VI) LOCAL MATCHING FUNDS EQUAL TO TEN PERCENT OF THE TOTAL COST OF
26 ACTIVITIES UNDER THE GRANT WORK PLAN APPROVED BY THE DEPARTMENT OF STATE
27 SHALL BE REQUIRED. IN THE EVENT AN APPLICANT IS IMPLEMENTING A PROJECT
28 THAT THE APPLICANT DEVELOPED THROUGH A SUCCESSFULLY COMPLETED PLANNING
29 GRANT FUNDED UNDER THE LOCAL GOVERNMENT EFFICIENCY GRANT PROGRAM OR THE
30 SHARED MUNICIPAL SERVICES INCENTIVE GRANT PROGRAM, THE LOCAL MATCHING
31 FUNDS REQUIRED SHALL BE REDUCED BY THE LOCAL MATCHING FUNDS REQUIRED BY
32 SUCH SUCCESSFULLY COMPLETED PLANNING GRANT.

33 (VII) IN THE SELECTION OF GRANT AWARDS, THE SECRETARY OF STATE SHALL
34 GIVE THE HIGHEST PRIORITY TO APPLICATIONS: (1) THAT WOULD RESULT IN THE
35 DISSOLUTION OR CONSOLIDATION OF MUNICIPALITIES; (2) THAT WOULD IMPLEMENT
36 THE COMPLETE FUNCTIONAL CONSOLIDATION OF A MUNICIPAL SERVICE; OR (3) BY
37 LOCAL GOVERNMENTS WITH HISTORICALLY HIGH COSTS OF LOCAL GOVERNMENT OR
38 SUSTAINED INCREASES IN PROPERTY TAXES. PRIORITY WILL ALSO BE GIVEN TO
39 MUNICIPALITIES THAT HAVE PREVIOUSLY COMPLETED A PLANNING GRANT PURSUANT
40 TO THIS PROGRAM OR THE SHARED MUNICIPAL SERVICES INCENTIVE GRANT
41 PROGRAM, AND TO LOCAL GOVERNMENTS CURRENTLY INVOLVED IN REGIONAL DEVEL-
42 OPMENT PROJECTS THAT HAVE RECEIVED FUNDS THROUGH STATE COMMUNITY AND
43 INFRASTRUCTURE DEVELOPMENT PROGRAMS.

44 (VIII) THE DEPARTMENT OF STATE SHALL PREPARE AN ANNUAL REPORT TO THE
45 GOVERNOR AND THE LEGISLATURE ON THE EFFECTIVENESS OF THE LOCAL GOVERN-
46 MENT EFFICIENCY GRANT PROGRAM AND THE LOCAL GOVERNMENT CITIZENS RE-OR-
47 GANIZATION EMPOWERMENT GRANT PROGRAM. SUCH REPORT SHALL BE PROVIDED ON
48 OR BEFORE OCTOBER FIRST OF EACH YEAR AND SHALL INCLUDE, BUT NOT BE
49 LIMITED TO, THE FOLLOWING: A SUMMARY OF APPLICATIONS AND AWARDS FOR EACH
50 GRANT CATEGORY, AN ASSESSMENT OF PROGRESS IN IMPLEMENTING INITIATIVES
51 THAT RECEIVED GRANT AWARDS, AND ESTIMATED FINANCIAL SAVINGS AND SIGNIF-
52 ICANT IMPROVEMENTS IN SERVICE REALIZED BY MUNICIPALITIES THAT HAVE
53 RECEIVED GRANTS.

54 S. LOCAL GOVERNMENT PERFORMANCE AND EFFICIENCY PROGRAM. (I) DEFI-
55 NITIONS. FOR THE PURPOSES OF THIS PARAGRAPH, "MUNICIPALITY" SHALL MEAN

1 A COUNTY, CITY, TOWN, OR VILLAGE, BUT SHALL NOT INCLUDE THE INDIVIDUAL
2 COUNTIES CONTAINED IN THE CITY OF NEW YORK.

3 (II) PURPOSE. THERE IS HEREBY ESTABLISHED A LOCAL GOVERNMENT PERFORM-
4 ANCE AND EFFICIENCY PROGRAM. THE PURPOSE OF THIS PROGRAM IS TO RECOGNIZE
5 MUNICIPALITIES THAT HAVE UNDERTAKEN SIGNIFICANT AND INNOVATIVE ACTIONS
6 TO IMPROVE THE OVERALL EFFICIENCY OF GOVERNMENTAL OPERATIONS AND PRODUCE
7 QUANTIFIABLE RECURRING FINANCIAL SAVINGS THAT REDUCE THE MUNICIPAL TAX
8 BURDEN ON RESIDENTS.

9 (III) ELIGIBILITY. ALL MUNICIPALITIES IN NEW YORK STATE ARE ELIGIBLE
10 TO APPLY INDIVIDUALLY OR JOINTLY, PROVIDED HOWEVER THAT IF AN ACTION WAS
11 UNDERTAKEN JOINTLY, MUNICIPALITIES MUST APPLY JOINTLY FOR SUCH AN
12 ACTION. THE ACTIONS FOR WHICH THEY APPLY MUST ALREADY HAVE BEEN IMPE-
13 MENTED.

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

16 (V) APPLICATION. THE SECRETARY OF STATE SHALL DEVELOP AN APPLICATION
17 FOR MUNICIPALITIES SEEKING TO RECEIVE AWARDS AND A PROCESS BY WHICH THE
18 APPLICATIONS WILL BE EVALUATED. SUCH APPLICATION SHALL REQUIRE MUNICI-
19 PALITIES TO DEMONSTRATE HOW THE ACTION FOR WHICH THEY HAVE APPLIED HAS
20 RESULTED IN QUANTIFIABLE RECURRING SAVINGS, EFFICIENCIES, AND PERMANENT
21 IMPROVEMENTS TO MUNICIPAL SERVICES. THE SECRETARY OF STATE MAY FOCUS THE
22 PROGRAM IN SPECIFIC FUNCTIONAL SERVICE AREAS, IN WHICH CASE SUCH AREAS
23 OF FOCUS SHALL BE DETAILED IN A REQUEST FOR APPLICATIONS. NO APPLICATION
24 SHALL BE CONSIDERED FOR ACTIONS THAT COMMENCED PRIOR TO JANUARY FIRST,
25 TWO THOUSAND TEN.

26 (VI) AWARDS. THE SECRETARY OF STATE MAY MAKE AWARDS TO APPLICANTS
27 BASED ON FACTORS INCLUDING, BUT NOT LIMITED TO, THE AMOUNT OF CURRENT
28 AND FUTURE SAVINGS, THE IMPACT OF SUCH ACTION UPON THE MUNICIPAL PROPER-
29 TY TAX LEVY, THE SIZE AND COMPLEXITY OF THE ACTION, AND THE ABILITY FOR
30 THE ACTION TO BE REPLICATED BY OTHER MUNICIPALITIES. AWARDS SHALL ONLY
31 BE MADE TO MUNICIPALITIES FOR ACTIONS THAT HAVE BEEN FULLY IMPLEMENTED,
32 THAT CLEARLY RESULTED IN QUANTIFIABLE SAVINGS AND EFFICIENCIES, AND THAT
33 PRODUCED PERMANENT AND QUANTIFIABLE IMPROVEMENTS TO MUNICIPAL EFFICIENCY
34 OR SERVICES. THE MAXIMUM AMOUNT AWARDED PER APPLICATION SHALL NOT EXCEED
35 THE LESSER OF FIVE MILLION DOLLARS OR TWENTY-FIVE DOLLARS PER RESIDENT
36 OF THE APPLYING MUNICIPALITIES AS OF THE MOST RECENT FEDERAL DECENNIAL
37 CENSUS, PROVIDED, HOWEVER, THAT IF THE BOUNDARIES OF MUNICIPALITIES
38 JOINTLY APPLYING FOR SUCH FUNDING OVERLAP, THE RESIDENTS IN OVERLAPPING
39 AREAS SHALL ONLY BE COUNTED ONCE, AND PROVIDED, FURTHER, THAT IF A COUN-
40 TY JOINTLY APPLIES WITH SOME BUT NOT ALL OF THE OTHER MUNICIPALITIES
41 THEREIN, ONLY THE RESIDENTS IN SUCH OTHER MUNICIPALITIES SHALL BE COUNT-
42 ED.

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

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

49 PART L

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

53 S 4. The agreements referred to in section three of this act shall
54 [enure] INURE to the benefit of and bind the people of the state of New

1 York in the event that the lands which are the subject of said agree-
2 ments are acquired by the people of the state of New York acting through
3 the department of environmental conservation. Upon any acquisition of
4 such lands by the department of environmental conservation, the
5 provisions of section 532 of the real property tax law shall not apply
6 to the lands so acquired but the [taxation thereof] PAYMENTS DUE THEREON
7 shall be governed by the agreements referred to in section three of this
8 act for the duration of such agreement. [The] IN THE EVENT THAT NO
9 SPECIFIC APPROPRIATION SHALL HAVE BEEN MADE FOR THAT PURPOSE, THE AMOUNT
10 APPROPRIATED FOR PAYMENTS OF TAXES ON STATE LANDS PURSUANT TO SECTIONS
11 532 THROUGH 546 OF THE REAL PROPERTY TAX LAW SHALL BE DEEMED TO ENCOM-
12 PASS THE STATE'S OBLIGATION TO MAKE THE PAYMENTS REQUIRED BY THIS
13 SECTION, NOTWITHSTANDING ANY LAW TO THE CONTRARY, THE taxation of such
14 lands will be governed by such section 532 at such time as the agree-
15 ments cease to be effective.
16 S 2. This act shall take effect immediately.

17 PART M

18 Section 1. Section 25 of the state finance law is amended to read as
19 follows:
20 S 25. Reappropriation bills. Every appropriation reappropriating
21 moneys shall set forth clearly the year, chapter and part or section of
22 the act by which such appropriation was originally made, a brief summary
23 of the purposes of such original appropriation, and the year, chapter
24 and part or section of the last act, if any, reappropriating such
25 original appropriation or any part thereof, and the amount of such reap-
26 propriation.
27 If it is proposed to change in any detail the purpose for which the
28 original appropriation was made, the bill as submitted by the governor
29 shall show clearly [any] such change.
30 ALL REAPPROPRIATIONS, WITH THE EXCEPTION OF REAPPROPRIATIONS FOR CAPI-
31 TAL PROJECTS FUNDS AND FEDERAL FUNDS, SHALL LAPSE FIVE YEARS AFTER THE
32 DATE UPON WHICH THE ORIGINAL APPROPRIATION WOULD LAPSE IN ACCORDANCE
33 WITH SECTION FORTY OF THIS CHAPTER AND SECTION NINETY-NINE-D OF THIS
34 CHAPTER, AS ADDED BY CHAPTER FOUR HUNDRED SEVENTY-FOUR OF THE LAWS OF
35 NINETEEN HUNDRED NINETY-SIX, AND NO MONIES SHALL BE PAID OUT OF THE
36 STATE TREASURY OR ANY OF ITS FUNDS OR THE FUNDS UNDER ITS MANAGEMENT
37 PURSUANT TO SUCH APPROPRIATIONS.
38 S 2. This act shall take effect April 1, 2012.

39 PART N

40 Section 1. The state comptroller is hereby authorized and directed to
41 loan money in accordance with the provisions set forth in subdivision 5
42 of section 4 of the state finance law to the following funds and/or
43 accounts:
44 1. Tuition reimbursement fund (050):
45 a. Tuition reimbursement account (01).
46 b. Proprietary vocational school supervision account (02).
47 2. Local government records management improvement fund (052):
48 a. Local government records management account (01).
49 3. Dedicated highway and bridge trust fund (072):
50 a. Highway and bridge capital account (01).
51 4. State University Residence Hall Rehabilitation Fund (074).
52 5. State parks infrastructure trust fund (076):

- 1 a. State parks infrastructure account (01).
- 2 6. Clean water/clean air implementation fund (079).
- 3 7. State lottery fund (160):
- 4 a. Education - New (03).
- 5 b. VLT - Sound basic education fund (06).
- 6 8. Medicaid management information system escrow fund (179).
- 7 9. Federal operating grants fund (290) federal capital grants fund
- 8 291).
- 9 10. Sewage treatment program management and administration fund (300).
- 10 11. Environmental conservation special revenue fund (301):
- 11 a. Hazardous bulk storage account (F7).
- 12 b. Utility environmental regulation account (H4).
- 13 c. Low level radioactive waste siting account (K5).
- 14 d. Recreation account (K6).
- 15 e. Conservationist magazine account (S4).
- 16 f. Environmental regulatory account (S5).
- 17 g. Natural resource account (S6).
- 18 h. Mined land reclamation program account (XB).
- 19 i. Federal grants indirect cost recovery account (IC).
- 20 12. Environmental protection and oil spill compensation fund (303).
- 21 13. Hazardous waste remedial fund (312):
- 22 a. Site investigation and construction account (01).
- 23 b. Hazardous waste remedial clean up account (06).
- 24 14. Mass transportation operating assistance fund (313):
- 25 a. Public transportation systems account (01).
- 26 b. Metropolitan mass transportation (02).
- 27 15. Clean air fund (314):
- 28 a. Operating permit program account (01).
- 29 b. Mobile source account (02).
- 30 16. Centralized services fund (323).
- 31 17. State exposition special fund (325).
- 32 18. Agency enterprise fund (331):
- 33 a. OGS convention center account (55).
- 34 19. Agencies internal service fund (334):
- 35 a. Archives records management account (02).
- 36 b. Federal single audit account (05).
- 37 c. Civil service law: sec 11 admin account (09).
- 38 d. Civil service EHS occupational health program account (10).
- 39 e. Banking services account (12).
- 40 f. Cultural resources survey account (14).
- 41 g. Neighborhood work project (17).
- 42 h. Automation & printing chargeback account (18).
- 43 i. OFT NYT account (20).
- 44 j. Data center account (23).
- 45 k. Human service telecom account (24).
- 46 l. Centralized Technology services account (30).
- 47 m. OPWDD copy center account (26).
- 48 n. Intrusion detection account (27).
- 49 o. Domestic violence grant account (28).
- 50 p. Learning management system account.
- 51 20. Miscellaneous special revenue fund (339):
- 52 a. Statewide planning and research cooperative system account (03).
- 53 b. OPWDD provider of service account (05).
- 54 c. New York state thruway authority account (08).
- 55 d. Mental hygiene patient income account (13).
- 56 e. Financial control board account (15).

