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

S. 6406--C  A. 9006--C

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

January 14, 2016

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

AN ACT to amend the education law, in relation to contracts for excellence and the apportionment of public moneys; to amend the education law, in relation to the gap elimination adjustment; to amend the education law, in relation to the apportionment of public moneys in school districts employing eight or more teachers including foundation aid; to amend the education law, in relation to community school aid; to amend the education law, in relation to English language learner pupils; relates to pre-kindergarten programs; to amend the education law, in relation to charter school facilities aid; to amend the education law, in relation to the statewide universal full-day pre-kindergarten program; to amend the education law, in relation to building aid; to amend chapter 552 of the laws of 1995, amending the education law relating to contracts for the transportation of school children, in relation to the effectiveness thereof; to amend chapter 756 of the laws of 1992, relating to funding a program for work force education conducted by the consortium for worker education in New York city, in relation to reimbursements for the 2015-2016 school year; to amend chapter 756 of the laws of 1992, relating to funding a program for work force education conducted by the consortium for worker education in New York city, in relation to withholding a portion of employment

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

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preparation education aid and in relation to the effectiveness thereof; to amend the state finance law, in relation to the New York state teen health education fund; to amend chapter 169 of the laws of 1994, relating to certain provisions related to the 1994-95 state operations, aid to localities, capital projects and debt service budgets, in relation to the effectiveness thereof; to amend chapter 82 of the laws of 1995, amending the education law and other laws relating to state aid to school districts and the appropriation of funds for the support of government, in relation to the effectiveness thereof; to amend chapter 147 of the laws of 2001, amending the education law relating to conditional appointment of school district, charter school or BOCES employees, in relation to the effectiveness thereof; to amend chapter 425 of the laws of 2002, amending the education law relating to the provision of supplemental educational services, attendance at a safe public school and the suspension of pupils who bring a firearm to or possess a firearm at a school, in relation to the effectiveness thereof; to amend chapter 101 of the laws of 2003, amending the education law relating to implementation of the No Child Left Behind Act of 2001, in relation to the effectiveness thereof; relates to school bus driver training; relates to special apportionment for salary expenses and public pension accruals; relates to suballocations of appropriations; relates to the development, maintenance or expansion of magnet schools; relates to the support of public libraries; to amend chapter 121 of the laws of 1996 relating to authorizing the Roosevelt union free school district to finance deficits by the issuance of serial bonds, in relation to certain apportionments; to amend the education law, in relation to aid for employment preparation education programs; to direct the commissioner of education to examine the reduced price lunch program; to amend the education law, in relation to extending the apportionment of public moneys to school districts employing eight or more teachers; and to direct the commissioner of education on how to recover certain penalties (Part A); to amend the education law, in relation to school emergency response plans (Part B); intentionally omitted (Part C); to amend the education law, in relation to the NY-SUNY 2020 challenge grant program act; and to amend chapter 260 of the laws of 2011, amending the education law and the New York state urban development corporation act relating to establishing components of the NY 2020 challenge grant program, in relation to the effectiveness thereof (Part D); to amend the state finance law, in relation to the creation of the SUNY Stony Brook Affiliation escrow fund (Part E); intentionally omitted (Part F); to amend chapter 161 of the laws of 2005 amending the education law relating to the New York state licensed social worker loan forgiveness program, in relation to the effectiveness thereof; to amend part V of chapter 57 of the laws of 2005 amending the education law relating to the New York state nursing faculty loan forgiveness incentive program and the New York state nursing faculty scholarship program, in relation to the effectiveness thereof; to amend chapter 31 of the laws of 1985 amending the education law relating to regents scholarships in certain professions, in relation to the effectiveness thereof; and to amend the education law, in relation to forgiving loans upon the death of the recipient (Part G); intentionally omitted (Part H); intentionally omitted (Part I); intentionally omitted (Part J); to amend the labor law, in relation to the rate of minimum wage; and to repeal certain provisions of such law relating thereto (Part K); intentionally omitted (Part L); to amend the family court act, in relation to findings that must be made at

