

S. 2005--B

A. 3005--B

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

January 21, 2015

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 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the executive law, in relation to authorizing the commissioner of corrections and community supervision to make the final decision on medical parole for certain eligible non-violent inmates (Part A); to amend chapter 887 of the laws of 1983, amending the correction law relating to the psychological testing of candidates, in relation to the effectiveness thereof; 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 the effectiveness thereof; 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 the effectiveness thereof; 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 the effectiveness thereof; 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 the effectiveness thereof; to amend chapter 3 of the laws of 1995, amending the correction law and other laws relating to the incarceration fee, in

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

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relation to extending the expiration of certain provisions of such chapter; to amend chapter 62 of the laws of 2011, amending the correction law and the executive law, relating to merging the department of correctional services and division of parole into the department of corrections and community supervision, in relation to the effectiveness thereof; 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 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 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 expiration 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 the effectiveness thereof; to amend part H of chapter 56 of the laws of 2009, amending the correction law relating to limiting the closing of certain correctional facilities, providing for the custody by the department of correctional services of inmates serving definite sentences, providing for custody of federal prisoners and requiring the closing of certain correctional facilities, in relation to the effectiveness of such chapter; to amend part C of chapter 152 of the laws of 2001, amending the military law relating to military funds of the organized militia, in relation to the effectiveness thereof; 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 the effectiveness thereof; and to amend chapter 503 of the laws of 2009, relating to the disposition of monies recovered by county district attorneys before the filing of an accusatory instrument, in relation to the effectiveness thereof (Part B); relating to transferring certain employees of the division of state police to the office of general services (Part C); to amend the workers' compensation law, in relation to eliminating certain arbitration and license fees; and to repeal paragraph (c) of subdivision 1 and subparagraph (iii) of paragraph (b) of subdivision 3 of section 13-c of the workers' compensation law relating to payment of license fees (Part D); intentionally omitted (Part E); intentionally omitted (Part F); intentionally omitted (Part G); to amend the civil service law and the correction law, in relation to salaries (Part H); intentionally omitted (Part I); to amend the civil service law, in relation to authorizing the president of the state civil service commission to establish an amnesty period to identify dependents who are ineligible for health benefits (Part J); intentionally omitted (Part K); intentionally omitted (Part L); to amend chapter 674 of the laws of 1993, amending the public buildings law relating to value limitations on contracts, in relation to extending the effectiveness thereof; and to amend the public buildings law, in relation to increasing the value limitation to six hundred thousand dollars on emergency contracts (Part M); to amend the public buildings law, in relation to increasing the threshold of small capital projects delegated by OGS to one hundred fifty thousand dollars (Part N); intentionally omitted (Part O); intentionally omitted (Part P); and intentionally omitted (Part R)

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 2015-2016
 3 state fiscal year. Each component is wholly contained within a Part
 4 identified as Parts A through R. 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 259-r of the executive law is amended by adding two
 14 new subdivisions 10 and 11 to read as follows:

15 10. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, IN THE CASE OF AN
 16 INMATE WHOSE TERMINAL CONDITION, DISEASE OR SYNDROME MEETS THE CRITERIA
 17 FOR MEDICAL PAROLE AS SET FORTH IN PARAGRAPH (A) OF SUBDIVISION ONE OF
 18 THIS SECTION, AND WHO IS NOT SERVING A SENTENCE FOR ONE OR MORE OFFENSES
 19 SET FORTH IN PARAGRAPH (I) OF SUBDIVISION ONE OF SECTION EIGHT HUNDRED
 20 SIX OF THE CORRECTION LAW WHICH WOULD RENDER SUCH INMATE INELIGIBLE FOR
 21 PRESUMPTIVE RELEASE, THE GRANTING OF MEDICAL PAROLE SHALL BE DETERMINED
 22 BY THE COMMISSIONER PROVIDED THAT A RELEASE OF SUCH INMATE SHALL BE IN
 23 ACCORDANCE WITH SUBDIVISION ELEVEN OF THIS SECTION. IN SUCH CASE, THE

1 PROVISIONS THAT WOULD HAVE APPLIED TO AND THE PROCEDURES THAT WOULD HAVE
2 BEEN FOLLOWED BY THE BOARD OF PAROLE PURSUANT TO THIS SECTION SHALL
3 APPLY TO AND BE FOLLOWED BY THE COMMISSIONER.

4 11. (A) AFTER THE COMMISSIONER HAS MADE A DETERMINATION TO GRANT
5 MEDICAL PAROLE PURSUANT TO SUBDIVISION TEN OF THIS SECTION, THE COMMIS-
6 SIONER SHALL NOTIFY THE CHAIRPERSON OF THE BOARD OF PAROLE, OR THEIR
7 DESIGNEE WHO SHALL BE A MEMBER OF THE BOARD OF PAROLE, AND PROVIDE HIM
8 OR HER WITH ALL RELEVANT RECORDS, FILES, INFORMATION AND DOCUMENTATION,
9 WHICH INCLUDES BUT IS NOT LIMITED TO THE CRIMINAL HISTORY, MEDICAL DIAG-
10 NOSIS AND TREATMENT PERTAINING TO THE TERMINALLY ILL INMATE NO MORE THAN
11 FIVE DAYS FROM THE DATE OF THE DETERMINATION. (B) THE CHAIRPERSON OR
12 HIS OR HER DESIGNEE SHALL EITHER ACCEPT THE COMMISSIONER'S GRANT OF
13 MEDICAL PAROLE, IN WHICH CASE THE INMATE MAY BE RELEASED BY THE COMMIS-
14 SIONER, OR CONDUCT FURTHER REVIEW. THIS DECISION OR REVIEW SHALL BE MADE
15 WITHIN FIVE DAYS OF THE RECEIPT OF THE RELEVANT RECORDS, FILES, INFORMA-
16 TION AND DOCUMENTATION FROM THE COMMISSIONER. THE CHAIRPERSON'S FURTHER
17 REVIEW MAY INCLUDE, BUT NOT BE LIMITED TO, AN APPEARANCE BY THE TERMI-
18 NALLY ILL INMATE BEFORE THE CHAIRPERSON OR HIS OR HER DESIGNEE. (C)
19 AFTER THIS FURTHER REVIEW, THE CHAIRPERSON SHALL EITHER ACCEPT THE
20 COMMISSIONER'S GRANT OF MEDICAL PAROLE, IN WHICH CASE THE INMATE MAY BE
21 RELEASED BY THE COMMISSIONER, OR THE CHAIRPERSON SHALL SCHEDULE AN
22 APPEARANCE FOR THE TERMINALLY ILL INMATE BEFORE THE BOARD OF PAROLE.

23 IN THE EVENT THE TERMINALLY ILL INMATE IS SCHEDULED TO MAKE AN APPEAR-
24 ANCE BEFORE THE BOARD OF PAROLE PURSUANT TO THIS SUBDIVISION, THE MATTER
25 SHALL BE HEARD BY A PANEL THAT DOES NOT INCLUDE THE CHAIRPERSON OR ANY
26 MEMBER OF THE BOARD OF PAROLE WHO WAS INVOLVED IN THE REVIEW OF THE
27 COMMISSIONER'S DETERMINATION.

28 S 2. This act shall take effect immediately.

29 PART B

30 Section 1. Section 2 of chapter 887 of the laws of 1983, amending the
31 correction law relating to the psychological testing of candidates, as
32 amended by section 1 of part E of chapter 55 of the laws of 2013, is
33 amended to read as follows:

34 S 2. This act shall take effect on the one hundred eightieth day after
35 it shall have become a law and shall remain in effect until September 1,
36 [2015] 2017.

37 S 2. Section 3 of chapter 428 of the laws of 1999, amending the execu-
38 tive law and the criminal procedure law relating to expanding the
39 geographic area of employment of certain police officers, as amended by
40 section 2 of part E of chapter 55 of the laws of 2013, is amended to
41 read as follows:

42 S 3. This act shall take effect on the first day of November next
43 succeeding the date on which it shall have become a law, and shall
44 remain in effect until the first day of September, [2015] 2017, when it
45 shall expire and be deemed repealed.