- 1 f. Regulation of racing account (16).
- 2 g. New York metropolitan transportation council account (17).
- 3 h. Quality of care account (20).
- 4 i. Cyber upgrade account (25).
- 5 j. Certificate of need account (26).
- 6 k. Hospital and nursing home management account (44).
- 7 l. State university dormitory income reimbursable account (47).
- 8 m. Energy research account (60).
- 9 n. Criminal justice improvement account (62).
- 10 o. Fingerprint identification and technology account (68).
- 11 p. Environmental laboratory reference fee account (81).
- 12 q. Clinical laboratory reference system assessment account (90).
- 13 r. Public employment relations board account (93).
- 14 s. Radiological health protection account (95).
- 15 t. Teacher certification account (A4).
- 16 u. Banking department account (A5).
- 17 v. Cable television account (A6).
- 18 w. Indirect cost recovery account (AH).
- 19 x. High school equivalency program account (AI).
- 20 y. Rail safety inspection account (AQ).
- 21 z. Child support revenue account (AX).
- 22 aa. Multi-agency training account (AY).
- 23 bb. Critical infrastructure account (B3).
- 24 cc. Insurance department account (B6).
- 25 dd. Bell jar collection account (BJ).
- 26 ee. Industry and utility service account (BK).
- 27 ff. Real property disposition account (BP).
- 28 gg. Parking account (BQ).
- 29 hh. Asbestos safety training program account (BW).
- 30 ii. Public service account (C3).
- 31 jj. Batavia school for the blind account (D9).
- 32 kk. Investment services account (DC).
- 33 ll. Surplus property account (DE).
- 34 mm. OPWDD day services account (DH).
- 35 nn. Financial oversight account (DI).
- 36 oo. Regulation of indian gaming account (DT).
- 37 pp. Special conservation activities account (CU).
- 38 qq. Interest assessment account (DZ).
- 39 rr. Office of the professions account (E3).
- 40 ss. Rome school for the deaf account (E6).
- 41 tt. Seized assets account (E8).
- 42 uu. Administrative adjudication account (E9).
- 43 vv. Federal salary sharing account (EC).
- 44 ww. New York City Assessment Account (EM).
- 45 xx. Cultural education account (EN).
- 46 yy. Examination and miscellaneous revenue account (ER).
- 47 zz. Transportation regulation account (F1).
- 48 aaa. Local services account (G3).
- 49 bbb. DHCR mortgage servicing account (H2).
- 50 ccc. Department of motor vehicles compulsory insurance account (H7).
- 51 ddd. Housing indirect cost recovery account (HI).
- 52 eee. DHCR-HCA application fee account (J5).
- 53 fff. EPIC premium account (J6).
- 54 ggg. Federal gasoline and diesel fuel excise tax account (L6).
- 55 hhh. OTDA income account (L7).
- 56 iii. Low income housing monitoring account (NG).

1 jjj. Procurement opportunities newsletter account (P4).
2 kkk. Corporation administration account (P6).
3 lll. Montrose veteran's home account (Q6).
4 mmm. Excelsior capital corporation reimbursement account (R1).
5 nnn. Motor fuel quality account (R4).
6 ooo. Deferred compensation administration account (R7).
7 ppp. Rent revenue other account (RR).
8 qqq. Rent revenue account (S8).
9 rrr. Tax revenue arrearage account (TR).
10 sss. Solid waste management account (W3).
11 ttt. Occupational health clinics account (W4).
12 uuu. Capacity contracting (XU).
13 vvv. Administrative cost recovery -
14 tax return preparer registration fee account (Y8).
15 www. Sales tax re-registration fee account (YD).
16 xxx. Equitable sharing agreement account (YP).
17 yyy. Point insurance reduction program account.
18 zzz. Internet point insurance reduction program account.
19 aaaa. Mental hygiene program fund account (10).
20 bbbb. Third party debt collection account.
21 cccc. Regulation of manufactured housing account (CM).
22 dddd. Business and licensing services account (A6).
23 eeee. Consumer protection account (F2).
24 21. State university income fund (345):
25 a. State university general income offset account (11).
26 22. State police and motor vehicle law enforcement fund (354):
27 a. State police motor vehicle law enforcement account (02).
28 23. Youth facilities improvement fund (357):
29 a. Youth facilities improvement account (01).
30 24. Highway safety program fund (362):
31 a. Highway safety program account (01).
32 25. Drinking water program management and administration fund (366):
33 a. EFC drinking water program account (01).
34 b. DOH drinking water program account (02).
35 26. New York city county clerks offset fund (368):
36 a. NYCCC operating offset account (01).
37 27. Housing assistance fund (374).
38 28. Housing program fund (376).
39 29. Department of transportation - engineering services fund (380):
40 a. Highway facility purpose account (01).
41 30. Miscellaneous capital projects fund (387):
42 a. Clean air capital account (08).
43 b. New York racing account.
44 31. Mental hygiene facilities capital improvement fund (389).
45 32. Joint labor/management administration fund (394):
46 a. Joint labor/management administration fund (01).
47 33. Audit and control revolving fund (395):
48 a. Executive direction internal audit account (04).
49 b. CIO Information technology centralized services account.
50 34. Health insurance internal service fund (396):
51 a. Health insurance internal service account (00).
52 b. Civil service employee benefits div admin (01).
53 35. Correctional industries revolving fund (397).
54 36. Correctional facilities capital improvement fund (399).
55 37. HCRA resources fund (061):
56 a. EPIC premium account (J6).

b. Hospital based grants program account (AF).

c. Child health plus program account (29).

S 1-a. The state comptroller is hereby authorized and directed to loan 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).

1 8. \$343,400,000 from the state university dormitory income fund (330)
2 to the miscellaneous special revenue fund (339), state university dormi-
3 tory income reimbursable account (47).
4 9. \$1,000,000 from the miscellaneous special revenue fund (339),
5 cultural education account (EN), to the miscellaneous special revenue
6 fund (339), summer school of the arts account (38).
7 10. \$24,000,000 from any of the state education department special
8 revenue and internal service funds to the miscellaneous special revenue
9 fund (339), indirect cost recovery account (AH).
10 11. \$8,318,000 from the general fund to the state university income
11 fund (345), state university income offset account (11), for the state's
12 share of repayment of the STIP loan.
13 12. \$48,000,000 from the State University Income Fund (345), State
14 University Hospitals Income Reimbursable Account (22) to the general
15 fund for hospital debt service.
16 13. \$4,686,000 from the state university income fund (345), Long
17 Island Veterans' Home Account (09) to the general fund.
18 Environmental Affairs:
19 1. \$500,000 from the department of transportation's federal capital
20 projects fund (291) to the office of parks and recreation federal oper-
21 ating grants fund (290), miscellaneous operating grants account.
22 2. \$16,000,000 from any of the department of environmental conserva-
23 tion's special revenue federal funds to the special revenue fund (301)
24 federal grant indirect cost recovery account.
25 3. \$3,000,000 from any of the office of parks, recreation and historic
26 preservation capital projects federal funds and special revenue federal
27 funds to the special revenue fund (339) federal grant indirect cost
28 recovery account (Z1).
29 4. \$1,000,000 from any of the office of parks, recreation and historic
30 preservation special revenue federal funds to the special revenue fund
31 (339), I love NY water account (39).
32 Family Assistance:
33 1. \$10,000,000 from any of the office of children and family services,
34 office of temporary and disability assistance, or department of health
35 special revenue federal funds and the general fund, in accordance with
36 agreements with social services districts, to the miscellaneous special
37 revenue fund (339), office of human resources development state match
38 account (2C).
39 2. \$3,000,000 from any of the office of children and family services
40 or office of temporary and disability assistance special revenue federal
41 funds to the miscellaneous special revenue fund (339), family preserva-
42 tion and support services and family violence services account (GC).
43 3. \$6,000,000 from any of the office of children and family services
44 special revenue federal funds to the general fund for title IV-E
45 reimbursement of youth facility costs.
46 4. \$28,000,000 from any of the office of children and family services,
47 office of temporary and disability assistance, or department of health
48 special revenue federal funds and any other miscellaneous revenues
49 generated from the operation of office of children and family services
50 programs to the miscellaneous special revenue fund (339), office of
51 children and family services income account (AR).
52 5. \$10,000,000 from any of the office of children and family services
53 or office of temporary and disability assistance special revenue funds
54 or the general fund to the miscellaneous special revenue fund (339),
55 connections account (WK).

1 6. \$41,000,000 from any of the office of temporary and disability
2 assistance accounts within the federal health and human services fund
3 (265) to the general fund.
4 7. \$8,300,000 from any of the office of temporary and disability
5 assistance accounts within the federal health and human services fund
6 (265) to the miscellaneous special revenue fund (339), client notices
7 account (EG).
8 8. \$98,980,000 from any of the office of temporary and disability
9 assistance, department of health or office of children and family
10 services special revenue funds to the miscellaneous special revenue fund
11 (339), office of temporary and disability assistance income account
12 (L7).
13 9. \$2,500,000 from any of the office of temporary and disability
14 assistance or office of children and family services special revenue
15 federal funds to the miscellaneous special revenue fund (339), office of
16 temporary and disability assistance program account (AL).
17 10. \$50,000,000 from any of the office of children and family
18 services, office of temporary and disability assistance, department of
19 labor, and department of health special revenue federal funds to the
20 office of children and family services miscellaneous special revenue
21 fund (339), multi-agency training contract account (AY).
22 11. \$12,524,000 from the office of temporary and disability assistance
23 federal health and human services fund (265) to the miscellaneous
24 special revenue fund (339), child support revenue account (AX).
25 12. \$6,300,000 from any of the office of children and family services,
26 office of temporary and disability assistance, department of labor, or
27 department of health special revenue funds to the office of temporary
28 and disability assistance miscellaneous special revenue fund (339),
29 multi-agency systems development account (MD).
30 13. \$9,248,000 from any of the office of temporary and disability
31 assistance special revenue federal funds, to the miscellaneous special
32 revenue fund (339), OTDA training contract account (48).
33 14. \$148,000,000 from the miscellaneous special revenue fund (339),
34 youth facility per Diem account (YF), to the general fund.
35 15. \$10,000,000 from any of the office of temporary and disability
36 assistance special revenue federal funds, to the miscellaneous special
37 revenue fund (339), electronic benefit transfer and common benefit iden-
38 tification card account (GD).
39 16. Up to \$3,500,000 from the combined gifts, grants, and bequests
40 fund (020), WB Hoyt Memorial account (78) to the general fund.
41 17. \$1,300,000 from any of the office of temporary and disability
42 assistance and department of health special revenue federal funds to the
43 miscellaneous special revenue fund (339) welfare inspector general
44 administrative reimbursement account (WW).
45 18. Up to \$11,922,000 from the miscellaneous special revenue fund
46 (339) state central registry (CY) to the general fund.
47 General Government:
48 1. \$1,566,000 from the miscellaneous special revenue fund (339), exam-
49 ination and miscellaneous revenue account (ER) to the general fund.
50 2. \$12,500,000 from the general fund to the health insurance revolving
51 fund (396).
52 3. \$192,400,000 from the health insurance reserve receipts fund (167)
53 to the general fund.
54 4. \$150,000 from the general fund to the not-for-profit revolving loan
55 fund (055).

- 1 5. \$150,000 from the not-for-profit revolving loan fund (055) to the
2 general fund.
- 3 6. \$11,000,000 from the miscellaneous special revenue fund (339), real
4 property disposition account (BP), to the general fund.
- 5 7. \$3,000,000 from the miscellaneous special revenue fund (339),
6 surplus property account (DE), to the general fund.
- 7 8. \$19,260,000 from the general fund to the miscellaneous special
8 revenue fund (339), alcoholic beverage control account (DB).
- 9 9. \$1,500,000 from the miscellaneous special revenue fund (339),
10 federal liability account (FL), to the general fund.
- 11 10. \$23,000,000 from the miscellaneous special revenue fund (339),
12 revenue arrearage account (CR), to the general fund.
- 13 11. \$1,826,000 from the miscellaneous special revenue fund (339)
14 revenue arrearage account (CR), to the miscellaneous special revenue
15 fund (339) authority budget office account.
- 16 12. \$60,000,000 from any account within the special revenue federal
17 funds receiving money pursuant to federal Medicare Part D legislation to
18 the general fund.
- 19 13. \$1,000,000 from the miscellaneous special revenue fund (339),
20 parking services account (BQ), to the general fund, for the purpose of
21 reimbursing the costs of debt service related to state parking facili-
22 ties.
- 23 14. Up to \$45,000,000 from the general fund to the miscellaneous
24 special revenue fund (339), statewide financial system account (FM).
- 25 Health:
- 26 1. \$12,000,000 from any of the department of health accounts within
27 the federal health and human services fund (265) to the general fund.
- 28 2. \$139,560,000 from any of the department of health accounts within
29 the federal health and human services fund (265) to the miscellaneous
30 special revenue fund (339), quality of care account (20).
- 31 3. \$1,000,000 from the general fund to the combined gifts, grants and
32 bequests fund (020), breast cancer research and education account (BD),
33 an amount equal to the monies collected and deposited into that account
34 in the previous fiscal year.
- 35 4. \$2,464,000 from any of the department of health accounts within the
36 federal health and human services fund (265) to the department of health
37 miscellaneous special revenue fund (339), statewide planning and
38 research cooperation system (SPARCS) program account (03).
- 39 5. \$250,000 from the general fund to the combined gifts, grants and
40 bequests fund (020), prostate cancer research, detection, and education
41 account (PR), an amount equal to the moneys collected and deposited into
42 that account in the previous fiscal year.
- 43 6. \$500,000 from the general fund to the combined gifts, grants and
44 bequests fund (020), Alzheimer's disease research and assistance account
45 (AA), an amount equal to the moneys collected and deposited into that
46 account in the previous fiscal year.
- 47 7. \$1,000,000 from the miscellaneous special revenue fund (339),
48 administration account (AP), to the general fund.
- 49 8. \$600,000,000 from any of the department of health accounts within
50 the federal health and human services fund (265) to the miscellaneous
51 special revenue fund (339), federal state health reform partnership
52 account (FS).
- 53 9. \$50,000,000 from the general fund to the miscellaneous special
54 revenue fund (339), empire state stem cell trust fund account (SR).
- 55 10. \$1,250,000 from the miscellaneous New York state agency fund
56 (169), medical assistance account to the department of health miscella-

