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

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.

LBD12570-03-5

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:

Section 1. This act enacts into law major components of legislation which are necessary to implement the state fiscal plan for the 2015-2016 state fiscal year. Each component is wholly contained within a Part identified as Parts A through R. The effective date for each particular provision contained within such Part is set forth in the last section of such Part. Any provision in any section contained within a Part, including the effective date of the Part, which makes a reference to a section "of this act", when used in connection with that particular component, shall be deemed to mean and refer to the corresponding section of the Part in which it is found. Section three of this act sets forth the general effective date of this act.

PART A

Section 1. Section 259-r of the executive law is amended by adding two new subdivisions 10 and 11 to read as follows:

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

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

11. (A) AFTER THE COMMISSIONER HAS MADE A DETERMINATION TO GRANT MEDICAL PAROLE PURSUANT TO SUBDIVISION TEN OF THIS SECTION, THE COMMISSIONER SHALL NOTIFY THE CHAIRPERSON OF THE BOARD OF PAROLE, OR THEIR DESIGNEE WHO SHALL BE A MEMBER OF THE BOARD OF PAROLE, AND PROVIDE HIM OR HER WITH ALL RELEVANT RECORDS, FILES, INFORMATION AND DOCUMENTATION, WHICH INCLUDES BUT IS NOT LIMITED TO THE CRIMINAL HISTORY, MEDICAL DIAGNOSIS AND TREATMENT PERTAINING TO THE TERMINALLY ILL INMATE NO MORE THAN FIVE DAYS FROM THE DATE OF THE DETERMINATION. (B) THE CHAIRPERSON OR HIS OR HER DESIGNEE SHALL EITHER ACCEPT THE COMMISSIONER'S GRANT OF MEDICAL PAROLE, IN WHICH CASE THE INMATE MAY BE RELEASED BY THE COMMISSIONER, OR CONDUCT FURTHER REVIEW. THIS DECISION OR REVIEW SHALL BE MADE WITHIN FIVE DAYS OF THE RECEIPT OF THE RELEVANT RECORDS, FILES, INFORMATION AND DOCUMENTATION FROM THE COMMISSIONER. THE CHAIRPERSON'S FURTHER REVIEW MAY INCLUDE, BUT NOT BE LIMITED TO, AN APPEARANCE BY THE TERMINALLY ILL INMATE BEFORE THE CHAIRPERSON OR HIS OR HER DESIGNEE. (C) AFTER THIS FURTHER REVIEW, THE CHAIRPERSON SHALL EITHER ACCEPT THE COMMISSIONER'S GRANT OF MEDICAL PAROLE, IN WHICH CASE THE INMATE MAY BE RELEASED BY THE COMMISSIONER, OR THE CHAIRPERSON SHALL SCHEDULE AN APPEARANCE FOR THE TERMINALLY ILL INMATE BEFORE THE BOARD OF PAROLE.

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

S 2. This act shall take effect immediately.

PART B

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

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

S 2. Section 3 of 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, as amended by section 2 of part E of chapter 55 of the laws of 2013, is amended to read as follows:

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

S 3. Section 3 of 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, as amended by section 3 of part E of chapter 55 of the laws of 2013, is amended to read as follows:

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

S 4. Section 20 of 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, as amended by section 4 of part E of chapter 55 of the laws of 2013, is amended to read as follows:

S 20. This act shall take effect immediately except that section thirteen of this act shall expire and be of no further force or effect on and after September 1, [2015] 2017 and shall not apply to persons committed to the custody of the department after such date, and provided further that the commissioner of [correctional services] CORRECTIONS AND COMMUNITY SUPERVISION shall report each January first and July first during such time as the earned eligibility program 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 standards in effect for earned eligibility during the prior six-month period, the number of inmates subject to the provisions of earned eligibility, the number who actually received certificates of earned eligibility during that period of time, the number of inmates with certificates who are granted parole upon their first consideration for parole, the number with certificates who are denied parole upon their first consideration, and the number of individuals granted and denied parole who did not have earned eligibility certificates.

S 5. Subdivision (q) 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 5 of part E of chapter 55 of the laws of 2013, is amended to read as follows:

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

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

S 10. This act shall take effect 30 days after it shall have become a law and shall remain in effect until September 1, [2015] 2017, and provided further that the commissioner of correctional services shall report each January first, and July first, to the chairman 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 eligible inmates in each facility under the custody and control of the commissioner who have applied for participation in any program offered under the provisions of work release, furlough, or leave, and the number of such inmates who have been approved for participation.