46 S 3. Section 3 of chapter 886 of the laws of 1972, amending the
47 correction law and the penal law relating to prisoner furloughs in
48 certain cases and the crime of absconding therefrom, as amended by
49 section 3 of part E of chapter 55 of the laws of 2013, is amended to
50 read as follows:

51 S 3. This act shall take effect 60 days after it shall have become a
52 law and shall remain in effect until September 1, [2015] 2017.

53 S 4. Section 20 of chapter 261 of the laws of 1987, amending chapters
54 50, 53 and 54 of the laws of 1987, the correction law, the penal law and

1 other chapters and laws relating to correctional facilities, as amended
2 by section 4 of part E of chapter 55 of the laws of 2013, is amended to
3 read as follows:

4 S 20. This act shall take effect immediately except that section thir-
5 teen of this act shall expire and be of no further force or effect on
6 and after September 1, [2015] 2017 and shall not apply to persons
7 committed to the custody of the department after such date, and provided
8 further that the commissioner of [correctional services] CORRECTIONS AND
9 COMMUNITY SUPERVISION shall report each January first and July first
10 during such time as the earned eligibility program is in effect, to the
11 chairmen of the senate crime victims, crime and correction committee,
12 the senate codes committee, the assembly correction committee, and the
13 assembly codes committee, the standards in effect for earned eligibility
14 during the prior six-month period, the number of inmates subject to the
15 provisions of earned eligibility, the number who actually received
16 certificates of earned eligibility during that period of time, the
17 number of inmates with certificates who are granted parole upon their
18 first consideration for parole, the number with certificates who are
19 denied parole upon their first consideration, and the number of individ-
20 uals granted and denied parole who did not have earned eligibility
21 certificates.

22 S 5. Subdivision (q) of section 427 of chapter 55 of the laws of 1992,
23 amending the tax law and other laws relating to taxes, surcharges, fees
24 and funding, as amended by section 5 of part E of chapter 55 of the laws
25 of 2013, is amended to read as follows:

26 (q) the provisions of section two hundred eighty-four of this act
27 shall remain in effect until September 1, [2015] 2017 and be applicable
28 to all persons entering the program on or before August 31, [2015] 2017.

29 S 6. Section 10 of chapter 339 of the laws of 1972, amending the
30 correction law and the penal law relating to inmate work release,
31 furlough and leave, as amended by section 6 of part E of chapter 55 of
32 the laws of 2013, is amended to read as follows:

33 S 10. This act shall take effect 30 days after it shall have become a
34 law and shall remain in effect until September 1, [2015] 2017, and
35 provided further that the commissioner of correctional services shall
36 report each January first, and July first, to the chairman of the senate
37 crime victims, crime and correction committee, the senate codes commit-
38 tee, the assembly correction committee, and the assembly codes commit-
39 tee, the number of eligible inmates in each facility under the custody
40 and control of the commissioner who have applied for participation in
41 any program offered under the provisions of work release, furlough, or
42 leave, and the number of such inmates who have been approved for partic-
43 ipation.

44 S 7. Subdivision (c) of section 46 of chapter 60 of the laws of 1994
45 relating to certain provisions which impact upon expenditure of certain
46 appropriations made by chapter 50 of the laws of 1994 enacting the state
47 operations budget, as amended by section 7 of part E of chapter 55 of
48 the laws of 2013, is amended to read as follows:

49 (c) sections forty-one and forty-two of this act shall expire Septem-
50 ber 1, [2015] 2017; provided, that the provisions of section forty-two
51 of this act shall apply to inmates entering the work release program on
52 or after such effective date; and

53 S 8. Subdivision h of section 74 of chapter 3 of the laws of 1995,
54 amending the correction law and other laws relating to the incarceration
55 fee, as amended by section 8 of part E of chapter 55 of the laws of
56 2013, is amended to read as follows:

1 h. Section fifty-two of this act shall be deemed to have been in full
2 force and effect on and after April 1, 1995; provided, however, that the
3 provisions of section 189 of the correction law, as amended by section
4 fifty-five of this act, subdivision 5 of section 60.35 of the penal law,
5 as amended by section fifty-six of this act, and section fifty-seven of
6 this act shall expire September 1, [2015] 2017, when upon such date the
7 amendments to the correction law and penal law made by sections fifty-
8 five and fifty-six of this act shall revert to and be read as if the
9 provisions of this act had not been enacted; provided, however, that
10 sections sixty-two, sixty-three and sixty-four of this act shall be
11 deemed to have been in full force and effect on and after March 1, 1995
12 and shall be deemed repealed April 1, 1996 and upon such date the
13 provisions of subsection (e) of section 9110 of the insurance law and
14 subdivision 2 of section 89-d of the state finance law shall revert to
15 and be read as set out in law on the date immediately preceding the
16 effective date of sections sixty-two and sixty-three of this act;

17 S 9. Subdivision (c) of section 49 of subpart A of part C of chapter
18 62 of the laws of 2011 amending the correction law and the executive
19 law, relating to merging the department of correctional services and
20 division of parole into the department of corrections and community
21 supervision, as amended by section 9 of part E of chapter 55 of the laws
22 of 2013, is amended to read as follows:

23 (c) that the amendments to subdivision 9 of section 201 of the
24 correction law as added by section thirty-two of this act shall remain
25 in effect until September 1, [2015] 2017, when it shall expire and be
26 deemed repealed;

27 S 10. Subdivision (aa) of section 427 of chapter 55 of the laws of
28 1992, amending the tax law and other laws relating to taxes, surcharges,
29 fees and funding, as amended by section 10 of part E of chapter 55 of
30 the laws of 2013, is amended to read as follows:

31 (aa) the provisions of sections three hundred eighty-two, three
32 hundred eighty-three and three hundred eighty-four of this act shall
33 expire on September 1, [2015] 2017;

34 S 11. Section 12 of chapter 907 of the laws of 1984, amending the
35 correction law, the New York city criminal court act and the executive
36 law relating to prison and jail housing and alternatives to detention
37 and incarceration programs, as amended by section 11 of part E of chap-
38 ter 55 of the laws of 2013, is amended to read as follows:

39 S 12. This act shall take effect immediately, except that the
40 provisions of sections one through ten of this act shall remain in full
41 force and effect until September 1, [2015] 2017 on which date those
42 provisions shall be deemed to be repealed.

43 S 12. Subdivision (p) of section 406 of chapter 166 of the laws of
44 1991, amending the tax law and other laws relating to taxes, as amended
45 by section 12 of part E of chapter 55 of the laws of 2013, is amended to
46 read as follows:

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

1 revert to and be read as if this act had not been enacted; section three
2 hundred fifty-eight of this act shall take effect immediately and shall
3 expire June 30, 1998 and shall revert to and be read as if this act had
4 not been enacted; section three hundred sixty-four through three hundred
5 sixty-seven of this act shall apply to claims filed on or after such
6 effective date; sections three hundred sixty-nine, three hundred seven-
7 ty-two, three hundred seventy-three, three hundred seventy-four, three
8 hundred seventy-five and three hundred seventy-six of this act shall
9 remain in effect until September 1, [2015] 2017, at which time they
10 shall be deemed repealed; provided, however, that the mandatory
11 surcharge provided in section three hundred seventy-four of this act
12 shall apply to parking violations occurring on or after said effective
13 date; and provided further that the amendments made to section 235 of
14 the vehicle and traffic law by section three hundred seventy-two of this
15 act, the amendments made to section 1809 of the vehicle and traffic law
16 by sections three hundred thirty-seven and three hundred thirty-eight of
17 this act and the amendments made to section 215-a of the labor law by
18 section three hundred seventy-five of this act shall expire on September
19 1, [2015] 2017 and upon such date the provisions of such subdivisions
20 and sections shall revert to and be read as if the provisions of this
21 act had not been enacted; the amendments to subdivisions 2 and 3 of
22 section 400.05 of the penal law made by sections three hundred seventy-
23 seven and three hundred seventy-eight of this act shall expire on July
24 1, 1992 and upon such date the provisions of such subdivisions shall
25 revert and shall be read as if the provisions of this act had not been
26 enacted; the state board of law examiners shall take such action as is
27 necessary to assure that all applicants for examination for admission to
28 practice as an attorney and counsellor at law shall pay the increased
29 examination fee provided for by the amendment made to section 465 of the
30 judiciary law by section three hundred eighty of this act for any exam-
31 ination given on or after the effective date of this act notwithstanding
32 that an applicant for such examination may have prepaid a lesser fee for
33 such examination as required by the provisions of such section 465 as of
34 the date prior to the effective date of this act; the provisions of
35 section 306-a of the civil practice law and rules as added by section
36 three hundred eighty-one of this act shall apply to all actions pending
37 on or commenced on or after September 1, 1991, provided, however, that
38 for the purposes of this section service of such summons made prior to
39 such date shall be deemed to have been completed on September 1, 1991;
40 the provisions of section three hundred eighty-three of this act shall
41 apply to all money deposited in connection with a cash bail or a
42 partially secured bail bond on or after such effective date; and the
43 provisions of sections three hundred eighty-four and three hundred
44 eighty-five of this act shall apply only to jury service commenced
45 during a judicial term beginning on or after the effective date of this
46 act; provided, however, that nothing contained herein shall be deemed to
47 affect the application, qualification, expiration or repeal of any
48 provision of law amended by any section of this act and such provisions
49 shall be applied or qualified or shall expire or be deemed repealed in
50 the same manner, to the same extent and on the same date as the case may
51 be as otherwise provided by law;

52 S 13. Subdivision 8 of section 1809 of the vehicle and traffic law, as
53 amended by section 13 of part E of chapter 55 of the laws of 2013, is
54 amended to read as follows:

55 8. The provisions of this section shall only apply to offenses commit-
56 ted on or before September first, two thousand [fifteen] SEVENTEEN.

1 S 14. Section 6 of chapter 713 of the laws of 1988, amending the vehi-
2 cle and traffic law relating to the ignition interlock device program,
3 as amended by section 14 of part E of chapter 55 of the laws of 2013, is
4 amended to read as follows:

5 S 6. This act shall take effect on the first day of April next
6 succeeding the date on which it shall have become a law; provided,
7 however, that effective immediately, the addition, amendment or repeal
8 of any rule or regulation necessary for the implementation of the fore-
9 going sections of this act on their effective date is authorized and
10 directed to be made and completed on or before such effective date and
11 shall remain in full force and effect until the first day of September,
12 [2015] 2017 when upon such date the provisions of this act shall be
13 deemed repealed.

14 S 15. Paragraph a of subdivision 6 of section 76 of chapter 435 of the
15 laws of 1997, amending the military law and other laws relating to vari-
16 ous provisions, as amended by section 15 of part E of chapter 55 of the
17 laws of 2013, is amended to read as follows:

18 a. sections forty-three through forty-five of this act shall expire
19 and be deemed repealed on September 1, [2015] 2017;

20 S 16. Section 4 of part D of chapter 412 of the laws of 1999, amending
21 the civil practice law and rules and the court of claims act relating to
22 prisoner litigation reform, as amended by section 16 of part E of chap-
23 ter 55 of the laws of 2013, is amended to read as follows:

24 S 4. This act shall take effect 120 days after it shall have become a
25 law and shall remain in full force and effect until September 1, [2015]
26 2017, when upon such date it shall expire.

27 S 17. Subdivision 2 of section 59 of chapter 222 of the laws of 1994,
28 constituting the family protection and domestic violence intervention
29 act of 1994, as amended by section 17 of part E of chapter 55 of the
30 laws of 2013, is amended to read as follows:

31 2. Subdivision 4 of section 140.10 of the criminal procedure law as
32 added by section thirty-two of this act shall take effect January 1,
33 1996 and shall expire and be deemed repealed on September 1, [2015]
34 2017.

35 S 18. Section 5 of chapter 505 of the laws of 1985, amending the crim-
36 inal procedure law relating to the use of closed-circuit television and
37 other protective measures for certain child witnesses, as amended by
38 section 18 of part E of chapter 55 of the laws of 2013, is amended to
39 read as follows:

40 S 5. This act shall take effect immediately and shall apply to all
41 criminal actions and proceedings commenced prior to the effective date
42 of this act but still pending on such date as well as all criminal
43 actions and proceedings commenced on or after such effective date and
44 its provisions shall expire on September 1, [2015] 2017, when upon such
45 date the provisions of this act shall be deemed repealed.

46 S 19. Subdivision d of section 74 of chapter 3 of the laws of 1995,
47 enacting the sentencing reform act of 1995, as amended by section 19 of
48 part E of chapter 55 of the laws of 2013, is amended to read as follows:

49 d. Sections one-a through twenty, twenty-four through twenty-eight,
50 thirty through thirty-nine, forty-two and forty-four of this act shall
51 be deemed repealed on September 1, [2015] 2017;

52 S 20. Section 2 of chapter 689 of the laws of 1993 amending the crimi-
53 nal procedure law relating to electronic court appearance in certain
54 counties, as amended by section 20 of part E of chapter 55 of the laws
55 of 2013, is amended to read as follows:

1 S 2. This act shall take effect immediately, except that the
2 provisions of this act shall be deemed to have been in full force and
3 effect since July 1, 1992 and the provisions of this act shall expire
4 September 1, [2015] 2017 when upon such date the provisions of this act
5 shall be deemed repealed.

6 S 21. Section 3 of chapter 688 of the laws of 2003, amending the exec-
7 utive law relating to enacting the interstate compact for adult offender
8 supervision, as amended by section 21 of part E of chapter 55 of the
9 laws of 2013, is amended to read as follows:

10 S 3. This act shall take effect immediately, except that section one
11 of this act shall take effect on the first of January next succeeding
12 the date on which it shall have become a law, and shall remain in effect
13 until the first of September, [2015] 2017, upon which date this act
14 shall be deemed repealed and have no further force and effect; provided
15 that section one of this act shall only take effect with respect to any
16 compacting state which has enacted an interstate compact entitled
17 "Interstate compact for adult offender supervision" and having an iden-
18 tical effect to that added by section one of this act and provided
19 further that with respect to any such compacting state, upon the effec-
20 tive date of section one of this act, section 259-m of the executive law
21 is hereby deemed REPEALED and section 259-mm of the executive law, as
22 added by section one of this act, shall take effect; and provided
23 further that with respect to any state which has not enacted an inter-
24 state compact entitled "Interstate compact for adult offender super-
25 vision" and having an identical effect to that added by section one of
26 this act, section 259-m of the executive law shall take effect and the
27 provisions of section one of this act, with respect to any such state,
28 shall have no force or effect until such time as such state shall adopt
29 an interstate compact entitled "Interstate compact for adult offender
30 supervision" and having an identical effect to that added by section one
31 of this act in which case, with respect to such state, effective imme-
32 diately, section 259-m of the executive law is deemed repealed and
33 section 259-mm of the executive law, as added by section one of this
34 act, shall take effect.

35 S 22. Section 8 of part H of chapter 56 of the laws of 2009, amending
36 the correction law relating to limiting the closing of certain correc-
37 tional facilities, providing for the custody by the department of
38 correctional services of inmates serving definite sentences, providing
39 for custody of federal prisoners and requiring the closing of certain
40 correctional facilities, as amended by section 22 of part E of chapter
41 55 of the laws of 2013, is amended to read as follows:

42 S 8. This act shall take effect immediately; provided, however that
43 sections five and six of this act shall expire and be deemed repealed
44 September 1, [2015] 2017.