1 neous special revenue fund (339), third party health insurance account
2 (35).
3 11. \$3,700,000 from the miscellaneous New York state agency fund
4 (169), medical assistance account to the office of medicaid inspector
5 general miscellaneous special revenue fund (339), recoveries and revenue
6 account (C9).
7 12. \$1,500,000 from the general fund to the miscellaneous special
8 revenue fund (339), quality of care improvement account (QC).
9 Labor:
10 1. \$700,000 from the labor standards miscellaneous special revenue
11 fund (339), fee and penalty account (30), to the child performer
12 protection fund (025), child performer protection account (CP).
13 2. \$8,000,000 from the labor standards miscellaneous special revenue
14 fund (339), fee and penalty account (30), to the general fund.
15 3. \$10,500,000 from the unemployment insurance interest and penalty
16 special revenue fund (482), unemployment insurance special interest and
17 penalty account (01), to the general fund.
18 4. \$2,700,000 from the labor standards miscellaneous special revenue
19 fund (339), public work enforcement account (BA), to the general fund.
20 5. \$1,500,000 from the training and education program on occupational
21 safety and health fund (305), occupational safety and health inspection
22 account (02), to the general fund.
23 Mental Hygiene:
24 1. \$5,000,000 from the miscellaneous special revenue fund (339),
25 mental hygiene patient income account (13), to the miscellaneous special
26 revenue fund (339), federal salary sharing account (EC).
27 2. \$240,000,000 from the miscellaneous special revenue fund (339),
28 mental hygiene patient income account (13) to the miscellaneous special
29 revenue fund (339), provider of service accounts (05).
30 3. \$220,000,000 from the miscellaneous special revenue fund (339),
31 mental hygiene program fund account (10) to the miscellaneous special
32 revenue fund (339), provider of service account (05).
33 4. \$150,000,000 from the general fund to the miscellaneous special
34 revenue fund (339), mental hygiene patient income account (13).
35 5. \$150,000,000 from the general fund to the miscellaneous special
36 revenue fund (339), mental hygiene program fund account (10).
37 6. \$275,000,000 from the miscellaneous special revenue fund (339),
38 mental hygiene program fund account (10) to the general fund.
39 7. \$180,000,000 from the miscellaneous special revenue fund (339),
40 mental hygiene patient income account (13) to the general fund.
41 Public Protection:
42 1. \$1,350,000 from the miscellaneous special revenue fund (339), emer-
43 gency management account (61), to the general fund.
44 2. \$3,300,000 from the general fund to the miscellaneous special
45 revenue fund (339), recruitment incentive account (U2).
46 3. \$9,500,000 from the general fund to the correctional industries
47 revolving fund (397), correctional industries internal service account
48 (00).
49 4. \$8,678,000 from the miscellaneous special revenue fund (339),
50 statewide public safety communications account (LZ), to the general debt
51 service fund (311), revenue bond tax account (02).
52 5. \$10,000,000 from federal miscellaneous operating grants fund (290),
53 DMNA damage account (71), to the general fund.
54 6. \$16,000,000 from the general fund to the miscellaneous special
55 revenue fund (339), crimes against revenue program account (CA).

1 7. \$20,000,000 from any office of homeland security account within the
2 federal miscellaneous operating grants fund (290), receiving money
3 through the homeland security grants program, to the general fund.

4 8. \$11,500,000 from the federal miscellaneous operating grants fund
5 (290) world trade center account, to the general fund.

6 9. \$22,100,000 from the miscellaneous special revenue fund (339) crim-
7 inal justice improvement account (62) to the general fund.

8 10. \$20,000,000 from the miscellaneous special revenue fund (339),
9 statewide public safety communications account (LZ), to the general
10 fund.

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

14 12. \$660,000 from the miscellaneous special revenue fund (339), cell
15 tower account (CT), to the general fund.

16 Transportation:

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

20 2. \$20,147,000 from the federal capital projects fund (291) to the
21 special revenue fund (339), tri-state federal regional planning accounts
22 (17).

23 3. \$15,368,000 from the miscellaneous special revenue fund (339),
24 compulsory insurance account (H7), to the general fund.

25 4. \$19,000,000 from the general fund to the mass transportation oper-
26 ating assistance fund (313), public transportation systems operating
27 assistance account (01).

28 5. \$575,000,000 from the general fund to the dedicated highway and
29 bridge trust fund (072).

30 6. \$606,000 from the miscellaneous special revenue fund (339), inter-
31 net point insurance reduction program account (IC), to the general fund.

32 7. \$2,935,000 from the clean air fund (314), mobile source account
33 (02), to the general fund.

34 8. \$5,000 from the miscellaneous special revenue fund (339), motorcy-
35 cle safety account (AE), to the general fund.

36 9. \$165,000,000 from the mass transportation operating assistance fund
37 (313), metropolitan mass transportation operating assistance account
38 (02), to the general debt service fund (311), for reimbursement of the
39 state's expenses in connection with payments of debt service and related
40 expenses for the metropolitan transportation authority's state service
41 contract bonds.

42 10. \$16,721,000 from the mass transportation operating assistance fund
43 (313), metropolitan mass transportation operating assistance account
44 (02) to the mass transportation operating assistance fund (313) public
45 transportation systems operating assistance account (01).

46 11. \$35,008,000 from the mass transportation operating assistance fund
47 (313), metropolitan mass transportation operating assistance account
48 (02) to the general fund.

49 Miscellaneous:

50 1. \$75,000,000 from the general fund to any funds or accounts for the
51 purpose of reimbursing certain outstanding accounts receivable balances.

52 2. \$250,000,000 from the general fund to the debt reduction reserve
53 fund (064).

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

1 1. Upon request of the commissioner of environmental conservation, up
2 to \$10,777,000 from revenues credited to any of the department of envi-
3 ronmental conservation special revenue funds, including \$3,142,800 from
4 the environmental protection and oil spill compensation fund (303), and
5 \$1,742,600 from the conservation fund (302), to the environmental
6 conservation special revenue fund (301), indirect charges account (BJ).
7 2. Upon request of the commissioner of agriculture and markets, up to
8 \$3,000,000 from any special revenue fund or enterprise fund within the
9 department of agriculture and markets to the miscellaneous special
10 revenue fund (339) administrative costs account, to pay appropriate
11 administrative expenses.
12 3. Upon request of the commissioner of agriculture and markets, up to
13 \$2,000,000 from the state exposition special fund (325), state fair
14 receipts account (01) to the miscellaneous capital projects fund (387),
15 state fair capital improvement account (13).
16 4. Upon request of the commissioner of the division of housing and
17 community renewal, up to \$5,500,000 from revenues credited to any divi-
18 sion of housing and community renewal miscellaneous special revenue fund
19 (339) to the agency cost recovery account (HI).
20 5. Upon request of the commissioner of the division of housing and
21 community renewal, up to \$5,500,000 may be transferred from any miscel-
22 laneous special revenue fund account (339), to any miscellaneous special
23 revenue fund (339).
24 6. Upon request of the commissioner of health up to \$15,000,000 from
25 revenues credited to any of the department of health's special revenue
26 funds, to the miscellaneous special revenue fund (339), administration
27 account (AP).
28 S 4. Notwithstanding section 2815 of the public health law or any
29 other contrary provision of law, upon the direction of the director of
30 the budget and the commissioner of health, the dormitory authority of
31 the state of New York is directed to transfer seven million dollars
32 annually from funds available and uncommitted in the New York state
33 health care restructuring pool to the health care reform act (HCRA)
34 resources fund - HCRA resources account.
35 S 5. On or before March 31, 2012, the comptroller is authorized and
36 directed to transfer the unencumbered balance from the family benefit
37 fund (329) to the general fund.
38 S 6. On or before March 31, 2012, the comptroller is hereby authorized
39 and directed to deposit earnings that would otherwise accrue to the
40 general fund that are attributable to the operation of section 98-a of
41 the state finance law, to the agencies internal service fund (334),
42 banking services account (12), for the purpose of meeting direct
43 payments from such account.
44 S 7. Notwithstanding any law to the contrary, upon the direction of
45 the director of the budget and upon requisition by the state university
46 of New York, the dormitory authority of the state of New York is
47 directed to transfer, up to \$22,000,000 in revenues generated from the
48 sale of notes or bonds, to the state university of New York for
49 reimbursement of bondable equipment for further transfer to the state's
50 general fund.
51 S 8. Notwithstanding any law to the contrary, the state university
52 chancellor or her designee is authorized and directed to transfer esti-
53 mated tuition revenue balances from the state university collection fund
54 (344) to the state university fund (345), state university revenue
55 offset account (12) on or before March 31, 2012.

1 S 9. Notwithstanding any law to the contrary, and in accordance with
2 section 4 of the state finance law, the comptroller is hereby authorized
3 and directed to transfer, upon request of the state university chancel-
4 lor or her designee, up to \$50,000,000 from the state university income
5 fund (345), state university hospitals income reimbursable account (22),
6 for hospital income reimbursable for services and expenses of hospital
7 operations and capital expenditures at the state university hospitals,
8 and the state university income fund (345) Long Island veterans' home
9 account (09) to the state university capital projects fund (384) on or
10 before June 30, 2012.

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

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

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

55 S 13. Notwithstanding any law to the contrary, and in accordance with
56 section 4 of the state finance law, the comptroller is hereby authorized

1 and directed to transfer, at the request of the director of the budget,
2 up to \$75 million from the unencumbered balance of any non-general fund
3 or account, or combination of funds and accounts, to the general fund.
4 The amounts transferred pursuant to this authorization shall be equal to
5 those savings achieved in such non-general funds as a result of work-
6 force savings actions and are in addition to any other transfers
7 expressly authorized. Transfers from federal funds are not permitted
8 pursuant to this authorization. The director of the budget shall notify
9 both houses of the legislature in writing prior to initiating transfers
10 pursuant to this authorization.

11 S 14. Notwithstanding any provision of law to the contrary, the power
12 authority of the state of New York, as deemed feasible and advisable by
13 its trustees, is authorized and directed to make a contribution to the
14 state treasury to the credit of the general fund in the amount of
15 \$100,000,000 for the fiscal year commencing April 1, 2011. The power
16 authority of the state of New York will transfer not less than
17 \$40,000,000 by June 30, 2011 and will transfer the remainder, up to
18 \$60,000,000, by January 31, 2012.

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

32 S 15. Notwithstanding any provision of law to the contrary, the foun-
33 dation for science, technology and innovation, as deemed feasible and
34 advisable by its board of directors, is authorized and directed to make
35 a contribution to the state treasury to the credit of the general fund
36 in the amount of \$500,000 for the fiscal year commencing April 1, 2011.

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

40 5. Notwithstanding the provisions of section one hundred seventy-one-a
41 of the tax law, as separately amended by chapters four hundred eighty-
42 one and four hundred eighty-four of the laws of nineteen hundred eight-
43 y-one, or any other provisions of law to the contrary, during the fiscal
44 year beginning April first, two thousand ten, the state comptroller is
45 hereby authorized and directed to deposit to the fund created pursuant
46 to this section from amounts collected pursuant to article twenty-two of
47 the tax law and pursuant to a schedule submitted by the director of the
48 budget, up to [\$3,308,000,000] \$3,292,520,000, as may be certified in
49 such schedule as necessary to meet the purposes of such fund for the
50 fiscal year beginning April first, two thousand [ten] ELEVEN.

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

54 S 18. The comptroller is authorized and directed to deposit to the
55 general fund-state purposes account reimbursements from moneys appropri-
56 ated or reappropriated to the correctional facilities capital improve-

1 ment fund (399) by a chapter of the laws of 2011. Reimbursements shall
2 be available for spending from appropriations made to the department of
3 correctional services in the general fund-state purposes account by a
4 chapter of the laws of 2011 for costs associated with the administration
5 and security of capital projects and for other costs which are attribut-
6 able, according to a plan, to such capital projects.

7 S 19. Notwithstanding any other law, rule, or regulation to the
8 contrary, the comptroller is hereby authorized and directed to deposit
9 to the credit of the capital projects fund, reimbursement from the
10 proceeds of notes or bonds issued by the environmental facilities corpo-
11 ration for a capital appropriation for \$29,772,000 authorized by chapter
12 54 of the laws of 2001 to the department of environmental conservation
13 for payment of a portion of the state's match for federal capitalization
14 grants for the water pollution control revolving loan fund.

15 S 20. Notwithstanding any other law, rule, or regulation to the
16 contrary, the comptroller is hereby authorized and directed to deposit,
17 to the credit of the capital projects fund, reimbursement from the
18 proceeds of notes or bonds issued by the environmental facilities corpo-
19 ration for a capital appropriation for \$29,365,000 authorized by chapter
20 54 of the laws of 2002 to the department of environmental conservation
21 for payment of a portion of the state's match for federal capitalization
22 grants for the water pollution control revolving loan fund, reimburse-
23 ment from the proceeds of notes and bonds issued by the urban develop-
24 ment corporation or other financing source for a capital appropriation
25 for \$89,000,000 authorized by chapter 50 of the laws of 2002 to the
26 office of general services for payment of capital construction costs for
27 the Alfred E. Smith office building located in the city of Albany,
28 reimbursement from the proceeds of notes and bonds issued by the urban
29 development corporation or other financing source for capital appropri-
30 ations for \$1,500,000 authorized by chapter 50 of the laws of 2002 to
31 the office of general services for payment of capital construction costs
32 for the Elk street parking garage building located in the city of Alba-
33 ny, reimbursement from the proceeds of notes or bonds issued by the
34 urban development corporation for disbursements of up to \$12,000,000
35 from any capital appropriation or reappropriation authorized by chapter
36 50 of the laws of 2002 to the office of general services for various
37 purposes, reimbursement from the proceeds of notes or bonds issued by
38 the urban development corporation for a capital appropriation of
39 \$13,250,000 authorized by chapter 55 of the laws of 2002 to the energy
40 research and development authority for the Western New York Nuclear
41 Service Center at West Valley, reimbursement from the proceeds of notes
42 or bonds issued by the urban development corporation for a capital
43 appropriation of \$14,300,000 authorized by chapter 55 of the laws of
44 2002 to the urban development corporation to finance a portion of the
45 jobs now program, reimbursement from the proceeds of notes or bonds
46 issued by the dormitory authority for disbursements of up to \$20,800,000
47 from any capital appropriation or reappropriation authorized by chapter
48 51 of the laws of 2002 to the judiciary for courthouse improvements,
49 reimbursement from the proceeds of notes or bonds issued by the urban
50 development corporation for disbursements of up to \$15,000,000 from
51 appropriations or reappropriations authorized by chapter 50 of the laws
52 of 2002 to any agency for costs related to homeland security, and
53 reimbursement from the proceeds of notes or bonds issued by the environ-
54 mental facilities corporation for a capital appropriation of \$10,000,000
55 authorized by chapter 54 of the laws of 2002 to the department of envi-
56 ronmental conservation for Onondaga lake.