S 7. Subdivision (c) of section 46 of 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, as amended by section 7 of part E of chapter 55 of the laws of 2013, is amended to read as follows:

(c) sections forty-one and forty-two of this act shall expire September 1, [2015] 2017; 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. 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 8 of part E of chapter 55 of the laws of 2013, 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, [2015] 2017, 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 9. Subdivision (c) of section 49 of subpart A of part C of 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, as amended by section 9 of part E of chapter 55 of the laws of 2013, is amended to read as follows:

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

S 10. 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 10 of part E of chapter 55 of the laws of 2013, is amended to read as follows:

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

S 11. Section 12 of 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, as amended by section 11 of part E of chapter 55 of the laws of 2013, is amended to read as follows:

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

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

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

revert to and be read as if this act had not been enacted; section three hundred fifty-eight of this act shall take effect immediately and shall expire June 30, 1998 and shall revert to and be read as if this act had not been enacted; section three hundred sixty-four through three hundred sixty-seven of this act shall apply to claims filed on or after such effective date; sections three hundred sixty-nine, three hundred seventy-two, three hundred seventy-three, three hundred seventy-four, three hundred seventy-five and three hundred seventy-six of this act shall remain in effect until September 1, [2015] 2017, at which time they shall be deemed repealed; provided, however, that the mandatory surcharge provided in section three hundred seventy-four of this act shall apply to parking violations occurring on or after said effective date; and provided further that the amendments made to section 235 of the vehicle and traffic law by section three hundred seventy-two of this act, the amendments made to section 1809 of the vehicle and traffic law by sections three hundred thirty-seven and three hundred thirty-eight of this act and the amendments made to section 215-a of the labor law by section three hundred seventy-five of this act shall expire on September 1, [2015] 2017 and upon such date the provisions of such subdivisions and sections shall revert to and be read as if the provisions of this act had not been enacted; the amendments to subdivisions 2 and 3 of section 400.05 of the penal law made by sections three hundred seventy-seven and three hundred seventy-eight of this act shall expire on July 1, 1992 and upon such date the provisions of such subdivisions shall revert and shall be read as if the provisions of this act had not been enacted; the state board of law examiners shall take such action as is necessary to assure that all applicants for examination for admission to practice as an attorney and counsellor at law shall pay the increased examination fee provided for by the amendment made to section 465 of the judiciary law by section three hundred eighty of this act for any examination 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 13. Subdivision 8 of section 1809 of the vehicle and traffic law, as amended by section 13 of part E of chapter 55 of the laws of 2013, 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 [fifteen] SEVENTEEN.

S 14. 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 14 of part E of chapter 55 of the laws of 2013, 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, [2015] 2017 when upon such date the provisions of this act shall be deemed repealed.

S 15. 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 15 of part E of chapter 55 of the laws of 2013, 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, [2015] 2017;

S 16. 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 16 of part E of chapter 55 of the laws of 2013, 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, [2015] 2017, when upon such date it shall expire.

S 17. 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 17 of part E of chapter 55 of the laws of 2013, 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, [2015] 2017.

S 18. 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 18 of part E of chapter 55 of the laws of 2013, 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, [2015] 2017, when upon such date the provisions of this act shall be deemed repealed.

S 19. Subdivision d of section 74 of chapter 3 of the laws of 1995, enacting the sentencing reform act of 1995, as amended by section 19 of part E of chapter 55 of the laws of 2013, 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, [2015] 2017;

S 20. 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 20 of part E of chapter 55 of the laws of 2013, 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, [2015] 2017 when upon such date the provisions of this act shall be deemed repealed.

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

S 3. This act shall take effect immediately, except that section one of this act shall take effect on the first of January next succeeding the date on which it shall have become a law, and shall remain in effect until the first of September, [2015] 2017, upon which date this act shall be deemed repealed and have no further force and effect; provided that section one of this act shall only take effect with respect to any compacting state which has enacted an interstate compact entitled "Interstate compact for adult offender supervision" and having an identical effect to that added by section one of this act and provided further that with respect to any such compacting state, upon the effective date of section one of this act, section 259-m of the executive law is hereby deemed REPEALED and section 259-mm of the executive law, as added by section one of this act, shall take effect; and provided further that with respect to any state which has not enacted an interstate compact entitled "Interstate compact for adult offender supervision" and having an identical effect to that added by section one of this act, section 259-m of the executive law shall take effect and the provisions of section one of this act, with respect to any such state, shall have no force or effect until such time as such state shall adopt an interstate compact entitled "Interstate compact for adult offender supervision" and having an identical effect to that added by section one of this act in which case, with respect to such state, effective immediately, section 259-m of the executive law is deemed repealed and section 259-mm of the executive law, as added by section one of this act, shall take effect.