45 S 23. Section 3 of part C of chapter 152 of the laws of 2001 amending
46 the military law relating to military funds of the organized militia, as
47 amended by section 23 of part E of chapter 55 of the laws of 2013, is
48 amended to read as follows:

49 S 3. This act shall take effect on the same date as the reversion of
50 subdivision 5 of section 183 and subdivision 1 of section 221 of the
51 military law as provided by section 76 of chapter 435 of the laws of
52 1997, as amended by section 1 of chapter 19 of the laws of 1999 notwith-
53 standing this act shall be deemed to have been in full force and effect
54 on and after July 31, 2005 and shall remain in full force and effect
55 until September 1, [2015] 2017 when upon such date this act shall
56 expire.

1 S 24. Section 5 of chapter 554 of the laws of 1986, amending the
2 correction law and the penal law relating to providing for community
3 treatment facilities and establishing the crime of absconding from the
4 community treatment facility, as amended by section 24 of part E of
5 chapter 55 of the laws of 2013, is amended to read as follows:

6 S 5. This act shall take effect immediately and shall remain in full
7 force and effect until September 1, [2015] 2017, and provided further
8 that the commissioner of correctional services shall report each January
9 first and July first during such time as this legislation is in effect,
10 to the chairmen of the senate crime victims, crime and correction
11 committee, the senate codes committee, the assembly correction commit-
12 tee, and the assembly codes committee, the number of individuals who are
13 released to community treatment facilities during the previous six-month
14 period, including the total number for each date at each facility who
15 are not residing within the facility, but who are required to report to
16 the facility on a daily or less frequent basis.

17 S 25. Sections 1 and 2 of part H of chapter 503 of the laws of 2009
18 relating to the disposition of monies recovered by county district
19 attorneys before the filing of an accusatory instrument, section 1 as
20 amended by section 1 of part B of chapter 57 of the laws of 2011 and
21 section 2 as amended by section 1 of part C of chapter 55 of the laws of
22 2014, are amended to read as follows:

23 Section 1. When a county district attorney of a county located in a
24 city of one million or more recovers monies before the filing of an
25 accusatory instrument as defined in subdivision 1 of section 1.20 of the
26 criminal procedure law, after injured parties have been appropriately
27 compensated, the district attorney's office shall retain a percentage of
28 the remaining such monies in recognition that such monies were recovered
29 as a result of investigations undertaken by such office. For each
30 recovery the total amount of such monies to be retained by the county
31 district attorney's office shall equal ten percent of the first twenty-
32 five million dollars received by such office, plus seven and one-half
33 percent of such monies received by such office in excess of twenty-five
34 million dollars but less than fifty million dollars, plus five percent
35 of any such monies received by such office in excess of fifty million
36 dollars but less than one hundred million dollars, plus one percent of
37 such monies received by such office in excess of one hundred million
38 dollars. The remainder of such monies shall be paid by the district
39 attorney's office to the state and to the county in equal amounts within
40 thirty days of receipt, where disposition of such monies is not other-
41 wise prescribed by law. Monies distributed to a county district attor-
42 ney's office pursuant to this section shall be used to enhance law
43 enforcement efforts. BEGINNING ON DECEMBER 1, 2015, AND ON EACH DECEMBER
44 1 THEREAFTER, EVERY DISTRICT ATTORNEY SHALL PROVIDE THE GOVERNOR, TEMPO-
45 RARY PRESIDENT OF THE SENATE AND SPEAKER OF THE ASSEMBLY WITH AN ANNUAL
46 REPORT DETAILING THE TOTAL AMOUNT OF MONIES RECEIVED AS DESCRIBED HEREIN
47 BY HIS OR HER OFFICE AND A DESCRIPTION OF HOW AND WHERE SUCH FUNDS WERE
48 DISTRIBUTED BY HIS OR HER OFFICE BUT SHALL NOT INCLUDE A DESCRIPTION OF
49 THE DISTRIBUTION OF MONIES WHERE THE DISCLOSURE OF SUCH INFORMATION
50 WOULD INTERFERE WITH A LAW ENFORCEMENT INVESTIGATION OR A JUDICIAL
51 PROCEEDING.

52 S 2. This act shall take effect immediately and shall remain in full
53 force and effect until March 31, [2015] 2016, when it shall expire and
54 be deemed repealed.

1 S 26. This act shall take effect immediately, provided however that
2 section twenty-five of this act shall be deemed to have been in full
3 force and effect on and after March 31, 2015.

4 PART C

5 Section 1. Employees of the division of state police in the unclassi-
6 fied service of the state, who are substantially engaged in the perform-
7 ance of duties to support business and financial services, administra-
8 tive services, payroll administration, time and attendance, benefit
9 administration, and other transactional human resources functions, may
10 be transferred to the office of general services in accordance with the
11 provisions of section 45 of the civil service law as if the state had
12 taken over a private entity. No employee who is transferred pursuant to
13 this act shall suffer a reduction in basic annual salary as a result of
14 the transfer.

15 S 2. This act shall take effect immediately.

16 PART D

17 Section 1. Paragraph (c) of subdivision 1 of section 13-c of the work-
18 ers' compensation law is REPEALED.

19 S 2. Subparagraph (iii) of paragraph (b) of subdivision 3 of section
20 13-c of the workers' compensation law is REPEALED.

21 S 3. Subdivision 4 of section 13-g of the workers' compensation law,
22 as amended by section 4 of part GG of chapter 57 of the laws of 2013, is
23 amended to read as follows:

24 (4) A provider initiating an arbitration, including a single arbitra-
25 tor process, pursuant to this section shall NOT pay a fee [as determined
26 by regulations promulgated by the chair, to be used] to cover the costs
27 related to the conduct of such arbitration. [Upon resolution in favor of
28 such party, the amount due, based upon the bill in dispute, shall be
29 increased by the amount of the fee paid by such party. Where a partial
30 award is made, the amount due, based upon the bill in dispute, shall be
31 increased by a part of such fee.] Each member of an arbitration commit-
32 tee for medical bills, and each member of an arbitration committee for
33 hospital bills shall be entitled to receive and shall be paid a fee for
34 each day's attendance at an arbitration session in any one count in an
35 amount fixed by the chair of the workers' compensation board.

36 S 4. Paragraph (b) of subdivision 3-b of section 50 of the workers'
37 compensation law, as amended by chapter 139 of the laws of 2008, is
38 amended to read as follows:

39 (b) The board, in its rules, may provide for the issuance of licenses
40 to persons, firms or corporations, upon such proof of character and
41 fitness as it may deem necessary, [and may provide for a license fee in
42 an amount not exceeding one hundred dollars a year, and an annual
43 authorization fee in an amount not exceeding five hundred dollars a year
44 for each designated representative] WITHOUT ANNUAL LICENSE FEE, and for
45 the giving of a bond running to the people of the state of New York,
46 conditioned upon the faithful performance of all duties required of such
47 person, firm or corporation, and in an amount to be fixed by the board
48 in its rules. Such bond shall be approved by the board as to form and
49 sufficiency and shall be filed with it. [All license and authorization
50 fees collected under the provisions of this section shall be paid into
51 the state treasury.]

1 S 5. Paragraph (e) of subdivision 7 of section 13-m of the workers'
2 compensation law, as amended by section 7 of part GG of chapter 57 of
3 the laws of 2013, is amended to read as follows:

4 (e) A provider initiating an arbitration, including a single arbitra-
5 tor process, pursuant to this section shall NOT BE REQUIRED TO pay a
6 fee[, as determined by regulations promulgated by the chair, to be used]
7 to cover the costs related to the conduct of such arbitration. [Upon
8 resolution in favor of such party, the amount due, based upon the bill
9 in dispute, shall be increased by the amount of the fee paid by such
10 party. Where a partial award is made, the amount due, based upon the
11 bill in dispute, shall be increased by a part of such fee.]

12 S 6. Paragraph (e) of subdivision 6 of section 13-1 of the workers'
13 compensation law, as amended by section 6 of part GG of chapter 57 of
14 the laws of 2013, is amended to read as follows:

15 (e) A provider initiating an arbitration, including a single arbitra-
16 tor process, pursuant to this section shall NOT pay a fee[, as deter-
17 mined by regulations promulgated by the chair, to be used] to cover the
18 costs related to the conduct of such arbitration. [Upon resolution in
19 favor of such party, the amount due, based upon the bill in dispute,
20 shall be increased by the amount of the fee paid by such party. Where a
21 partial award is made, the amount due, based upon the bill in dispute,
22 shall be increased by a part of such fee.]