1 S 21. 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 environmental facilities corpo-
5 ration for a capital appropriation of \$30,174,000 authorized by chapter
6 55 of the laws of 2003 to the department of environmental conservation
7 for payment of a portion of the state's match for federal capitalization
8 grants for the water pollution control revolving loan fund, reimburse-
9 ment from the proceeds of notes or bonds issued by the urban development
10 corporation or other financing source for a capital appropriation of
11 \$19,500,000 authorized by chapter 50 of the laws of 2003 to the office
12 of general services for payment of capital construction costs for the 51
13 Elk street parking garage building located in the city of Albany,
14 reimbursement from the proceeds of notes or bonds issued by the urban
15 development corporation for disbursements of up to \$10,000,000 from any
16 capital appropriation or reappropriation authorized by chapter 50 of the
17 laws of 2003 to the office of general services for various purposes,
18 reimbursement from the proceeds of notes or bonds issued by the environ-
19 mental facilities corporation for a capital appropriation of \$13,250,000
20 authorized by chapter 55 of the laws of 2003 to the energy research and
21 development authority for the Western New York Nuclear Service Center at
22 West Valley, reimbursement from the proceeds of notes or bonds issued by
23 the dormitory authority for disbursements of up to \$16,400,000 from any
24 capital appropriation or reappropriation authorized by chapter 51 of the
25 laws of 2003 to the judiciary for courthouse improvements, reimbursement
26 from the proceeds of notes or bonds issued by the urban development
27 corporation for disbursements of up to \$10,000,000 from appropriations
28 or reappropriations authorized by chapter 50 of the laws of 2003 to any
29 agency for costs related to homeland security, reimbursement from the
30 proceeds of notes or bonds issued by the environmental facilities corpo-
31 ration for a capital appropriation of \$10,000,000 authorized by chapter
32 55 of the laws of 2003 to the department of environmental conservation
33 for Onondaga lake, reimbursement from the proceeds of notes or bonds
34 issued by the environmental facilities corporation for disbursements of
35 up to \$11,000,000 from any capital appropriations or reappropriations
36 authorized by chapter 55 of the laws of 2003 to the department of envi-
37 ronmental conservation for environmental purposes, and reimbursement
38 from the proceeds of notes or bonds issued by the dormitory authority
39 for disbursements of up to \$100,000,000 from a capital appropriation
40 authorized by chapter 50 of the laws of 2003 to the department of state
41 for enhanced 911 wireless service.

42 S 22. Notwithstanding any other law, rule, or regulation to the
43 contrary, the comptroller is hereby authorized and directed to deposit
44 to the credit of the capital projects fund, reimbursement from the
45 proceeds of notes or bonds issued by the environmental facilities corpo-
46 ration for a capital appropriation for \$28,893,000 authorized by chapter
47 55 of the laws of 2004 to the department of environmental conservation
48 for payment of a portion of the state's match for federal capitalization
49 grants for the water pollution control revolving loan fund, reimburse-
50 ment from the proceeds of notes or bonds issued by the urban development
51 corporation for disbursements of up to \$10,000,000 from any capital
52 appropriation or reappropriation authorized by chapter 50 of the laws of
53 2004 to the office of general services for various purposes, reimburse-
54 ment from the proceeds of notes or bonds issued by the environmental
55 facilities corporation for a capital appropriation of \$11,350,000
56 authorized by chapter 55 of the laws of 2004 to the energy research and

1 development authority for the Western New York Nuclear Service Center at
2 West Valley, reimbursement from the proceeds of notes or bonds issued by
3 the environmental facilities corporation, for a capital appropriation of
4 \$10,000,000 authorized by chapter 55 of the laws of 2004 to the depart-
5 ment of environmental conservation for Onondaga lake, reimbursement from
6 the proceeds of notes or bonds issued by the environmental facilities
7 corporation for disbursements of up to \$11,000,000 from any capital
8 appropriations or reappropriations authorized by chapter 55 of the laws
9 of 2004 to the department of environmental conservation for environ-
10 mental purposes, reimbursement from the proceeds of notes or bonds
11 issued by the dormitory authority for a capital appropriation of
12 \$80,000,000 authorized by chapter 53 of the laws of 2004 to the educa-
13 tion department for capital transition grants for transportation,
14 reimbursement from the proceeds of notes or bonds issued by the dormito-
15 ry authority for a capital appropriation of \$243,000,000 authorized by
16 chapter 55 of the laws of 2004 for payment of costs related to economic
17 development projects, reimbursement from the proceeds of bonds or notes
18 issued by the urban development corporation for a capital appropriation
19 of \$83,500,000 authorized by chapter 53 of the laws of 2006, as amended
20 by chapter 108 of the laws of 2006, for payment of costs related to the
21 H. H. Richardson complex and the Darwin Martin House, and reimbursement
22 from the proceeds of notes or bonds issued by the dormitory authority
23 for a capital appropriation of \$290,000,000 authorized by chapter 3 of
24 the laws of 2004 for the New York state economic development program.

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

1 chapter 62 of the laws of 2005 for technology and development,
2 reimbursement from the proceeds of notes or bonds issued by the urban
3 development corporation for a capital appropriation of \$48,517,000
4 authorized by chapter 162 of the laws of 2005 for the New York state
5 economic development program, reimbursement from the proceeds of notes
6 or bonds issued by the urban development corporation for a capital
7 appropriation of \$150,000,000 authorized by chapter 62 of the laws of
8 2005 for the higher education facilities capital matching grants
9 program, reimbursement from the proceeds of notes or bonds issued by the
10 dormitory authority or other financing source for a capital appropri-
11 ation of \$4,000,000 authorized by chapter 50 of the laws of 2005 to the
12 office of general services for payment of capital construction costs for
13 the Elk street parking garage building located in the city of Albany,
14 reimbursement from the proceeds of notes or bonds issued by the urban
15 development corporation for a capital appropriation of \$15,000,000
16 authorized by chapter 53 of the laws of 2005 to the state education
17 department for payment of capital construction costs for public broad-
18 casting facilities, reimbursement from the proceeds of notes or bonds
19 issued by the urban development corporation for a capital appropriation
20 of \$15,700,000 authorized by chapter 50 of the laws of 2005 to the divi-
21 sion of state police for public protection facilities, and reimbursement
22 from the proceeds of notes or bonds issued by the urban development
23 corporation for capital disbursements of up to \$3,000,000 from any capi-
24 tal appropriation or reappropriation authorized by chapter 50 of the
25 laws of 2005 to the division of military and naval affairs for various
26 purposes.

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

1 disbursements of up to \$12,400,000 from any capital appropriation or
2 reappropriation authorized by chapter 50 of the laws of 2006 to the
3 division of state police for public protection facilities, reimbursement
4 from the proceeds of notes or bonds issued by the urban development
5 corporation for a capital appropriation of \$117,000,000 authorized by
6 chapter 50 of the laws of 2006 to all state departments and agencies for
7 the purchase of equipment, reimbursement from the proceeds of notes or
8 bonds issued by the dormitory authority or the urban development corpo-
9 ration for all or a portion of capital appropriations of \$603,050,000
10 authorized by chapter 108 of the laws of 2006 to the urban development
11 corporation for economic development/other projects, reimbursement from
12 the proceeds of notes or bonds issued by the urban development corpo-
13 ration for a capital appropriation of \$269,500,000 authorized by chapter
14 108 of the laws of 2006 to the dormitory authority or the urban develop-
15 ment corporation for economic development projects, reimbursement from
16 the proceeds of notes or bonds issued by the dormitory authority or the
17 urban development corporation for a capital appropriation of
18 \$201,500,000 authorized by chapter 108 of the laws of 2006 to the urban
19 development corporation for university development projects, reimburse-
20 ment from the proceeds of notes or bonds issued by the dormitory author-
21 ity or for a capital appropriation of \$143,000,000 authorized by chapter
22 108 of the laws of 2006 to the urban development corporation for
23 cultural facilities projects, reimbursement from the proceeds of notes
24 or bonds issued by the dormitory authority or the urban development
25 corporation for capital appropriations totaling \$60,000,000 authorized
26 by chapter 108 of the laws of 2006 to the urban development corporation
27 for energy/environmental projects, reimbursement from the proceeds of
28 notes or bonds issued by the dormitory authority or the urban develop-
29 ment corporation for a capital appropriation of \$20,000,000 authorized
30 by chapter 108 of the laws of 2006 to the urban development corporation
31 for a competitive solicitation for construction of a pilot cellulosic
32 ethanol refinery, reimbursement from the proceeds of notes or bonds
33 issued by the urban development corporation for a capital appropriation
34 of \$74,700,000 authorized by chapter 55 of the laws of 2006 to the urban
35 development corporation for services and expenses related to infrastruc-
36 ture for a new stadium in Queens county, and reimbursement from the
37 proceeds of notes or bonds issued by the urban development corporation
38 for a capital appropriation of \$74,700,000 authorized by chapter 55 of
39 the laws of 2006 to the urban development corporation for services and
40 expenses related to infrastructure improvements to construct a new park-
41 ing facility at a new stadium in Bronx county, reimbursement from the
42 proceeds of notes and bonds issued by the environmental facilities
43 corporation for a capital appropriation of \$5,000,000 authorized by
44 chapter 55 of the laws of 2006 to the environmental facilities corpo-
45 ration for payment for the pipeline for jobs program, reimbursement from
46 the proceeds of notes or bonds issued by the dormitory authority for
47 capital disbursements of up to \$14,000,000 from any capital appropri-
48 ation or reappropriation authorized by chapter 53 of the laws of 2006
49 for the library construction purpose, reimbursement from the proceeds of
50 notes or bonds issued by the urban development corporation or the dormi-
51 tory authority for an appropriation of \$1,200,000 authorized by chapter
52 53 of the laws of 2006 for the towns of Bristol and Canandaigua public
53 water systems, reimbursement from the proceeds of notes or bonds issued
54 by the urban development corporation or the dormitory authority for an
55 appropriation of \$5,500,000 authorized by chapter 53 of the laws of 2006
56 for Belleayre mountain ski center, reimbursement from the proceeds of

1 notes or bonds issued by the urban development corporation or the dormi-
2 tory authority for an appropriation of \$25,000,000 authorized by chapter
3 53 of the laws of 2006 for the town of Smithtown/Kings Park psychiatric
4 center rehabilitation, reimbursement from the proceeds of notes or bonds
5 issued by the urban development corporation or the dormitory authority
6 for an appropriation of \$5,000,000 authorized by chapter 108 of the laws
7 of 2006 for a state of New York umbilical cord bank, reimbursement from
8 the proceeds of notes or bonds issued by the urban development corpo-
9 ration or the dormitory authority for an appropriation of \$5,500,000
10 authorized by chapter 53 of the laws of 2006 for an Old Gore mountain
11 ski bowl connection, reimbursement from the proceeds of notes or bonds
12 issued by the urban development corporation or the dormitory authority
13 for an appropriation of \$2,000,000 authorized by chapter 53 of the laws
14 of 2006 for a Cornell equine drug testing laboratory, reimbursement from
15 the proceeds of notes or bonds issued by the urban development corpo-
16 ration or the dormitory authority for an appropriation of \$2,000,000
17 authorized by chapter 53 of the laws of 2006 for a Fredonia vineyard
18 laboratory, reimbursement from the proceeds of notes or bonds issued by
19 the urban development corporation or the dormitory authority for an
20 appropriation of \$99,500,000 authorized by chapter 108 of the laws of
21 2006 to the office for technology for payment of capital construction
22 costs for a consolidated data center, reimbursement from the proceeds of
23 notes or bonds issued by the dormitory authority or the urban develop-
24 ment corporation for an appropriation of \$40,000,000 authorized by chap-
25 ter 108 of the laws of 2006 for a food testing laboratory, reimbursement
26 from the proceeds of notes or bonds issued by the New York state thruway
27 authority for an appropriation of \$22,000,000 authorized by chapter 108
28 of the laws of 2006 to the department of transportation for high speed
29 rail, reimbursement from the proceeds of notes or bonds issued by the
30 urban development corporation for capital disbursements of up to
31 \$500,000,000 from an appropriation authorized by chapter 108 of the laws
32 of 2006 to the urban development corporation for development of a semi-
33 conductor manufacturing facility, reimbursement from the proceeds of
34 notes or bonds issued by the urban development corporation of up to
35 \$150,000,000 from an appropriation authorized by chapter 108 of the laws
36 of 2006 to the urban development corporation for research and develop-
37 ment activities of a semiconductor manufacturer, and reimbursement from
38 the proceeds of notes or bonds issued by the urban development corpo-
39 ration for capital disbursements of up to \$300,000,000 from an appropri-
40 ation to the urban development corporation authorized by chapter 108 of
41 the laws of 2006 for community revitalization projects.