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

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

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

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

S 24. 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 24 of part E of chapter 55 of the laws of 2013, 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, [2015] 2017, 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 25. 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, section 1 as amended by section 1 of part B of chapter 57 of the laws of 2011 and section 2 as amended by section 1 of part C of chapter 55 of the laws of 2014, 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. 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, 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 county in equal amounts within thirty days of receipt, where disposition of such monies is not otherwise prescribed by law. Monies distributed to a county district attorney's office pursuant to this section shall be used to enhance law enforcement efforts. BEGINNING ON DECEMBER 1, 2015, AND ON EACH DECEMBER 1 THEREAFTER, EVERY DISTRICT ATTORNEY SHALL PROVIDE THE GOVERNOR, TEMPORARY PRESIDENT OF THE SENATE AND SPEAKER OF THE ASSEMBLY WITH AN ANNUAL REPORT DETAILING THE TOTAL AMOUNT OF MONIES RECEIVED AS DESCRIBED HEREIN BY HIS OR HER OFFICE AND A DESCRIPTION OF HOW AND WHERE SUCH FUNDS WERE DISTRIBUTED BY HIS OR HER OFFICE BUT SHALL NOT INCLUDE A DESCRIPTION OF THE DISTRIBUTION OF MONIES WHERE THE DISCLOSURE OF SUCH INFORMATION WOULD INTERFERE WITH A LAW ENFORCEMENT INVESTIGATION OR A JUDICIAL PROCEEDING.

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

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

PART C

Section 1. Employees of the division of state police in the unclassified service of the state, who are substantially engaged in the performance of duties to support business and financial services, administrative services, payroll administration, time and attendance, benefit administration, and other transactional human resources functions, may be transferred to the office of general services in accordance with the provisions of section 45 of the civil service law as if the state had taken over a private entity. No employee who is transferred pursuant to this act shall suffer a reduction in basic annual salary as a result of the transfer.

S 2. This act shall take effect immediately.

PART D

Section 1. Paragraph (c) of subdivision 1 of section 13-c of the workers' compensation law is REPEALED.

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

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

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

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

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

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

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

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

(e) A provider initiating an arbitration, including a single arbitrator process, pursuant to this section shall NOT pay a fee[, as determined by regulations promulgated by the chair, to be used] to cover the costs related to the conduct of such arbitration. [Upon resolution in favor of such party, the amount due, based upon the bill in dispute, shall be increased by the amount of the fee paid by such party. Where a partial award is made, the amount due, based upon the bill in dispute, shall be increased by a part of such fee.]

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

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

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

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

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

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

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

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

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

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

PART E

Intentionally Omitted

PART F

Intentionally Omitted

PART G

Intentionally Omitted

PART H

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

(4) EFFECTIVE JULY FIRST, TWO THOUSAND FIFTEEN:

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

(5) EFFECTIVE APRIL FIRST, TWO THOUSAND SIXTEEN:

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

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

(6) EFFECTIVE APRIL FIRST, TWO THOUSAND SEVENTEEN:

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

(7) EFFECTIVE APRIL FIRST, TWO THOUSAND EIGHTEEN:

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

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

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

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

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

Effective April first, two thousand eleven:

Hiring Rate	Job Rate
$105,913	$144,535

Effective April first, two thousand fourteen:

Hiring Rate	Job Rate
$108,031	$147,426

Effective April first, two thousand fifteen:

Hiring Rate	Job Rate
$110,192	$150,375

EFFECTIVE JULY FIRST, TWO THOUSAND FIFTEEN:

HIRING RATE	JOB RATE
$112,396	$153,383

EFFECTIVE APRIL FIRST, TWO THOUSAND SIXTEEN:

HIRING RATE	JOB RATE
$114,644	$156,451

EFFECTIVE APRIL FIRST, TWO THOUSAND SEVENTEEN:

HIRING RATE	JOB RATE
$116,937	$159,580

EFFECTIVE APRIL FIRST, TWO THOUSAND EIGHTEEN:

HIRING RATE	JOB RATE
$118,106	$161,176

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

Effective April first, two thousand eleven:

Hiring Rate	Job Rate
$82,363	$104,081

Effective April first, two thousand fourteen:

Hiring Rate	Job Rate
$84,010	$106,163

Effective April first, two thousand fifteen:

Hiring Rate	Job Rate
$85,690	$108,286

EFFECTIVE JULY FIRST, TWO THOUSAND FIFTEEN:

HIRING RATE	JOB RATE
$87,404	$110,452

EFFECTIVE APRIL FIRST, TWO THOUSAND SIXTEEN:

HIRING RATE	JOB RATE
$89,152	$112,661

EFFECTIVE APRIL FIRST, TWO THOUSAND SEVENTEEN:

HIRING RATE	JOB RATE
$90,935	$114,914

EFFECTIVE APRIL FIRST, TWO THOUSAND EIGHTEEN:

HIRING RATE	JOB RATE
$91,844	$116,063

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

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

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

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

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

(e) officers and employees whose salaries are provided for by paragraph (a) of subdivision 1 of section 215 of the executive law.