23 S 7. Paragraph (e) of subdivision 6 of section 13-k of the workers'
24 compensation law, as amended by section 5 of part GG of chapter 57 of
25 the laws of 2013, is amended to read as follows:

26 (e) A provider initiating an arbitration, including a single arbi-
27 tration process, pursuant to this section shall NOT BE REQUIRED TO pay a
28 fee[, as determined by regulations promulgated by the chair, to be used
29 to cover the costs] related to the conduct of such arbitration. [Upon
30 resolution in favor of such party, the amount due, based upon the bill
31 in dispute, shall be increased by the amount of the fee paid by such
32 party. Where a partial award is made, the amount due, based upon the
33 bill in dispute shall be increased by a part of such fee.] Each member
34 of the arbitration committee shall be entitled to receive and shall be
35 paid a fee for each day's attendance at an arbitration session in an
36 amount fixed by the chair of the workers' compensation board.

37 S 8. Section 24-a of the workers' compensation law, as amended by
38 chapter 133 of the laws of 1982, subdivision 1 as amended by chapter 61
39 of the laws of 1989, subdivision 2 as amended and subdivision 5 as added
40 by chapter 347 of the laws of 1987, is amended to read as follows:

41 S 24-a. Representation before the workers' compensation board. 1. No
42 person, firm or corporation, other than an attorney and counsellor-at-
43 law, shall appear on behalf of any claimant or person entitled to the
44 benefits of this chapter, before the board or any officer, agent or
45 employee of the board assigned to conduct any hearing, investigation or
46 inquiry relative to a claim for compensation or benefits under this
47 chapter, unless he or she shall be a citizen of the United States or an
48 alien lawfully admitted for permanent residence in the United States,
49 and shall have obtained from the board a license authorizing him or her
50 to appear in matters or proceedings before the board. Such license shall
51 be issued by the board in accordance with the rules established by it.
52 Any person, firm or corporation violating the aforesaid provisions shall
53 be guilty of a misdemeanor. The board, in its rules, shall provide for
54 the issuance of licenses to representatives of charitable and welfare
55 organizations, and to associations who employ a representative to appear
56 for members of such association, upon certification of the proper offi-

1 cer of such association or organization, which licenses shall issue
 2 without charge; and may provide for a license WITHOUT fee in the case of
 3 all other persons, firms or corporations in an amount to be fixed by
 4 said rules[, not exceeding the sum of one hundred dollars a year. All
 5 license fees collected under the provisions of this section shall be
 6 paid into the state treasury]. The board shall have such tests of char-
 7 acter and fitness with respect to applicants for licenses, and such
 8 rules governing the conduct of those licensed, as aforesaid, as it may
 9 deem necessary.

10 2. There shall be maintained in each office of the board a registry or
 11 list of persons to whom licenses have been issued as provided herein,
 12 which list shall be corrected as often as licenses are issued or
 13 revoked. Absence of a record of a license issued as herein provided
 14 shall be prima facie evidence that a person, firm or corporation is not
 15 licensed to represent claimants. Any such license may be revoked by the
 16 board, for cause, after a hearing before the board. No license hereunder
 17 shall be issued for a period longer than three years from the date of
 18 its issuance.

19 [3. No fee or allowance, in accordance with the provisions of section
 20 twenty-four of this chapter, shall be made for services rendered by any
 21 such person, firm or corporation who has received a license hereunder
 22 without payment of a license fee.

23 4.] 3. Refusal by any person to whom a license has been issued author-
 24 izing him to appear on behalf of any claimant to answer, upon request of
 25 the board, or other duly authorized officer, board or committee of the
 26 state, any legal question or to produce any relevant book or paper
 27 concerning his conduct under such license, shall constitute adequate
 28 cause for revocation thereof.

29 [5.] 4. Only an attorney, or a representative licensed in accordance
 30 with rules established by the board pursuant to subdivisions three-b and
 31 three-d of section fifty of this chapter, shall appear on behalf of an
 32 employer or an insurance carrier regarding a claim for compensation or
 33 any benefits under this chapter before the board or any officer, agent
 34 or employee of the board assigned to conduct any hearing relative to a
 35 claim for compensation or benefits under this chapter. The provisions of
 36 this subdivision shall not apply to a designated regular employee of a
 37 self-insured employer, or of an insurance carrier appearing on behalf of
 38 his or her employer, but the board may prohibit the appearance of any
 39 such employee for cause.

40 S 9. This act shall take effect April 1, 2015.

41 PART E

42 Intentionally Omitted

43 PART F

44 Intentionally Omitted

45 PART G

46 Intentionally Omitted

1

PART H

2 Section 1. Paragraph d of subdivision 1 of section 130 of the civil
3 service law is amended by adding four new subparagraphs 4, 5, 6 and 7 to
4 read as follows:

5 (4) EFFECTIVE JULY FIRST, TWO THOUSAND FIFTEEN:

6	GRADE	HIRING	JOB
7		RATE	RATE
8	M/C 3	\$23,927	\$30,588
9	M/C 4	\$24,983	\$31,977
10	M/C 5	\$26,482	\$33,528
11	M/C 6	\$27,606	\$35,248
12	M/C 7	\$29,198	\$37,156
13	M/C 8	\$30,800	\$39,071
14	M/C 9	\$32,560	\$41,150
15	M/C 10	\$34,315	\$43,433
16	M/C 11	\$36,396	\$45,844
17	M/C 12	\$38,316	\$48,249
18	M/C 13	\$40,546	\$50,929
19	M/C 14	\$42,955	\$53,731
20	M/C 15	\$45,345	\$56,632
21	M/C 16	\$47,901	\$59,653
22	M/C 17	\$50,618	\$62,942
23	M/C 18	\$50,887	\$63,146
24	M/C 19	\$53,616	\$66,429
25	M/C 20	\$56,349	\$69,761
26	M/C 21	\$59,388	\$73,364
27	M/C 22	\$62,580	\$77,218
28	M/C 23	\$65,788	\$82,195
29	M 1	\$71,009	\$89,758
30	M 2	\$78,752	\$99,545
31	M 3	\$87,404	\$110,451
32	M 4	\$96,672	\$121,997
33	M 5	\$107,340	\$135,616
34	M 6	\$118,847	\$149,486
35	M 7	\$131,002	\$162,244
36	M 8	\$110,453+	

37 (5) EFFECTIVE APRIL FIRST, TWO THOUSAND SIXTEEN:

38	GRADE	HIRING	JOB
39		RATE	RATE
40	M/C 3	\$24,406	\$31,200
41	M/C 4	\$25,483	\$32,617
42	M/C 5	\$27,012	\$34,199
43	M/C 6	\$28,158	\$35,953
44	M/C 7	\$29,782	\$37,899
45	M/C 8	\$31,416	\$39,852
46	M/C 9	\$33,211	\$41,973
47	M/C 10	\$35,001	\$44,302
48	M/C 11	\$37,124	\$46,761
49	M/C 12	\$39,082	\$49,214
50	M/C 13	\$41,357	\$51,948
51	M/C 14	\$43,814	\$54,806
52	M/C 15	\$46,252	\$57,765
53	M/C 16	\$48,859	\$60,846
54	M/C 17	\$51,630	\$64,201
55	M/C 18	\$51,905	\$64,409

1	M/C 19	\$54,688	\$67,758
2	M/C 20	\$57,476	\$71,156
3	M/C 21	\$60,576	\$74,831
4	M/C 22	\$63,832	\$78,762
5	M/C 23	\$67,104	\$83,839
6	M 1	\$72,429	\$91,553
7	M 2	\$80,327	\$101,536
8	M 3	\$89,152	\$112,660
9	M 4	\$98,605	\$124,437
10	M 5	\$109,487	\$138,328
11	M 6	\$121,224	\$152,476
12	M 7	\$133,622	\$165,489
13	M 8	\$112,662+	