42 S 25. Notwithstanding any other law, rule, or regulation to the
43 contrary, the comptroller is hereby authorized and directed to deposit
44 to the credit of the capital projects fund, reimbursement from the
45 proceeds of notes or bonds issued by the environmental facilities corpo-
46 ration for a capital appropriation of \$29,600,000 authorized by chapter
47 55 of the laws of 2007 to the department of environmental conservation
48 for payment of a portion of the state's match for federal capitalization
49 grants for the water pollution control revolving loan fund, reimburse-
50 ment from the proceeds of notes or bonds issued by the urban development
51 corporation for disbursements of up to \$20,000,000 from any capital
52 appropriation or reappropriation authorized by chapter 50 of the laws of
53 2007 to the office of general services for various purposes, reimburse-
54 ment from the proceeds of notes or bonds issued by the environmental
55 facilities corporation for a capital appropriation of \$13,500,000
56 authorized by chapter 55 of the laws of 2007 to the energy research and

1 development authority for the Western New York Nuclear Service Center at
2 West Valley, reimbursement from the proceeds of notes or bonds issued by
3 the environmental facilities corporation for a capital appropriation of
4 \$10,000,000 authorized by chapter 55 of the laws of 2007 to the depart-
5 ment of environmental conservation for Onondaga lake, reimbursement from
6 the proceeds of notes or bonds issued by the environmental facilities
7 corporation for disbursements of up to \$12,000,000 from any capital
8 appropriations or reappropriations authorized by chapter 55 of the laws
9 of 2007 to the department of environmental conservation for environ-
10 mental purposes, reimbursement from the proceeds of notes or bonds
11 issued by the urban development corporation for capital disbursements of
12 up to \$3,000,000 from any capital appropriation or reappropriation
13 authorized by chapter 50 of the laws of 2007 to the division of military
14 and naval affairs for various purposes, reimbursement from the proceeds
15 of notes or bonds issued by the urban development corporation for
16 disbursements from a capital appropriation of \$50,000,000 authorized by
17 chapter 50 of the laws of 2007 to the division of state police for
18 construction of a Troop G facility, reimbursement from the proceeds of
19 notes or bonds issued by the urban development corporation for disburse-
20 ments from a capital appropriation of \$6,000,000 authorized by chapter
21 50 of the laws of 2007 to the division of state police for construction
22 of evidence storage facilities, reimbursement from the proceeds of notes
23 or bonds issued by the dormitory authority or the urban development
24 corporation for capital appropriations totaling \$77,900,000 authorized
25 by chapter 51 of the laws of 2007 to the judiciary for court training
26 facilities and courthouse improvement projects, reimbursement from the
27 proceeds of notes or bonds issued by the urban development corporation
28 for a capital appropriation of \$20,000,000 authorized by chapter 50 of
29 the laws of 2007 to all state departments and agencies for the purchase
30 of equipment, reimbursement from the proceeds of notes or bonds issued
31 by the dormitory authority for capital disbursements of up to
32 \$14,000,000 from any capital appropriation or reappropriation authorized
33 by chapter 53 of the laws of 2007 for library construction, reimburse-
34 ment from the proceeds of notes or bonds issued by the dormitory author-
35 ity for capital disbursements of up to \$60,000,000 from any capital
36 appropriation or reappropriation authorized by chapter 53 of the laws of
37 2007 for cultural education storage facilities, reimbursement from the
38 proceeds of notes or bonds issued by the urban development corporation
39 for capital disbursements of up to \$15,000,000 from any capital appro-
40 priation or reappropriation authorized by chapter 55 of the laws of 2007
41 for Roosevelt Island Operating Corporation aerial tramway, reimbursement
42 from the proceeds of notes or bonds issued by the urban development
43 corporation for capital disbursements of up to \$20,000,000 from any
44 capital appropriation or reappropriation authorized by chapter 55 of the
45 laws of 2007 for Governor's Island, reimbursement from the proceeds of
46 notes or bonds issued by the urban development corporation for capital
47 disbursements of up to \$7,500,000 from any capital appropriation or
48 reappropriation authorized by chapter 55 of the laws of 2007 for Harri-
49 man research and technology park, reimbursement from the proceeds of
50 notes or bonds issued by the urban development corporation for capital
51 disbursements of up to \$7,950,000 from any capital appropriation or
52 reappropriation authorized by chapter 55 of the laws of 2007 for USA
53 Niagara, and reimbursement from the proceeds of notes or bonds issued by
54 the urban development corporation for capital disbursements of up to
55 \$1,300,000 from appropriations authorized by chapter 50 of the laws of

1 2007 made to the office of general services for legislative office
2 building hearing rooms.

3 S 26. Notwithstanding any other law, rule, or regulation to the
4 contrary, the comptroller is hereby authorized and directed to deposit
5 to the credit of the capital projects fund, reimbursement from the
6 proceeds of notes or bonds issued by the environmental facilities corpo-
7 ration for a capital appropriation of \$29,600,000 authorized by chapter
8 55 of the laws of 2008 to the department of environmental conservation
9 for payment of a portion of the state's match for federal capitalization
10 grants for the water pollution control revolving loan fund, reimburse-
11 ment from the proceeds of notes or bonds issued by the urban development
12 corporation for a capital appropriation of \$141,000,000 authorized by
13 chapter 50 of the laws of 2008 to all state departments and agencies for
14 the purchase of equipment or systems development, reimbursement from the
15 proceeds of notes or bonds issued by the urban development corporation
16 for disbursements of up to \$45,500,000 from any capital appropriation or
17 reappropriation authorized by chapter 50 of the laws of 2008 to the
18 office of general services for various purposes, reimbursement from the
19 proceeds of notes or bonds issued by the environmental facilities corpo-
20 ration for a capital appropriation of \$13,500,000 authorized by chapter
21 55 of the laws of 2008 to the energy research and development authority
22 for the Western New York Nuclear Service Center at West Valley,
23 reimbursement from the proceeds of notes or bonds issued by the environ-
24 mental facilities corporation for a capital appropriation of \$10,000,000
25 authorized by chapter 55 of the laws of 2008 to the department of envi-
26 ronmental conservation for Onondaga lake, reimbursement from the
27 proceeds of notes or bonds issued by the environmental facilities corpo-
28 ration for disbursements of up to \$12,000,000 from any capital appropri-
29 ations or reappropriations authorized by chapter 55 of the laws of 2008
30 to the department of environmental conservation for environmental
31 purposes, reimbursement from the proceeds of notes or bonds issued by
32 the urban development corporation for capital disbursements of up to
33 \$3,000,000 from any capital appropriation or reappropriation authorized
34 by chapter 50 of the laws of 2008 to the division of military and naval
35 affairs for various purposes, reimbursement from the proceeds of notes
36 or bonds issued by the urban development corporation for a capital
37 appropriation of \$2,500,000 authorized by chapter 50 of the laws of 2008
38 to the office for technology for activities related to broadband
39 service, reimbursement from the proceeds of notes or bonds issued by the
40 urban development corporation for a capital appropriation of \$6,000,000
41 authorized by chapter 50 of the laws of 2008 to the division of state
42 police for rehabilitation of facilities, reimbursement from the proceeds
43 of notes or bonds issued by the dormitory authority of the state of New
44 York or other financing source for a capital appropriation authorized by
45 chapter 53 of the laws of 2008 of \$14,000,000 to the education depart-
46 ment for library construction, reimbursement from the proceeds of notes
47 or bonds issued by the dormitory authority of the state of New York or
48 other financing source for a capital appropriation authorized by chapter
49 53 of the laws of 2008 of \$15,000,000 to the education department for
50 museum renewal projects, reimbursement from the proceeds of notes or
51 bonds issued by the urban development corporation for capital appropri-
52 ation of \$50,000,000 authorized by chapter 53 of the laws of 2008 to the
53 urban development corporation for services and expenses related to the
54 investment opportunity fund, reimbursement from the proceeds of notes or
55 bonds issued by the urban development corporation for capital appropri-
56 ation of \$28,000,000 authorized by chapter 53 of the laws of 2008 to the

1 urban development corporation for services and expenses related to arts
2 and cultural projects, reimbursement from the proceeds of bonds or notes
3 issued by the urban development corporation for a capital appropriation
4 of \$32,148,000 authorized by chapter 53 of the laws of 2008 for economic
5 and community development projects, reimbursement from the proceeds of
6 bonds or notes issued by the urban development corporation for a capital
7 appropriation of \$30,000,000 authorized by chapter 53 of the laws of
8 2008 for New York city waterfront development projects, reimbursement
9 from the proceeds of bonds or notes issued by the urban development
10 corporation for a capital appropriation of \$45,000,000 authorized by
11 chapter 53 of the laws of 2008 for Luther Forest infrastructure
12 projects, reimbursement from the proceeds of notes or bonds issued by
13 the urban development corporation for capital appropriation of
14 \$35,000,000 authorized by chapter 53 of the laws of 2008 to the urban
15 development corporation for services and expenses related to downstate
16 regional projects, reimbursement from the proceeds of notes or bonds
17 issued by the urban development corporation for capital appropriation of
18 \$137,037,000 authorized by chapter 53 of the laws of 2008 to the urban
19 development corporation for services and expenses related to upstate
20 city-by-city projects, reimbursement from the proceeds of notes or bonds
21 issued by the urban development corporation for capital appropriation of
22 \$35,000,000 authorized by chapter 53 of the laws of 2008 to the urban
23 development corporation for services and expenses related to the down-
24 state revitalization projects, reimbursement from the proceeds of notes
25 or bonds issued by the urban development corporation for capital appro-
26 priation of \$117,265,000 authorized by chapter 53 of the laws of 2008 to
27 the urban development corporation for services and expenses related to
28 the upstate regional blueprint fund, reimbursement from the proceeds of
29 notes or bonds issued by the urban development corporation for capital
30 appropriation of \$25,000,000 authorized by chapter 53 of the laws of
31 2008 to the urban development corporation for services and expenses
32 related to the upstate agricultural economic development fund,
33 reimbursement from the proceeds of notes or bonds issued by the urban
34 development corporation for capital appropriation of \$350,000,000
35 authorized by chapter 53 of the laws of 2008 to the urban development
36 corporation for services and expenses related to the New York state
37 capital assistance program, reimbursement from the proceeds of notes or
38 bonds issued by the urban development corporation for capital appropri-
39 ation of \$341,332,000 authorized by chapter 53 of the laws of 2008 to
40 the urban development corporation for services and expenses related to
41 the New York state economic development assistance program, and
42 reimbursement from the proceeds of notes or bonds issued by the urban
43 development corporation for capital appropriation of \$20,000,000 author-
44 ized by chapter 55 of the laws of 2008 to the urban development corpo-
45 ration for services and expenses related to the empire state economic
46 development fund.

47 S 27. 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 2009 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 \$129,800,000 authorized by

1 chapter 50 of the laws of 2009 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 \$24,000,000 from any capital appropriation or
5 reappropriation authorized by chapter 50 of the laws of 2009 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 2009 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 2009 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 2009
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 2009 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 \$6,000,000 authorized by chapter 50 of the laws of 2009
26 to the division of state police for rehabilitation of facilities,
27 reimbursement from the proceeds of notes or bonds issued by the dormito-
28 ry authority of the state of New York or other financing source for a
29 capital appropriation authorized by chapter 53 of the laws of 2009 of
30 \$14,000,000 to the state education department for library construction,
31 reimbursement from the proceeds of notes or bonds issued by the dormito-
32 ry authority of the state of New York or other financing source for a
33 capital appropriation of \$4,000,000 to the state education department
34 for rehabilitation associated with the St. Regis Mohawk elementary
35 school authorized by chapter 53 of the laws of 2009 and reimbursement
36 from the proceeds of notes or bonds issued by the urban development
37 corporation for capital appropriation of \$25,000,000 authorized by chap-
38 ter 55 of the laws of 2009 to the urban development corporation for
39 services and expenses related to the empire state economic development
40 fund.

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

1 proceeds of notes or bonds issued by the environmental facilities corpo-
2 ration for a capital appropriation of \$5,000,000 authorized by chapter
3 55 of the laws of 2010 to the department of environmental conservation
4 for Onondaga lake, reimbursement from the proceeds of notes or bonds
5 issued by the environmental facilities corporation for disbursements of
6 up to \$12,000,000 from any capital appropriations or reappropriations
7 authorized by chapter 55 of the laws of 2010 to the department of envi-
8 ronmental conservation for environmental purposes, reimbursement from
9 the proceeds of notes or bonds issued by the urban development corpo-
10 ration for capital disbursements of up to \$3,000,000 from any capital
11 appropriation or reappropriation authorized by chapter 50 of the laws of
12 2010 to the division of military and naval affairs for various purposes,
13 reimbursement from the proceeds of notes or bonds issued by the urban
14 development corporation for a capital appropriation of \$6,000,000
15 authorized by chapter 50 of the laws of 2010 to the division of state
16 police for rehabilitation of facilities, reimbursement from the proceeds
17 of notes or bonds issued by the dormitory authority of the state of New
18 York or other financing source for a capital appropriation of
19 \$14,000,000 authorized by chapter 53 of the laws of 2010 to the state
20 education department for library construction, reimbursements from the
21 proceeds of notes or bonds issued by the dormitory authority of the
22 state of New York or other financing source for a capital appropriation
23 of \$20,400,000 authorized by chapter 100 of the laws of 2010 to the
24 state education department for the longitudinal data system and
25 reimbursement from the proceeds of notes or bonds issued by the dormito-
26 ry authority of the state of New York or other financing source for a
27 capital appropriation of \$42,000,000 for the state preparedness and
28 training center.

29 S 29. 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 \$35,000,000 authorized by a chap-
34 ter of the laws of 2011 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 \$92,751,000 authorized by a
39 chapter of the laws of 2011 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 \$40,000,000 from any capital appropriation or
43 reappropriation authorized by a chapter of the laws of 2011 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 disbursements of up to \$12,000,000 from any capital appropri-
47 ations or reappropriations authorized by a chapter of the laws of 2011
48 to the department of environmental conservation for environmental
49 purposes, reimbursement from the proceeds of notes or bonds issued by
50 the urban development corporation for capital disbursements of up to
51 \$3,000,000 from any capital appropriation or reappropriation authorized
52 by a chapter of the laws of 2011 to the division of military and naval
53 affairs for various purposes, reimbursement from the proceeds of notes
54 or bonds issued by the urban development corporation for a capital
55 appropriation of \$6,000,000 authorized by a chapter of the laws of 2011
56 to the division of state police for rehabilitation of facilities,

1 reimbursement from the proceeds of notes or bonds issued by the dormito-
2 ry authority of the state of New York or other financing source for a
3 capital appropriation of \$14,000,000 authorized by a chapter of the laws
4 of 2011 to the state education department for library construction,
5 reimbursement from the proceeds of notes or bonds issued by the urban
6 development corporation for capital appropriation of \$130,550,000
7 authorized by a chapter of the laws of 2011 to the urban development
8 corporation for services and expenses related to the regional economic
9 development council initiative, reimbursement from the proceeds of notes
10 or bonds issued by the urban development corporation for capital appro-
11 priation of \$100,000,000 authorized by a chapter of the laws of 2011 to
12 the urban development corporation for services and expenses related to
13 the economic transformation program.