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

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

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

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

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

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

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

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

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

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

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

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

(d) those officers or employees in subdivision 1 of this section who, upon promotion or appointment to a position covered by this act that is designated managerial or confidential, or one otherwise excluded from representation under article 14 of the civil service law, were in a position or are newly appointed to a position in a collective negotiating unit established pursuant to article 14 of the civil service law and whose salary, immediately prior to implementation of the applicable salary schedule in accordance with the respective effective dates provided in section one of this act, is at or above the job rate of their respective salary grade or equated salary grade of the salary schedule that would be implemented on the respective effective dates pursuant to section one of this act. Notwithstanding the preceding, an officer's or employee's salary shall be increased, in whole or in part, by the salary increases provided by this act, where such increase causes that officer's or employee's salary to be equal to the job rate of the respective salary grade or equated salary grade of the salary schedule that would be implemented on the respective effective dates provided pursuant to section one of this act; however, in no event shall the salary increases provided by this act cause an officer's or employee's salary to exceed the job rate of the applicable salary schedule. Any officer or employee who does not receive a parity increase or who receives a partial parity increase pursuant to this subdivision shall be advised in writing by their employing state agency two weeks prior to the respective pay check dates implementing the applicable salary schedules in accordance with the respective effective dates provided in section one of this act. The formal grievance process provided in the Official Compilation of Codes, Rules and Regulations of the State of New York, Title 9, Part 560, "Submission and Settlement of Grievances of State Employees," shall commence on the respective pay check dates implementing the applicable salary schedules in accordance with section one of this act.

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

7. In order to provide performance advancements, merit awards, longevity payments, in lieu payments and special achievement awards for the officers and employees to whom this section applies who are not allocated to salary grades in proportion to those provided to persons to whom this section applies who are allocated to salary grades, the director of the budget is authorized to add appropriate adjustments to the compensation that such officers and employees are otherwise entitled to receive. The director of the budget shall amend each agency's personal service certificate to reflect the increases made pursuant to the provisions of this subdivision, and the updated certificate will continue to be available to the state comptroller, the department of civil service, the chairman of the senate finance committee and the chairman of the assembly ways and means committee.

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

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

10. Compensation for certain state employees in the state university and certain employees of contract colleges at Cornell and Alfred universities.

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

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

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

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

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

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

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

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

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

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

S 7. 1. Notwithstanding the provisions of any other section of this act or any other provision of law to the contrary, any increase in compensation, provided: (a) in this act, or (b) as a result of a promotion, appointment, or advancement to a position in a higher salary grade, or (c) pursuant to paragraph (c) of subdivision 6 of section 131 of the civil service law, or (d) pursuant to paragraph (b) of subdivision 8 of section 130 of the civil service law, or (e) pursuant to paragraph (a) of subdivision 3 of section 13 of chapter 732 of the laws of 1988, as amended, may be withheld in whole or in part from any officer or employee when, in the opinion of the director of the budget, such withholding is necessary to reflect the job performance of such officer or employee, or to maintain appropriate salary relationships among officers or employees of the state, or to reduce state expenditures to acceptable levels or when, in the opinion of the director of the budget, such increase is not warranted or is not appropriate. The exclusion contained in paragraph (d) of subdivision five of section three of this act shall not apply where the Director of the Budget determines that an employee's salary does not properly reflect the effect of the three percent general salary increase effective April 1, 2009 or the four percent general salary increase effective April 1, 2010 and exclusion of such increase would result in an inequity as compared to similarly situated employees.

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

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

PART I

Intentionally Omitted

PART J

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

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

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

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

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

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

S 2. This act shall take effect immediately.

PART K

Intentionally Omitted

PART L

Intentionally Omitted

PART M

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

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

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

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

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

PART N

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

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

S 2. This act shall take effect immediately.

PART O

Intentionally Omitted

PART P

Intentionally Omitted

PART R

Intentionally Omitted

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

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