14 (6) EFFECTIVE APRIL FIRST, TWO THOUSAND SEVENTEEN:

15	GRADE	HIRING	JOB
16		RATE	RATE
17	M/C 3	\$24,894	\$31,824
18	M/C 4	\$25,993	\$33,269
19	M/C 5	\$27,552	\$34,883
20	M/C 6	\$28,721	\$36,672
21	M/C 7	\$30,378	\$38,657
22	M/C 8	\$32,044	\$40,649
23	M/C 9	\$33,875	\$42,812
24	M/C 10	\$35,701	\$45,188
25	M/C 11	\$37,866	\$47,696
26	M/C 12	\$39,864	\$50,198
27	M/C 13	\$42,184	\$52,987
28	M/C 14	\$44,690	\$55,902
29	M/C 15	\$47,177	\$58,920
30	M/C 16	\$49,836	\$62,063
31	M/C 17	\$52,663	\$65,485
32	M/C 18	\$52,943	\$65,697
33	M/C 19	\$55,782	\$69,113
34	M/C 20	\$58,626	\$72,579
35	M/C 21	\$61,788	\$76,328
36	M/C 22	\$65,109	\$80,337
37	M/C 23	\$68,446	\$85,516
38	M 1	\$73,878	\$93,384
39	M 2	\$81,934	\$103,567
40	M 3	\$90,935	\$114,913
41	M 4	\$100,577	\$126,926
42	M 5	\$111,677	\$141,095
43	M 6	\$123,648	\$155,526
44	M 7	\$136,294	\$168,799
45	M 8	\$114,915+	

46 (7) EFFECTIVE APRIL FIRST, TWO THOUSAND EIGHTEEN:

47	GRADE	HIRING	JOB
48		RATE	RATE
49	M/C 3	\$25,143	\$32,142
50	M/C 4	\$26,253	\$33,602
51	M/C 5	\$27,828	\$35,232
52	M/C 6	\$29,008	\$37,039
53	M/C 7	\$30,682	\$39,044
54	M/C 8	\$32,364	\$41,055
55	M/C 9	\$34,214	\$43,240
56	M/C 10	\$36,058	\$45,640

1	M/C 11	\$38,245	\$48,173
2	M/C 12	\$40,263	\$50,700
3	M/C 13	\$42,606	\$53,517
4	M/C 14	\$45,137	\$56,461
5	M/C 15	\$47,649	\$59,509
6	M/C 16	\$50,334	\$62,684
7	M/C 17	\$53,190	\$66,140
8	M/C 18	\$53,472	\$66,354
9	M/C 19	\$56,340	\$69,804
10	M/C 20	\$59,212	\$73,305
11	M/C 21	\$62,406	\$77,091
12	M/C 22	\$65,760	\$81,140
13	M/C 23	\$69,130	\$86,371
14	M 1	\$74,617	\$94,318
15	M 2	\$82,753	\$104,603
16	M 3	\$91,844	\$116,062
17	M 4	\$101,583	\$128,195
18	M 5	\$112,794	\$142,506
19	M 6	\$124,884	\$157,081
20	M 7	\$137,657	\$170,487
21	M 8	\$116,064+	

22 S 2. Subdivision 1 of section 19 of the correction law, as added by
 23 section 2 of part B of chapter 491 of the laws of 2011, is amended to
 24 read as follows:

25 1. This section shall apply to each superintendent of a correctional
 26 facility appointed on or after August ninth, nineteen hundred seventy-
 27 five and any superintendent heretofore appointed who elects to be
 28 covered by the provisions thereof by filing such election with the
 29 commissioner.

30 a. The salary schedule for superintendents of a correctional facility
 31 with an inmate population capacity of four hundred or more inmates shall
 32 be as follows:

33 Effective April first, two thousand eleven:

34	Hiring Rate	Job Rate
35	\$105,913	\$144,535

36 Effective April first, two thousand fourteen:

37	Hiring Rate	Job Rate
38	\$108,031	\$147,426

39 Effective April first, two thousand fifteen:

40	Hiring Rate	Job Rate
41	\$110,192	\$150,375

42 EFFECTIVE JULY FIRST, TWO THOUSAND FIFTEEN:

43	HIRING RATE	JOB RATE
44	\$112,396	\$153,383

45 EFFECTIVE APRIL FIRST, TWO THOUSAND SIXTEEN:

46	HIRING RATE	JOB RATE
47	\$114,644	\$156,451

48 EFFECTIVE APRIL FIRST, TWO THOUSAND SEVENTEEN:

49	HIRING RATE	JOB RATE
50	\$116,937	\$159,580

51 EFFECTIVE APRIL FIRST, TWO THOUSAND EIGHTEEN:

52	HIRING RATE	JOB RATE
53	\$118,106	\$161,176

54 b. The salary schedule for superintendents of correctional facilities
 55 with an inmate population capacity of fewer than four hundred inmates
 56 shall be as follows:

1	Effective April first, two thousand eleven:		
2	Hiring Rate	Job Rate	
3	\$82,363	\$104,081	
4	Effective April first, two thousand fourteen:		
5	Hiring Rate	Job Rate	
6	\$84,010	\$106,163	
7	Effective April first, two thousand fifteen:		
8	Hiring Rate	Job Rate	
9	\$85,690	\$108,286	
10	EFFECTIVE JULY FIRST, TWO THOUSAND FIFTEEN:		
11	HIRING RATE	JOB RATE	
12	\$87,404	\$110,452	
13	EFFECTIVE APRIL FIRST, TWO THOUSAND SIXTEEN:		
14	HIRING RATE	JOB RATE	
15	\$89,152	\$112,661	
16	EFFECTIVE APRIL FIRST, TWO THOUSAND SEVENTEEN:		
17	HIRING RATE	JOB RATE	
18	\$90,935	\$114,914	
19	EFFECTIVE APRIL FIRST, TWO THOUSAND EIGHTEEN:		
20	HIRING RATE	JOB RATE	
21	\$91,844	\$116,063	

22 S 3. Compensation for certain state officers and employees. 1. The
 23 provisions of this section, except subdivision 10 of this section, shall
 24 apply to the following full-time state officers and employees. The
 25 provisions of subdivision 10 shall apply only to those individuals spec-
 26 ified therein.

27 (a) officers and employees whose positions are designated managerial
 28 or confidential pursuant to article 14 of the civil service law;

29 (b) civilian state employees of the division of military and naval
 30 affairs in the executive department whose positions are not in, or are
 31 excluded from representation rights in, any recognized or certified
 32 negotiating unit;

33 (c) officers and employees excluded from representation rights under
 34 article 14 of the civil service law pursuant to rules or regulations of
 35 the public employment relations board;

36 (d) officers and employees whose salaries are prescribed by section 19
 37 of the correction law;

38 (e) officers and employees whose salaries are provided for by para-
 39 graph (a) of subdivision 1 of section 215 of the executive law.

40 2. For such officers and employees the following increases shall
 41 apply:

42 (a) Effective July 1, 2015, the basic annual salary of officers and
 43 employees to whom the provisions of this subdivision apply shall be
 44 increased by two percent adjusted to the nearest whole dollar amount.

45 (b) Effective April 1, 2016, the basic annual salary of officers and
 46 employees to whom the provisions of this subdivision apply shall be
 47 increased by two percent adjusted to the nearest whole dollar amount.

48 (c) Effective April 1, 2017, the basic annual salary of officers and
 49 employees to whom the provisions of this subdivision apply shall be
 50 increased by two percent adjusted to the nearest whole dollar amount.

51 (d) Effective April 1, 2018, the basic annual salary of officers and
 52 employees to whom the provisions of this subdivision apply shall be
 53 increased by one percent adjusted to the nearest whole dollar amount.