14 S 30. 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 state university residence hall rehabilitation fund
17 (074), reimbursement from the proceeds of notes or bonds issued by the
18 dormitory authority of the state of New York for capital disbursements
19 of up to \$331,000,000 from any appropriation or reappropriation author-
20 ized by a chapter of the laws of 2011.

21 S 31. Notwithstanding any other law, rule, or regulation to the
22 contrary, the comptroller is hereby authorized and directed to deposit
23 to the credit of the capital projects fund, reimbursement from the
24 proceeds of notes or bonds issued by the dormitory authority and urban
25 development corporation for disbursements of up to \$8,000,000 from an
26 appropriation authorized by chapter 50 of the laws of 2009 for drug
27 courts.

28 S 32. Notwithstanding any other law, rule, or regulation to the
29 contrary, the comptroller is hereby authorized and directed to deposit
30 to the credit of the city university special revenue fund (377),
31 reimbursement from the proceeds of notes or bonds issued by the Dormito-
32 ry Authority of the State of New York for capital disbursements of up to
33 \$20,000,000 from any appropriation or reappropriation authorized by
34 chapter 53 of the laws of 2009 to the city university of New York for
35 various purposes.

36 S 33. Notwithstanding any other law, rule, or regulation to the
37 contrary, the state comptroller is hereby authorized and directed to use
38 any balance remaining in the mental health services fund debt service
39 appropriation, after payment by the state comptroller of all obligations
40 required pursuant to any lease, sublease, or other financing arrangement
41 between the dormitory authority of the state of New York as successor to
42 the New York state medical care facilities finance agency, and the
43 facilities development corporation pursuant to chapter 83 of the laws of
44 1995 and the department of mental hygiene for the purpose of making
45 payments to the dormitory authority of the state of New York for the
46 amount of the earnings for the investment of monies deposited in the
47 mental health services fund that such agency determines will or may have
48 to be rebated to the federal government pursuant to the provisions of
49 the internal revenue code of 1986, as amended, in order to enable such
50 agency to maintain the exemption from federal income taxation on the
51 interest paid to the holders of such agency's mental services facilities
52 improvement revenue bonds. On or before June 30, 2011, such agency shall
53 certify to the state comptroller its determination of the amounts
54 received in the mental health services fund as a result of the invest-
55 ment of monies deposited therein that will or may have to be rebated to

1 the federal government pursuant to the provisions of the internal revenue code of 1986, as amended.

2
3 S 34. (1) Notwithstanding any other law, rule, or regulation to the contrary, the state comptroller shall at the commencement of each month certify to the director of the budget, the commissioner of environmental conservation, the chair of the senate finance committee, and the chair of the assembly ways and means committee the amounts disbursed from all appropriations for hazardous waste site remediation disbursements for the month preceding such certification.

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

21 (3) The comptroller is hereby authorized and directed to transfer any balance above the amounts certified by the commissioner of environmental conservation to reimburse disbursements pursuant to all appropriations from such site investigation and construction account; provided, however, that if such transfers are determined by the comptroller to be insufficient to assure that interest paid to holders of state obligations issued for hazardous waste purposes pursuant to the environmental quality bond act of nineteen hundred eighty-six, as enacted by chapter 511 of the laws of 1986, is exempt from federal income taxation, the comptroller is hereby authorized and directed to transfer, from such site investigation and construction account to the general fund, the amount necessary to redeem bonds in an amount necessary to assure the continuation of such tax exempt status. Prior to the making of any such transfers, the comptroller shall notify the director of the budget of the amount of such transfers.

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

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

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

1 2. "Authorized purpose" for purposes of this article and section nine-
2 ty-two-z of this chapter shall mean any purposes for which state-sup-
3 ported debt, as defined by section sixty-seven-a of this chapter, may or
4 has been issued except debt for which the state is constitutionally
5 obligated thereunder to pay debt service and related expenses, and
6 except (a) as authorized in paragraph (b) of subdivision one of section
7 three hundred eighty-five of the public authorities law, (b) as author-
8 ized for the department of health of the state of New York facilities as
9 specified in paragraph a of subdivision two of section sixteen hundred
10 eighty of the public authorities law, (c) state university of New York
11 dormitory facilities as specified in subdivision eight of section
12 sixteen hundred seventy-eight of the public authorities law, and (d) as
13 authorized for mental health services facilities by section nine-a of
14 section one of chapter three hundred ninety-two of the laws of nineteen
15 hundred seventy-three constituting the New York state medical care
16 facilities financing act. Notwithstanding the provisions of clause (d)
17 of this subdivision, for the period April first, two thousand nine
18 through March thirty-first, two thousand [eleven] TWELVE, mental health
19 services facilities, as authorized by section nine-a of section one of
20 chapter three hundred ninety-two of the laws of nineteen hundred seven-
21 ty-three constituting the New York state medical care facilities financ-
22 ing act, shall constitute an authorized purpose.

23 S 37. Section 51 of part RR of chapter 57 of the laws of 2008, provid-
24 ing for the administration of certain funds and accounts related to the
25 2008-2009 budget, as amended by chapter 48 of the laws of 2010, is
26 amended to read as follows:

27 S 51. This act shall take effect immediately and shall be deemed to
28 have been in full force and effect on and after April 1, 2008; provided,
29 however, that the amendments to subdivision 6 of section 4 and subdivi-
30 sion 4 of section 40 of the state finance law made by sections fifteen
31 and sixteen of this act shall expire on the same date such subdivisions
32 expire; and provided, further, however, that section thirty-four of this
33 act shall take effect on the same date as the reversion of section 69-c
34 of the state finance law as provided in section 58 of part T of chapter
35 57 of the laws of 2007, as amended; [provided, further that such amend-
36 ments shall expire and be deemed repealed March 31, 2011;] and provided,
37 further, however, that sections one, three, four, and eighteen through
38 twenty-seven of this act shall expire March 31, 2009 when upon such date
39 the provisions of such sections shall be deemed repealed; and provided
40 further that section fourteen of this act shall expire March 31, 2011
41 when upon such date the provisions of such section shall be deemed
42 repealed.

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

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

1 and such bonds and notes shall contain on the face thereof a statement
2 to such effect.

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

8 (a) Subject to the provisions of chapter 59 of the laws of 2000, but
9 notwithstanding any provisions of law to the contrary, one or more
10 authorized issuers as defined by section 68-a of the state finance law
11 are hereby authorized to issue bonds or notes in one or more series in
12 an aggregate principal amount not to exceed [\$18,000,000] \$21,000,000,
13 excluding bonds issued to finance one or more debt service reserve
14 funds, to pay costs of issuance of such bonds, and bonds or notes issued
15 to refund or otherwise repay such bonds or notes previously issued, for
16 the purpose of financing capital projects for public protection facili-
17 ties in the Division of Military and Naval Affairs, debt service and
18 leases; and to reimburse the state general fund for disbursements made
19 therefor. Such bonds and notes of such authorized issuer shall not be a
20 debt of the state, and the state shall not be liable thereon, nor shall
21 they be payable out of any funds other than those appropriated by the
22 state to such authorized issuer for debt service and related expenses
23 pursuant to any service contract executed pursuant to subdivision (b) of
24 this section and such bonds and notes shall contain on the face thereof
25 a statement to such effect. Except for purposes of complying with the
26 internal revenue code, any interest income earned on bond proceeds shall
27 only be used to pay debt service on such bonds.

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

33 (a) Subject to the provisions of chapter 59 of the laws of 2000 but
34 notwithstanding the provisions of section 18 of the urban development
35 corporation act, the corporation is hereby authorized to issue bonds or
36 notes in one or more series in an aggregate principal amount not to
37 exceed \$67,000,000 excluding bonds issued to fund one or more debt
38 service reserve funds, to pay costs of issuance of such bonds, and bonds
39 or notes issued to refund or otherwise repay such bonds or notes previ-
40 ously issued, for the purpose of financing capital costs related to
41 homeland security and training facilities for the division of state
42 police, the division of military and naval affairs, and any other state
43 agency, including the reimbursement of any disbursements made from the
44 state capital projects fund, and is hereby authorized to issue bonds or
45 notes in one or more series in an aggregate principal amount not to
46 exceed [\$165,800,000] \$205,800,000, excluding bonds issued to fund one
47 or more debt service reserve funds, to pay costs of issuance of such
48 bonds, and bonds or notes issued to refund or otherwise repay such bonds
49 or notes previously issued, for the purpose of financing improvements to
50 State office buildings and other facilities located statewide, including
51 the reimbursement of any disbursements made from the state capital
52 projects fund. Such bonds and notes of the corporation shall not be a
53 debt of the state, and the state shall not be liable thereon, nor shall
54 they be payable out of any funds other than those appropriated by the
55 state to the corporation for debt service and related expenses pursuant
56 to any service contracts executed pursuant to subdivision (b) of this

1 section, and such bonds and notes shall contain on the face thereof a
2 statement to such effect.

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

6 4. Subject to the provisions of chapter fifty-nine of the laws of two
7 thousand, but notwithstanding any other provisions of law to the contra-
8 ry, the maximum amount of certificates of participation or similar
9 instruments representing periodic payments due from the state of New
10 York, issued on behalf of state departments and agencies, the city
11 university of New York and any other state entity otherwise specified
12 after March thirty-first, two thousand three shall be seven hundred
13 [fifty-one] EIGHTY-FOUR million two hundred eighty-five thousand
14 dollars. Such amount shall be exclusive of certificates of participation
15 or similar instruments issued to fund a reserve fund or funds, costs of
16 issuance and to refund outstanding certificates of participation.

17 S 42. Subdivision 1 of section 16 of part D of chapter 389 of the laws
18 of 1997, providing for the financing of the correctional facilities
19 improvement fund and the youth facility improvement fund, as amended by
20 section 52 of part JJ of chapter 56 of the laws of 2010, is amended to
21 read as follows:

22 1. Subject to the provisions of chapter 59 of the laws of 2000, but
23 notwithstanding the provisions of section 18 of section 1 of chapter 174
24 of the laws of 1968, the New York state urban development corporation is
25 hereby authorized to issue bonds, notes and other obligations in an
26 aggregate principal amount not to exceed six billion [one] FOUR hundred
27 [sixty-four] NINETY million [sixty-nine] FOUR HUNDRED SIXTY-NINE thou-
28 sand dollars [\$6,164,069,000] \$6,490,469,000, and shall include all
29 bonds, notes and other obligations issued pursuant to chapter 56 of the
30 laws of 1983, as amended or supplemented. The proceeds of such bonds,
31 notes or other obligations shall be paid to the state, for deposit in
32 the correctional facilities capital improvement fund to pay for all or
33 any portion of the amount or amounts paid by the state from appropri-
34 ations or reappropriations made to the department [of correctional
35 services] OF CORRECTIONS AND COMMUNITY SUPERVISION from the correctional
36 facilities capital improvement fund for capital projects. The aggregate
37 amount of bonds, notes or other obligations authorized to be issued
38 pursuant to this section shall exclude bonds, notes or other obligations
39 issued to refund or otherwise repay bonds, notes or other obligations
40 theretofore issued, the proceeds of which were paid to the state for all
41 or a portion of the amounts expended by the state from appropriations or
42 reappropriations made to the department of [correctional services]
43 CORRECTIONS AND COMMUNITY SUPERVISION; provided, however, that upon any
44 such refunding or repayment the total aggregate principal amount of
45 outstanding bonds, notes or other obligations may be greater than six
46 billion [one] FOUR hundred [sixty-four] NINETY million [sixty-nine] FOUR
47 HUNDRED SIXTY-NINE thousand dollars [\$6,164,069,000] \$6,490,469,000,
48 only if the present value of the aggregate debt service of the refunding
49 or repayment bonds, notes or other obligations to be issued shall not
50 exceed the present value of the aggregate debt service of the bonds,
51 notes or other obligations so to be refunded or repaid. For the purposes
52 hereof, the present value of the aggregate debt service of the refunding
53 or repayment bonds, notes or other obligations and of the aggregate debt
54 service of the bonds, notes or other obligations so refunded or repaid,
55 shall be calculated by utilizing the effective interest rate of the
56 refunding or repayment bonds, notes or other obligations, which shall be

1 that rate arrived at by doubling the semi-annual interest rate
2 (compounded semi-annually) necessary to discount the debt service
3 payments on the refunding or repayment bonds, notes or other obligations
4 from the payment dates thereof to the date of issue of the refunding or
5 repayment bonds, notes or other obligations and to the price bid includ-
6 ing estimated accrued interest or proceeds received by the corporation
7 including estimated accrued interest from the sale thereof.