54 3. If an unencumbered position is one that, if encumbered, would be
 55 subject to the provisions of this section, the salary of such position
 56 shall be increased by the salary increase amounts specified in this

1 section. If a position is created and is filled by the appointment of an
2 officer or employee who is subject to the provisions of this section,
3 the salary otherwise provided for such position shall be increased in
4 the same manner as though such position had been in existence but unen-
5 cumbered.

6 4. The increases in salary pursuant to this section shall apply on a
7 prorated basis in accordance with guidelines issued by the director of
8 the budget to officers and employees otherwise eligible to receive an
9 increase in salary pursuant to this act who are paid on an hourly or per
10 diem basis, employees serving on a part-time or seasonal basis, and
11 employees paid on any basis other than at an annual salary rate.

12 5. Notwithstanding any of the foregoing provisions of this section,
13 the provisions of this section shall not apply to the following except
14 as otherwise provided by law:

15 (a) officers or employees paid on a fee schedule basis;

16 (b) officers or employees whose salaries are prescribed by section 40,
17 60, or 169 of the executive law;

18 (c) officers or employees in collective negotiating units established
19 pursuant to article 14 of the civil service law.

20 (d) those officers or employees in subdivision 1 of this section who,
21 upon promotion or appointment to a position covered by this act that is
22 designated managerial or confidential, or one otherwise excluded from
23 representation under article 14 of the civil service law, were in a
24 position or are newly appointed to a position in a collective negotiat-
25 ing unit established pursuant to article 14 of the civil service law and
26 whose salary, immediately prior to implementation of the applicable
27 salary schedule in accordance with the respective effective dates
28 provided in section one of this act, is at or above the job rate of
29 their respective salary grade or equated salary grade of the salary
30 schedule that would be implemented on the respective effective dates
31 pursuant to section one of this act. Notwithstanding the preceding, an
32 officer's or employee's salary shall be increased, in whole or in part,
33 by the salary increases provided by this act, where such increase causes
34 that officer's or employee's salary to be equal to the job rate of the
35 respective salary grade or equated salary grade of the salary schedule
36 that would be implemented on the respective effective dates provided
37 pursuant to section one of this act; however, in no event shall the
38 salary increases provided by this act cause an officer's or employee's
39 salary to exceed the job rate of the applicable salary schedule. Any
40 officer or employee who does not receive a parity increase or who
41 receives a partial parity increase pursuant to this subdivision shall be
42 advised in writing by their employing state agency two weeks prior to
43 the respective pay check dates implementing the applicable salary sched-
44 ules in accordance with the respective effective dates provided in
45 section one of this act. The formal grievance process provided in the
46 Official Compilation of Codes, Rules and Regulations of the State of New
47 York, Title 9, Part 560, "Submission and Settlement of Grievances of
48 State Employees," shall commence on the respective pay check dates
49 implementing the applicable salary schedules in accordance with section
50 one of this act.

51 6. Officers and employees to whom the provisions of this section apply
52 who are incumbents of positions that are not allocated to salary grades
53 specified in paragraph d of subdivision 1 of section 130 of the civil
54 service law and whose salary is not prescribed in any other statute
55 shall receive the salary increases specified in subdivision two of this
56 section.

1 7. In order to provide performance advancements, merit awards, longev-
2 ity payments, in lieu payments and special achievement awards for the
3 officers and employees to whom this section applies who are not allo-
4 cated to salary grades in proportion to those provided to persons to
5 whom this section applies who are allocated to salary grades, the direc-
6 tor of the budget is authorized to add appropriate adjustments to the
7 compensation that such officers and employees are otherwise entitled to
8 receive. The director of the budget shall amend each agency's personal
9 service certificate to reflect the increases made pursuant to the
10 provisions of this subdivision, and the updated certificate will contin-
11 ue to be available to the state comptroller, the department of civil
12 service, the chairman of the senate finance committee and the chairman
13 of the assembly ways and means committee.

14 8. Notwithstanding any of the foregoing provisions of this section,
15 any increase in compensation for any officer or employee appointed to a
16 lower graded position from a redeployment list pursuant to subdivision 1
17 of section 79 of the civil service law who continues to receive his or
18 her former salary pursuant to such subdivision shall be determined on
19 the basis of such lower graded position provided, however, that the
20 increases in salary provided in subdivision two of this section shall
21 not cause such officer's or employee's salary to exceed the job rate of
22 any such lower graded position at salary grade.

23 9. Notwithstanding any of the foregoing provisions of this section or
24 of any law to the contrary, the director of the budget may reduce the
25 salary of any position which is vacant or which becomes vacant, so long
26 as the position, if encumbered, would be subject to the provisions of
27 this section. The director of the budget does not need to provide a
28 reason for such reduction.

29 10. Compensation for certain state employees in the state university
30 and certain employees of contract colleges at Cornell and Alfred univer-
31 sities.

32 (a) Effective July 1, 2015, April 1, 2016, April 1, 2017 and April 1,
33 2018, the basic annual salary of incumbents of positions in the profes-
34 sional service in the state university that are designated, stipulated,
35 or excluded from negotiating units as managerial or confidential as
36 defined pursuant to article 14 of the civil service law, may be
37 increased pursuant to plans approved by the state university trustees.
38 Such increases in basic annual salary rates shall not exceed in the
39 aggregate two percent of the total basic annual salary rates in effect
40 on June 30, 2015, two percent of the total basic annual salary rates in
41 effect on March 31, 2016, two percent of the total basic annual salary
42 rates in effect on March 31, 2017 and one percent of the total basic
43 annual salary rates in effect on March 31, 2018.

44 (b) Effective July 1, 2015, April 1, 2016, April 1, 2017 and April 1,
45 2018, the basic annual salary of incumbents of positions in the insti-
46 tutions under the management and control of Cornell and Alfred universi-
47 ties as representatives of the board of trustees of the state university
48 that, in the opinion of the director of employee relations, would be
49 designated managerial or confidential were they subject to article 14 of
50 the civil service law may be increased pursuant to plans approved by the
51 state university trustees. Such increases in basic annual salary rates
52 shall not exceed in the aggregate two percent of the total basic annual
53 salary rates in effect on June 30, 2015, two percent of the total basic
54 annual salary rates in effect on March 31, 2016, two percent of the
55 total basic annual salary rates in effect on March 31, 2017 and one

1 percent of the total basic annual salary rates in effect on March 31,
2 2018.

3 (c) During the period July 1, 2015 through March 31, 2019, the basic
4 annual salary of incumbents of positions in the non-professional service
5 that, in the opinion of the director of employee relations, would be
6 designated managerial or confidential were they subject to article 14 of
7 the civil service law, except those positions in the Cornell service and
8 maintenance unit that are subject to the terms of a collective bargain-
9 ing agreement between Cornell university and the employee organization
10 representing employees in such positions and except those positions in
11 the Alfred service and maintenance unit that are subject to the terms of
12 a collective bargaining agreement between Alfred university and the
13 employee organization representing employees in such positions, in
14 institutions under the management and control of Cornell and Alfred
15 universities as representatives of the board of trustees of the state
16 university may be increased pursuant to plans approved by the state
17 university trustees. Such plans may include new salary schedules which
18 shall supersede the salary schedules then in effect applicable to such
19 employees. Such plans shall provide for increases in basic annual sala-
20 ries, which, exclusive of performance advancement payments or merit
21 recognition payments, shall not exceed in the aggregate two percent of
22 the total basic annual salary rates in effect on June 30, 2015, two
23 percent of the total basic annual salary rates in effect on March 31,
24 2016, two percent of the total basic annual salary rates in effect on
25 March 31, 2017 and one percent of the total basic annual salary rates in
26 effect on March 31, 2018.

27 (d) For the purposes of this subdivision, the basic annual salary of
28 an employee is that salary that is obtained through direct appropriation
29 of state moneys for the purpose of paying wages. Nothing in this part
30 shall prevent increasing amounts paid to incumbents of such positions in
31 the professional service in addition to the basic annual salary,
32 provided, however, that the amounts required for such increase and the
33 cost of fringe benefits attributable to such increase, as determined by
34 the comptroller, are made available to the state in accordance with the
35 procedures established by the state university, with the approval of the
36 director of the budget, for such purposes.