8 S 43. Subdivision 1 of section 17 of part D of chapter 389 of the laws
9 of 1997, providing for the financing of the correctional facilities
10 improvement fund and the youth facility improvement fund, as amended by
11 section 53 of part JJ of chapter 56 of the laws of 2010, is amended to
12 read as follows:

13 1. Subject to the provisions of chapter 59 of the laws of 2000, but
14 notwithstanding the provisions of section 18 of section 1 of chapter 174
15 of the laws of 1968, the New York state urban development corporation is
16 hereby authorized to issue bonds, notes and other obligations in an
17 aggregate principal amount not to exceed [three] FOUR hundred [seventy-
18 nine] TWENTY-NINE million five hundred fifteen thousand dollars
19 [(\$379,515,000)] (\$429,515,000), which authorization increases the
20 aggregate principal amount of bonds, notes and other obligations author-
21 ized by section 40 of chapter 309 of the laws of 1996, and shall include
22 all bonds, notes and other obligations issued pursuant to chapter 211 of
23 the laws of 1990, as amended or supplemented. The proceeds of such
24 bonds, notes or other obligations shall be paid to the state, for depos-
25 it in the youth facilities improvement fund, to pay for all or any
26 portion of the amount or amounts paid by the state from appropriations
27 or reappropriations made to the office of children and family services
28 from the youth facilities improvement fund for capital projects. The
29 aggregate amount of bonds, notes and other obligations authorized to be
30 issued pursuant to this section shall exclude bonds, notes or other
31 obligations issued to refund or otherwise repay bonds, notes or other
32 obligations theretofore issued, the proceeds of which were paid to the
33 state for all or a portion of the amounts expended by the state from
34 appropriations or reappropriations made to the office of children and
35 family services; provided, however, that upon any such refunding or
36 repayment the total aggregate principal amount of outstanding bonds,
37 notes or other obligations may be greater than [three] FOUR hundred
38 [seventy-nine] TWENTY-NINE million five hundred fifteen thousand dollars
39 [(\$379,515,000)] \$429,515,000, only if the present value of the aggre-
40 gate debt service of the refunding or repayment bonds, notes or other
41 obligations to be issued shall not exceed the present value of the
42 aggregate debt service of the bonds, notes or other obligations so to be
43 refunded or repaid. For the purposes hereof, the present value of the
44 aggregate debt service of the refunding or repayment bonds, notes or
45 other obligations and of the aggregate debt service of the bonds, notes
46 or other obligations so refunded or repaid, shall be calculated by
47 utilizing the effective interest rate of the refunding or repayment
48 bonds, notes or other obligations, which shall be that rate arrived at
49 by doubling the semi-annual interest rate (compounded semi-annually)
50 necessary to discount the debt service payments on the refunding or
51 repayment bonds, notes or other obligations from the payment dates ther-
52 eof to the date of issue of the refunding or repayment bonds, notes or
53 other obligations and to the price bid including estimated accrued
54 interest or proceeds received by the corporation including estimated
55 accrued interest from the sale thereof.

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

4 (a) Subject to the provisions of chapter fifty-nine of the laws of two
5 thousand, in order to enhance and encourage the promotion of housing
6 programs and thereby achieve the stated purposes and objectives of such
7 housing programs, the agency shall have the power and is hereby author-
8 ized from time to time to issue negotiable housing program bonds and
9 notes in such principal amount as shall be necessary to provide suffi-
10 cient funds for the repayment of amounts disbursed (and not previously
11 reimbursed) pursuant to law or any prior year making capital appropri-
12 ations or reappropriations for the purposes of the housing program;
13 provided, however, that the agency may issue such bonds and notes in an
14 aggregate principal amount not exceeding two billion [five] SIX hundred
15 [thirty-two] THIRTY-SIX million [two] FOUR hundred ninety-nine thousand
16 dollars, plus a principal amount of bonds issued to fund the debt
17 service reserve fund in accordance with the debt service reserve fund
18 requirement established by the agency and to fund any other reserves
19 that the agency reasonably deems necessary for the security or marketa-
20 bility of such bonds and to provide for the payment of fees and other
21 charges and expenses, including underwriters' discount, trustee and
22 rating agency fees, bond insurance, credit enhancement and liquidity
23 enhancement related to the issuance of such bonds and notes. No reserve
24 fund securing the housing program bonds shall be entitled or eligible to
25 receive state funds apportioned or appropriated to maintain or restore
26 such reserve fund at or to a particular level, except to the extent of
27 any deficiency resulting directly or indirectly from a failure of the
28 state to appropriate or pay the agreed amount under any of the contracts
29 provided for in subdivision four of this section.

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

33 j. Subject to the provisions of chapter fifty-nine of the laws of two
34 thousand, the maximum amount of bonds and notes to be issued after March
35 thirty-first, two thousand two for a housing unit for the use of
36 students at a state-operated institution or statutory or contract
37 college under the jurisdiction of the state university of New York shall
38 be one billion [two] FIVE hundred [thirty] SIXTY-ONE million dollars.
39 Such amount shall be exclusive of bonds and notes issued to fund any
40 reserve fund or funds, costs of issuance, and to refund any outstanding
41 bonds and notes relating to a housing unit under the jurisdiction of the
42 state university of New York.

43 S 46. Subdivision (b) of section 11 of chapter 329 of the laws of
44 1991, amending the state finance law and other laws relating to the
45 establishment of the dedicated highway and bridge trust fund, as amended
46 by section 2 of part C of chapter 109 of the laws of 2010, is amended to
47 read as follows:

48 (b) Any service contract or contracts for projects authorized pursuant
49 to sections 10-c, 10-f, 10-g and 80-b of the highway law and section
50 14-k of the transportation law, and entered into pursuant to subdivision
51 (a) of this section, shall provide for state commitments to provide
52 annually to the thruway authority a sum or sums, upon such terms and
53 conditions as shall be deemed appropriate by the director of the budget,
54 to fund, or fund the debt service requirements of any bonds or any obli-
55 gations of the thruway authority issued to fund such projects having a

1 cost not in excess of [\$6,286,660,000] \$6,695,169,000 cumulatively by
2 the end of fiscal year [2010-2011] 2011-12.

3 S 47. Subdivision 5 of section 3234 of the public authorities law, as
4 amended by chapter 81 of the laws 2002, is amended to read as follows:

5 5. A majority of the whole number of directors then in office shall
6 constitute a quorum for the transaction of any business or the exercise
7 of any power of the corporation. Except as otherwise specified in this
8 title, for the transaction of any business or the exercise of any power
9 of the corporation, the corporation shall have power to act by a majori-
10 ty of the directors present at any meeting at which a quorum is in
11 attendance; provided that one or more directors may participate in a
12 meeting by means of conference telephone or similar communications
13 equipment allowing all directors participating in the meeting to hear
14 each other at the same time and participation by such means shall
15 constitute presence in person at a meeting. A unanimous vote of all
16 directors THEN IN OFFICE shall be required for approval of a resolution
17 authorizing the issuance of bonds or notes or any supplemental or amen-
18 datory resolution. The corporation may delegate to one or more of its
19 directors, or officers, agents and employees, such powers and duties as
20 the directors may deem proper. Five days notice shall be given to each
21 director and nonvoting representative prior to any meeting of the corpo-
22 ration.

23 S 48. Paragraph (e) of subdivision 1 of section 3236 of the public
24 authorities law, as amended by chapter 219 of the laws of 1999, is
25 amended to read as follows:

26 (e) Such bonds shall be sold to the bidder offering the lowest inter-
27 est cost to the corporation, taking into consideration any premium or
28 discount and, in the case of refunding bonds, the bona fide initial
29 public offering price, not less than four nor more than fifteen days,
30 Sundays excepted, after a notice of such sale has been published at
31 least once in a definitive trade publication of the municipal bond
32 industry published on each business day in the state of New York which
33 is generally available to participants in the municipal bond industry,
34 which notice shall state the terms of the sale. The corporation may not
35 change the terms of the sale unless notice of such change is sent via a
36 definitive trade wire service of the municipal bond industry which, in
37 general, makes available information regarding activity and sales of
38 municipal bonds and is generally available to participants in the munic-
39 ipal bond industry, at least one [day] HOUR prior to the [date] TIME of
40 the sale as set forth in the original notice of sale. In so changing the
41 terms or conditions of a sale the corporation may send notice by such
42 wire service that the sale will be delayed by up to thirty days,
43 provided that wire notice of the new sale date will be given at least
44 one business day prior to the new time when bids will be accepted. In
45 such event, no new notice of sale shall be required to be published.
46 Advertisements shall contain a provision to the effect that the corpo-
47 ration, in its discretion, may reject any or all bids made in pursuance
48 of such advertisements, and in the event of such rejection, the corpo-
49 ration is authorized to negotiate a private sale or readvertise for bids
50 in the form and manner above described as many times as, in its judg-
51 ment, may be necessary to effect a satisfactory sale. Notwithstanding
52 the foregoing provisions of this paragraph, whenever in the judgment of
53 the corporation the interests of the corporation will be served thereby,
54 the corporation may sell bonds at private sale. The corporation shall
55 promulgate regulations governing the terms and conditions of any such
56 private sales, which regulations shall include a provision that it give

notice to the governor, the temporary president of the senate, and the speaker of the assembly of its intention to conduct a private sale of obligations pursuant to this section not less than five days prior to such sale or the execution of any binding agreement to effect such sale.

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

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

S 50. Section 21-e of chapter 432 of the laws of 1997, amending the state finance law and other laws relating to the issuance of bonds or notes for community enhancement facilities projects, is amended to read as follows:

S 21-e. Notwithstanding the provisions of any other law to the contrary, the authority is hereby authorized to issue bonds or notes in one or more series for the purpose of funding project costs or making grants, loans or combinations thereof for community enhancement facilities projects. The aggregate principal amount of bonds authorized to be issued pursuant to this section shall not exceed four hundred [twenty-five] SEVEN million dollars total for all issuing authorities, excluding bonds issued to fund 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. Such bonds and notes of the authority 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 authority for debt service and related expenses pursuant to a service contract and such bonds and notes shall contain on the face thereof a statement to such effect. Except for purposes of complying with the internal revenue code, any interest income earned on bond proceeds shall only be used to pay debt service on such bonds.

S 51. Subdivision (a) of section 1 of part T of chapter 84 of the laws of 2002, relating to authorizing the New York state urban development corporation and the dormitory authority of the state of New York to issue bonds or notes for the purpose of financing certain project costs, is amended to read as follows:

(a) Subject to the provisions of chapter 59 of the laws of 2000, but notwithstanding any other provision of law to the contrary, the New York state urban development corporation and the dormitory authority of the state of New York are hereby authorized to issue bonds or notes in one or more series in an aggregate principal amount, subject to the limitations contained in section eight of this act, not to exceed [\$1,200,000,000] \$1,195,146,000 excluding bonds issued to fund 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 purposes of financing project costs authorized under this act. Such bonds and notes of the corporation or the dormitory authority 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 or the authority for debt service and related expenses pursuant to any service contract executed pursuant to subdivision (b) of this section, and such

1 bonds and notes shall contain on the face thereof a statement to such
2 effect. Except for purposes of complying with the internal revenue
3 code, any interest income earned on bond proceeds shall only be used to
4 pay debt service on such bonds. All of the provisions of the New York
5 state urban development corporation act and the dormitory authority act
6 relating to bonds and notes which are not inconsistent with the
7 provisions of this section shall apply to obligations authorized by this
8 section, including but not limited to the power to establish adequate
9 reserves therefore and to issue renewal notes or refunding bonds there-
10 of. The issuance of any bonds or notes hereunder shall further be
11 subject to the approval of the director of the division of the budget.

12 S 52. Subdivision (a) of section 27 of chapter 3 of the laws of 2004,
13 relating to authorizing the New York state urban development corporation
14 and the dormitory authority of the state of New York to issue bonds or
15 notes, is amended to read as follows:

16 (a) Subject to the provisions of chapter 59 of the laws of 2000, but
17 notwithstanding any other provision of law to the contrary, the New York
18 State urban development corporation and the dormitory authority of the
19 state of New York are hereby authorized to issue bonds or notes in one
20 or more series in an aggregate principal amount not to exceed
21 [\$350,000,000] \$290,000,000 excluding bonds issued to finance one or
22 more debt service reserve funds, to pay costs of issuance of such bonds,
23 and bonds or notes issued to refund or otherwise repay such bonds or
24 notes previously issued, for the purpose of financing economic develop-
25 ment projects outside cities with a population of one million or more.
26 Such bonds and notes of the corporation or the dormitory authority shall
27 not be a debt of the state, and the state shall not be liable thereon,
28 nor shall they be payable out of any funds other than those appropriated
29 by the state to the corporation or the dormitory authority for debt
30 service and related expenses pursuant to any service contract executed
31 pursuant to subdivision (b) of this section and such bonds and notes
32 shall contain on the face thereof a statement to such effect. Except
33 for purposes of complying with the internal revenue code, any interest
34 income earned on bond proceeds shall only be used to pay debt service on
35 such bonds. All of the provisions of the New York state urban develop-
36 ment corporation act and the dormitory authority act relating to bonds
37 and notes which are not inconsistent with the provisions of this section
38 shall apply to obligations authorized by this section, including but not
39 limited to the power to establish adequate reserves therefor and to
40 issue renewal notes or refunding bonds thereof. The issuance of any
41 bonds or notes hereunder shall further be subject to the approval of the
42 director of the division of the budget.

43 S 53. Subdivision (a) of section 1 of part X of chapter 59 of the laws
44 of 2004, relating to authorizing the New York state urban development
45 corporation and the dormitory authority of the state of New York to
46 issue bonds or notes, is amended to read as follows:

47 (a) Subject to the provisions of chapter 59 of the laws of 2000, but
48 notwithstanding any other provision of law to the contrary, the New York
49 State urban development corporation and the dormitory authority of the
50 state of New York are hereby authorized to issue bonds or notes in one
51 or more series in an aggregate principal amount not to exceed
52 [\$250,000,000] \$243,000,000 excluding bonds issued to finance one or
53 more debt service reserve funds, to pay costs of issuance of such bonds,
54 and bonds or notes issued to refund or otherwise repay such bonds or
55 notes previously issued, for the purpose of financing projects cost of
56 the Empire Opportunity Fund; Rebuilding the Empire State Through Oppor-

1 tunities in Regional Economies (RESTORE) New York Program; and the
2 Community Capital Assistance Program authorized pursuant to Part T of
3 chapter 84 of the laws of 2002. Such bonds and notes of the corporation
4 or the dormitory authority shall not be a debt of the state, and the
5 state shall not be liable thereon, nor shall they be payable out of any
6 funds other than those appropriated by the state to the corporation or
7 the dormitory authority for debt service and related expenses pursuant
8 to any service contract executed pursuant to subdivision (b) of this
9 section and such bonds and notes shall contain on the face thereof a
10 statement to such effect. Except for purposes of complying with the
11 internal revenue code, any interest income earned on bond proceeds shall
12 only be used to pay debt service on such bonds. All of the provisions of
13 the New York state urban development corporation act and the dormitory
14 authority act relating to bonds and notes which are not inconsistent
15 with the provisions of this section shall apply to obligations author-
16 ized by this section, including but not limited to the power to estab-
17 lish adequate reserves therefor and to issue renewal notes or refunding
18 bonds thereof. The issuance of any bonds or notes hereunder shall
19 further be subject to the approval of the director of the division of
20 the budget.