37 (e) Notwithstanding any of the foregoing provisions of this section or
38 any law to the contrary, any increase in compensation may be withheld in
39 whole or in part from any employee to whom the provisions of this
40 section apply pursuant to section seven of this act.

41 S 4. Use of appropriations. The comptroller is authorized to pay any
42 amounts required during the fiscal year commencing April 1, 2015 by the
43 foregoing provisions of this act for any state department or agency from
44 any appropriation or other funds available to such state department or
45 agency for personal service or for other related employee benefits
46 during such fiscal year. To the extent that such appropriations in any
47 fund, or combinations of funds, are insufficient to accomplish the
48 purposes herein set forth, the director of the budget is authorized to
49 allocate to any department and agency funds, from any appropriations
50 available in any other department's or agency's fund or funds, the
51 amounts necessary to pay such amounts.

52 S 5. Effect of participation in special annuity program. No officer or
53 employee participating in a special annuity program pursuant to the
54 provision of article 8-C of the education law shall, by reason of an
55 increase in compensation pursuant to this act, suffer any reduction of
56 the salary adjustment to which that employee would otherwise be entitled

1 by reason of participation in such program, and such salary adjustment
2 shall be based upon the salary of such officer or employee without
3 regard to the reduction authorized by such article.

4 S 6. Date of entitlement to salary increase. Notwithstanding the
5 provisions of this act or of any other law, the increase in salary or
6 compensation of any officer or employee provided by this act shall be
7 added to the salary or compensation of such officer or employee at the
8 beginning of that payroll period the first day of which is nearest to
9 the effective date of such increase as provided in this act, or at the
10 beginning of the earlier of two payroll periods the first days of which
11 are nearest but equally near to the effective date of such increase as
12 provided in this act, provided, however, that for the purposes of deter-
13 mining the salary of such officer or employee upon reclassification,
14 reallocation, appointment, promotion, transfer, demotion, reinstatement
15 or other change of status, such salary increase shall be deemed to be
16 effective on the date thereof as prescribed in this act, and the payment
17 thereof pursuant to this section on a date prior thereto, instead of on
18 such effective date, shall not operate to confer any additional salary
19 rights or benefits on such officer or employee.

20 S 7. 1. Notwithstanding the provisions of any other section of this
21 act or any other provision of law to the contrary, any increase in
22 compensation, provided: (a) in this act, or (b) as a result of a
23 promotion, appointment, or advancement to a position in a higher salary
24 grade, or (c) pursuant to paragraph (c) of subdivision 6 of section 131
25 of the civil service law, or (d) pursuant to paragraph (b) of subdivi-
26 sion 8 of section 130 of the civil service law, or (e) pursuant to para-
27 graph (a) of subdivision 3 of section 13 of chapter 732 of the laws of
28 1988, as amended, may be withheld in whole or in part from any officer
29 or employee when, in the opinion of the director of the budget, such
30 withholding is necessary to reflect the job performance of such officer
31 or employee, or to maintain appropriate salary relationships among offi-
32 cers or employees of the state, or to reduce state expenditures to
33 acceptable levels or when, in the opinion of the director of the budget,
34 such increase is not warranted or is not appropriate. The exclusion
35 contained in paragraph (d) of subdivision five of section three of this
36 act shall not apply where the Director of the Budget determines that an
37 employee's salary does not properly reflect the effect of the three
38 percent general salary increase effective April 1, 2009 or the four
39 percent general salary increase effective April 1, 2010 and exclusion of
40 such increase would result in an inequity as compared to similarly situ-
41 ated employees.

42 2. Notwithstanding the provisions of any other section of this act the
43 salary increases provided for in this act shall not be implemented until
44 the director of the budget delivers notice to the comptroller that such
45 amounts may be paid.

46 S 8. This act shall take effect immediately and shall be deemed to
47 have been in full force and effect on and after April 1, 2015.

48

PART I

49

Intentionally Omitted

50

PART J

1 Section 1. Subdivision 2 of section 164 of the civil service law, as
2 added by section 1 of part W of chapter 56 of the laws of 2008, is
3 amended to read as follows:

4 2. During the fiscal year ENDING MARCH THIRTY-FIRST, two thousand
5 [eight--two thousand nine] SIXTEEN, the president [shall] MAY establish
6 an amnesty period not to exceed sixty days. During this amnesty period
7 when any employee enrolled in the plan voluntarily identifies any ineli-
8 gible dependent:

9 (a) the termination of the ineligible dependent's coverage resulting
10 from such employee's timely compliance shall be made on a current basis;

11 (b) the plan shall not seek recovery of any claims paid based on the
12 coverage of the ineligible dependent;

13 (c) the employee shall not be entitled to any refund of premium paid
14 on behalf of any such ineligible dependent; and

15 (d) the employee shall not be subject to any disciplinary, civil or
16 criminal action, directly as a result of the coverage of the ineligible
17 dependent.

18 S 2. This act shall take effect immediately.

19 PART K

20 Intentionally Omitted

21 PART L

22 Intentionally Omitted

23 PART M

24 Section 1. Section 3 of chapter 674 of the laws of 1993, amending the
25 public buildings law relating to value limitations on contracts, as
26 amended by chapter 61 of the laws of 2013, is amended to read as
27 follows:

28 S 3. This act shall take effect immediately and shall remain in full
29 force and effect only until June 30, [2015] 2017.

30 S 2. Subdivision 2 of section 9 of the public buildings law, as
31 amended by chapter 84 of the laws of 2007, is amended to read as
32 follows:

33 2. Notwithstanding any other provision of this law or any general or
34 special law, where there is a construction emergency, as defined by
35 subdivision one of this section, the commissioner of general services
36 may, upon written notice of such construction emergency from an author-
37 ized officer of the department or agency having jurisdiction of the
38 property, let emergency contracts for public work or the purchase of
39 supplies, materials or equipment without complying with formal compet-
40 itive bidding requirements, provided that all such contracts shall be
41 subject to the approval of the attorney general and the comptroller and
42 that no such contract shall exceed [three] SIX hundred thousand dollars.
43 Such emergency contracts shall be let only for work necessary to remedy
44 or ameliorate a construction emergency.

45 S 3. This act shall take effect immediately; provided, however, that
46 the amendments to subdivision 2 of section 9 of the public buildings law
47 made by section two of this act shall not affect the expiration of such
48 subdivision and shall be deemed to expire therewith.

1

PART N

2 Section 1. The second undesignated paragraph of section 6 of the
3 public buildings law, as amended by chapter 237 of the laws of 1992, is
4 amended to read as follows:

5 Notwithstanding any inconsistent provisions of law, the commissioner
6 of general services may by rules delegate to the agency or department
7 having custody of any public building full responsibility for the prepa-
8 ration of plans and specifications and the supervision of minor, routine
9 or uncomplicated construction, reconstruction, alteration, improvement
10 or repair of any such building, providing the value of such work shall
11 not exceed ONE HUNDRED fifty thousand dollars.

12 S 2. This act shall take effect immediately.

13

PART O

14

Intentionally Omitted

15

PART P

16

Intentionally Omitted

17

PART R

18

Intentionally Omitted

19 S 2. Severability clause. If any clause, sentence, paragraph, subdivi-
20 sion, section or part of this act shall be adjudged by any court of
21 competent jurisdiction to be invalid, such judgment shall not affect,
22 impair, or invalidate the remainder thereof, but shall be confined in
23 its operation to the clause, sentence, paragraph, subdivision, section
24 or part thereof directly involved in the controversy in which such judg-
25 ment shall have been rendered. It is hereby declared to be the intent of
26 the legislature that this act would have been enacted even if such
27 invalid provisions had not been included herein.

28 S 3. This act shall take effect immediately provided, however, that
29 the applicable effective date of Parts A through R of this act shall be
30 as specifically set forth in the last section of such Parts.