21 S 54. Subdivision (a) of section 1 of part T of chapter 59 of the laws
22 of 2005, relating to the urban development corporation bonding authori-
23 ty, as added by section 3 of part C of chapter 63 of the laws of 2005,
24 is amended to read as follows:

25 (a) Subject to the provisions of chapter 59 of the laws of 2000, but
26 notwithstanding any provisions of law to the contrary the urban develop-
27 ment corporation or the dormitory authority is hereby authorized to
28 issue bonds or notes in one or more series in an aggregate principal
29 amount not to exceed [\$250,000,000] \$176,661,000 excluding bonds issued
30 to finance one or more debt service reserve funds, to pay costs of issu-
31 ance of such bonds, and bonds or notes issued to refund or otherwise
32 repay such bonds or notes previously issued, for the purpose of reim-
33 bursing the state capital projects fund disbursements made pursuant to
34 appropriations for the New York state high technology and development
35 program, pursuant to a memorandum of understanding to be executed by the
36 governor, the temporary president of the senate, and the speaker of the
37 assembly, and further provided that the proceeds of such bonds or notes
38 are authorized to be utilized to finance grants, loans or combinations
39 thereof pursuant to the New York state high technology and development
40 program, as appropriated by a chapter of the laws of 2005. Eligible
41 project costs may include, but not be limited to the cost of design,
42 financing, site acquisition and preparation, demolition, construction,
43 rehabilitation, acquisition of machinery and equipment, parking facili-
44 ties, and infrastructure. Such bonds and notes of such authorized
45 issuers shall not be a debt of the state, and the state shall not be
46 liable thereon, nor shall they be payable out of any funds other than
47 those appropriated by the state to such authorized issuers for debt
48 service and related expenses pursuant to any service contract executed
49 pursuant to subdivision (b) of this section and such bonds and notes
50 shall contain on the face thereof a statement to such effect. Except for
51 purposes of complying with the internal revenue code, any interest
52 income earned on bond proceeds shall only be used to pay debt service on
53 such bonds.

54 S 55. Subdivision (a) of section 1 of part S of chapter 59 of the laws
55 of 2005, relating to the authority of the urban development corporation

1 and the dormitory authority to issue bonds, as amended by section 1 of
2 part C of chapter 63 of the laws of 2005, is amended to read as follows:

3 (a) Subject to the provisions of chapter 59 of the laws of 2000, but
4 notwithstanding any provisions of law to the contrary, the urban devel-
5 opment corporation or the dormitory authority is hereby authorized to
6 issue bonds or notes in one or more series in an aggregate principal
7 amount not to exceed [\$90,000,000] \$88,344,000 excluding bonds issued to
8 finance one or more debt service reserve funds, to pay costs of issuance
9 of such bonds, and bonds or notes issued to refund or otherwise repay
10 such bonds or notes previously issued, for the purpose of reimbursing
11 the state capital projects fund disbursements made pursuant to appropri-
12 ations for the regional economic development program pursuant to a memo-
13 randum of understanding to be executed by the governor, the temporary
14 president of the senate, and the speaker of the assembly. The proceeds
15 of such bonds or notes are authorized to be utilized to finance grants,
16 loans or combinations thereof pursuant to the regional economic develop-
17 ment program, as appropriated by a chapter of the laws of 2005. Eligible
18 project costs may include, but not be limited to the cost of design,
19 financing, site investigations, site acquisition and preparation, demo-
20 lition, construction, rehabilitation, acquisition of machinery and
21 equipment, and infrastructure improvements. Such bonds and notes of such
22 authorized issuers shall not be a debt of the state, and the state shall
23 not be liable thereon, nor shall they be payable out of any funds other
24 than those appropriated by the state to such authorized issuers for debt
25 service and related expenses pursuant to any service contract executed
26 pursuant to subdivision (b) of this section and such bonds and notes
27 shall contain on the face thereof a statement to such effect. Except
28 for purposes of complying with the internal revenue code, any interest
29 income earned on bond proceeds shall only be used to pay debt service on
30 such bonds.

31 S 56. Subdivision (a) of section 43 of chapter 161 of the laws of
32 2005, amending the education law and other laws relating to the issuance
33 of bonds or notes, is amended to read as follows:

34 (a) Subject to the provisions of chapter 59 of the laws of 2000, but
35 notwithstanding any other provision of law to the contrary, the New York
36 state urban development corporation and the dormitory authority of the
37 state of New York are hereby authorized to issue bonds or notes in one
38 or more series in an aggregate principal amount not to exceed
39 [\$75,000,000] \$48,517,000 excluding bonds issued to finance one or more
40 debt service reserve funds, to pay costs of issuance of such bonds, and
41 bonds or notes issued to refund or otherwise repay such bonds or notes
42 previously issued, for the purpose of financing economic development
43 projects outside cities with a population of one million or more. Such
44 bonds and notes of the corporation or the dormitory authority shall not
45 be a debt of the state, and the state shall not be liable thereon, nor
46 shall they be payable out of any funds other than those appropriated by
47 the state to the corporation or the dormitory authority for debt service
48 and related expenses pursuant to any service contract executed pursuant
49 to subdivision (b) of this section and such bonds and notes shall
50 contain on the face thereof a statement to such effect. Except for
51 purposes of complying with the internal revenue code, any interest
52 income earned on bond proceeds shall only be used to pay debt service on
53 such bonds. All of the provisions of the New York state urban develop-
54 ment corporation act and the dormitory authority act relating to bonds
55 and notes which are not inconsistent with the provisions of this section
56 shall apply to obligations authorized by this section, including but not

1 limited to the power to establish adequate reserves therefore and to
2 issue renewal notes or refunding bonds thereof. The issuance of any
3 bonds or notes hereunder shall further be subject to the approval of the
4 director of the division of the budget.

5 S 57. Subdivision 1 of section 43 of section 1 of chapter 174 of the
6 laws of 1968, constituting the New York state urban development corpo-
7 ration act, as amended by section 48 of part PP of chapter 56 of the
8 laws of 2009, is amended read as follows:

9 1. Notwithstanding the provisions of any other law to the contrary,
10 the dormitory authority and the corporation are hereby authorized to
11 issue bonds or notes in one or more series for the purpose of funding
12 project costs for various economic development and regional initiatives,
13 the upstate regional blueprint fund, the downstate revitalization fund,
14 the upstate agricultural economic fund, the New York state capital
15 assistance program, the New York state economic development assistance
16 program and other state costs associated with such projects. The aggre-
17 gate principal amount of bonds authorized to be issued pursuant to this
18 section shall not exceed one billion [three] TWO hundred [ten] SEVENTY
19 million SEVEN HUNDRED EIGHTY-TWO THOUSAND dollars, excluding bonds
20 issued to fund one or more debt service reserve funds, to pay costs of
21 issuance of such bonds, and bonds or notes issued to refund or otherwise
22 repay such bonds or notes previously issued. Such bonds and notes of the
23 dormitory authority and the corporation shall not be a debt of the
24 state, and the state shall not be liable thereon, nor shall they be
25 payable out of any funds other than those appropriated by the state to
26 the dormitory authority and the corporation for principal, interest, and
27 related expenses pursuant to a service contract and such bonds and notes
28 shall contain on the face thereof a statement to such effect. Except for
29 purposes of complying with the internal revenue code, any interest
30 income earned on bond proceeds shall only be used to pay debt service on
31 such bonds.

32 S 58. Section 1 of chapter 174 of the laws of 1968, constituting the
33 New York state urban development corporation act, is amended by adding a
34 new section 44 to read as follows:

35 S 44. 1. NOTWITHSTANDING THE PROVISIONS OF ANY OTHER LAW TO THE
36 CONTRARY, THE DORMITORY AUTHORITY AND THE CORPORATION ARE HEREBY AUTHOR-
37 IZED TO ISSUE BONDS OR NOTES IN ONE OR MORE SERIES FOR THE PURPOSE OF
38 FUNDING PROJECT COSTS FOR THE REGIONAL ECONOMIC DEVELOPMENT COUNCIL
39 INITIATIVE, THE ECONOMIC TRANSFORMATION PROGRAM AND OTHER STATE COSTS
40 ASSOCIATED WITH SUCH PROJECTS. THE AGGREGATE PRINCIPAL AMOUNT OF BONDS
41 AUTHORIZED TO BE ISSUED PURSUANT TO THIS SECTION SHALL NOT EXCEED TWO
42 HUNDRED THIRTY MILLION FIVE HUNDRED FIFTY THOUSAND DOLLARS, EXCLUDING
43 BONDS ISSUED TO FUND ONE OR MORE DEBT SERVICE RESERVE FUNDS, TO PAY
44 COSTS OF ISSUANCE OF SUCH BONDS, AND BONDS OR NOTES ISSUED TO REFUND OR
45 OTHERWISE REPAY SUCH BONDS OR NOTES PREVIOUSLY ISSUED. SUCH BONDS AND
46 NOTES OF THE DORMITORY AUTHORITY AND THE CORPORATION SHALL NOT BE A DEBT
47 OF THE STATE, AND THE STATE SHALL NOT BE LIABLE THEREON, NOR SHALL THEY
48 BE PAYABLE OUT OF ANY FUNDS OTHER THAN THOSE APPROPRIATED BY THE STATE
49 TO THE DORMITORY AUTHORITY AND THE CORPORATION FOR PRINCIPAL, INTEREST,
50 AND RELATED EXPENSES PURSUANT TO A SERVICE CONTRACT AND SUCH BONDS AND
51 NOTES SHALL CONTAIN ON THE FACE THEREOF A STATEMENT TO SUCH EFFECT.
52 EXCEPT FOR PURPOSES OF COMPLYING WITH THE INTERNAL REVENUE CODE, ANY
53 INTEREST INCOME EARNED ON BOND PROCEEDS SHALL ONLY BE USED TO PAY DEBT
54 SERVICE ON SUCH BONDS.

55 2. NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE CONTRARY, IN
56 ORDER TO ASSIST THE DORMITORY AUTHORITY AND THE CORPORATION IN UNDERTAK-

1 ING THE FINANCING FOR PROJECT COSTS FOR THE REGIONAL ECONOMIC DEVELOP-
2 MENT COUNCIL INITIATIVE, THE ECONOMIC TRANSFORMATION PROGRAM AND OTHER
3 STATE COSTS ASSOCIATED WITH SUCH PROJECTS, THE DIRECTOR OF THE BUDGET IS
4 HEREBY AUTHORIZED TO ENTER INTO ONE OR MORE SERVICE CONTRACTS WITH THE
5 DORMITORY AUTHORITY AND THE CORPORATION, NONE OF WHICH SHALL EXCEED
6 THIRTY YEARS IN DURATION, UPON SUCH TERMS AND CONDITIONS AS THE DIRECTOR
7 OF THE BUDGET AND THE DORMITORY AUTHORITY AND THE CORPORATION AGREE, SO
8 AS TO ANNUALLY PROVIDE TO THE DORMITORY AUTHORITY AND THE CORPORATION,
9 IN THE AGGREGATE, A SUM NOT TO EXCEED THE PRINCIPAL, INTEREST, AND
10 RELATED EXPENSES REQUIRED FOR SUCH BONDS AND NOTES. ANY SERVICE CONTRACT
11 ENTERED INTO PURSUANT TO THIS SECTION SHALL PROVIDE THAT THE OBLIGATION
12 OF THE STATE TO PAY THE AMOUNT THEREIN PROVIDED SHALL NOT CONSTITUTE A
13 DEBT OF THE STATE WITHIN THE MEANING OF ANY CONSTITUTIONAL OR STATUTORY
14 PROVISION AND SHALL BE DEEMED EXECUTORY ONLY TO THE EXTENT OF MONIES
15 AVAILABLE AND THAT NO LIABILITY SHALL BE INCURRED BY THE STATE BEYOND
16 THE MONIES AVAILABLE FOR SUCH PURPOSE, SUBJECT TO ANNUAL APPROPRIATION
17 BY THE LEGISLATURE. ANY SUCH CONTRACT OR ANY PAYMENTS MADE OR TO BE
18 MADE THEREUNDER MAY BE ASSIGNED AND PLEDGED BY THE DORMITORY AUTHORITY
19 AND THE CORPORATION AS SECURITY FOR ITS BONDS AND NOTES, AS AUTHORIZED
20 BY THIS SECTION.

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

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

27 S 59. This act shall take effect immediately and shall be deemed to
28 have been in full force and effect on and after April 1, 2011; provided
29 further that sections one through fourteen-a and sections eighteen
30 through twenty-eight of this act shall expire March 31, 2012, when upon
31 such date, the provisions of such sections shall be deemed repealed;
32 provided further that the amendments to subdivision 5 of section 97-rrr
33 of the state finance law made by section sixteen of this act shall not
34 affect the expiration of such subdivision and shall expire therewith;
35 and provided further that section forty-seven of this act shall take
36 effect on the same date as the reversion of subdivision 5 of section
37 3234 of the public authorities law as provided in section 3 of chapter
38 48 of the laws of 2010, as amended.

39

PART 0

40 Section 1. Section 99-d of the state finance law, as added by chapter
41 474 of the laws of 1996, is REPEALED.

42 S 2. On or after September 16, 2011, the comptroller is hereby author-
43 ized and directed to transfer all remaining monies not yet disbursed
44 from the designated accounts authorized under subdivision one of section
45 99-d of the state finance law, as repealed by section one of this act,
46 to the general fund/state purposes account.

47 S 3. This act shall take effect September 16, 2011.

48 S 2. Severability clause. If any clause, sentence, paragraph, subdivi-
49 sion, section or part of this act shall be adjudged by any court of
50 competent jurisdiction to be invalid, such judgment shall not affect,
51 impair, or invalidate the remainder thereof, but shall be confined in
52 its operation to the clause, sentence, paragraph, subdivision, section
53 or part thereof directly involved in the controversy in which such judg-
54 ment shall have been rendered. It is hereby declared to be the intent of

1 the legislature that this act would have been enacted even if such
2 invalid provisions had not been included herein.
3 S 3. This act shall take effect immediately provided, however, that
4 the applicable effective date of Parts A through O of this act shall be
5 as specifically set forth in the last section of such Parts.