permanency hearings, and to amend the social services law, in relation to guardianship expenses, the reasonable and prudent parent standard and the criminal history of prospective foster and adoptive parents (Part M); intentionally omitted (Part N); to amend the social services law, in relation to increasing the standards of monthly need for aged, blind and disabled persons living in the community (Part O); to utilize reserves in the mortgage insurance fund for various housing purposes (Part P); to amend part D of chapter 58 of the laws of 2011 amending the education law relating to capital facilities in support of the state university and community colleges, procurement and the state university health care facilities, in relation to the effectiveness thereof (Part Q); to amend the education law, in relation to income for the purposes of student financial aid (Part R); to amend part K of chapter 58 of the laws of 2010 amending the social services law relating to establishing the savings plan demonstration project, in relation to extending the period of effectiveness thereof (Part S); to amend the education law, in relation to associate of occupational studies degree options (Part T); to amend the education law, in relation to the foster youth college success initiative (Part U); to amend the education law, in relation to tuition, aid and placement report for all non-public institutions of higher education (Part V); to amend the social services law, in relation to the powers and duties of the commissioner of social services relating to the appointment of a temporary operator; and providing for the repeal of such provisions upon expiration thereof (Part W); to amend the social services law, in relation to exempting certain automobiles from calculations of benefits of households under public assistance programs (Part X); to amend the social services law, in relation to requiring an explicit written determination by the health care practitioner when the diagnoses differ from an applicant's treating health care practitioner (Part Y); to amend the retirement and social security law, in relation to authorizing the state as an amortizing employer to make certain prepayments into the retirement system (Part Z); to amend chapter 495 of the laws of 2004 amending the insurance law and the public health law relating to the New York state health insurance continuation assistance demonstration project, in relation to the effectiveness thereof (Part AA); to amend the insurance law, in relation to reduction in rates of property/casualty insurance on residential property for insureds who complete an approved homeowner natural disaster preparedness, home safety and loss prevention course (Part BB); to amend the banking law, in relation to utilization of the standard financial aid award letter for undergraduate financial aid applicants (Part CC); to amend the education law, in relation to chargeback rates for students of the state university of New York and the city university of New York (Part DD); to amend part U of chapter 55 of the laws of 2014, amending the real property tax law relating to the tax abatement and exemption for rent regulated and rent controlled property occupied by senior citizens, in relation to extending the effectiveness thereof and limiting state liability for reimbursement to the city of New York pursuant thereto; and to amend section 4 of chapter 129 of the laws of 2014, amending the real property tax law relating to the tax abatement and exemption for rent regulated and rent controlled property occupied by persons with disabilities, in relation to extending the effectiveness thereof (Part EE); authorizing the town of Riverhead, county of Suffolk to refund bonds previously issued for the acquisition of land for permanent rights on land (Part FF); to

amend the volunteer firefighters' benefit law, in relation to increasing the amount of permanent total disability benefits (Part GG); to amend the transportation law, in relation to airport improvement and revitalization grants and loans (Part HH); to amend part C of chapter 58 of the laws of 2005 authorizing reimbursements for expenditures made by or on behalf of social services districts for medical assistance for needy persons and administration thereof, in relation to authorizing the commissioner of health to establish a statewide Medicaid integrity and efficiency initiative; and providing for the repeal of such provisions upon expiration thereof (Part II); to amend part H of chapter 59 of the laws of 2011, amending the public health law and other laws relating to known and projected department of health state fund Medicaid expenditures, in relation to minimum wage increases (Part JJ); to amend the administrative code of the city of New York, in relation to police department reporting requirements (Part KK); to amend the state finance law, in relation to establishing the Health Republic Insurance of New York fund (Part LL); to amend the executive law, in relation to transferring certain functions to the division of state police from the division of homeland security and emergency services (Part MM); to amend public authorities law, in relation to committing the state of New York and the city of New York to partially fund part of the costs of the Metropolitan Transportation Authority's capital program (Part NN); to amend the public authorities law, in relation to procurements by the New York City transit authority and the metropolitan transportation authority; and providing for the repeal of such provisions upon expiration thereof (Part OO); to amend the public authorities law and the general municipal law, in relation to the New York transit authority and the metropolitan transportation authority; and providing for the repeal of certain provisions upon expiration thereof (Part PP); to amend chapter 60 of the laws of 2011, amending the New York state urban development corporation act relating to the new markets tax credits, in relation to extending the effectiveness thereof (Part QQ); to amend the public authorities law, in relation to establishing the New York state design and construction corporation act; and providing for the repeal of such provisions upon expiration thereof (Part RR); to amend the workers' compensation law and the insurance law, in relation to providing paid family leave benefits (Part SS); to amend the public authorities law, the canal law, the state finance law, the public officers law, the transportation law, and the parks, recreation and historic preservation law, in relation to eliminating the canal corporation; and to repeal certain provisions of the public authorities law and the public officers law relating thereto (Part TT); and to provide for the administration of certain funds and accounts related to the 2016-17 budget, authorizing certain payments and transfers; to amend the state finance law, in relation to the rainy day reserve fund, the dedicated infrastructure investment fund infrastructure investment account, and the school tax relief fund; to amend the state finance law, in relation to payments, transfers and deposits; to amend the state finance law, in relation to the period for which appropriations can be made; to amend the state finance law, in relation to certain reports; to amend chapter 453 of the laws of 2015 amending the state finance law relating to tax check-off fund, in relation to source of monies; to amend the New York state urban development corporation act, in relation to funding project costs for certain capital projects; to amend chapter 389 of the laws of 1997, relating to the financing of the correctional facilities

improvement fund and the youth facility improvement fund, in relation to the issuance of bonds; to amend the private housing finance law, in relation to housing program bonds and notes; to amend chapter 329 of the laws of 1991, amending the state finance law and other laws relating to the establishment of the dedicated highway and bridge trust fund, in relation to the issuance of bonds; to amend the public authorities law, in relation to the issuance of bonds; to amend the public authorities law, in relation to the dormitory authority; to amend chapter 61 of the laws of 2005 relating to providing for the administration of certain funds and accounts related to the 2005-2006 budget, in relation to issuance of bonds by the urban development corporation; to amend the New York state urban development corporation act, in relation to the issuance of bonds; to amend the public authorities law, in relation to the state environmental infrastructure projects; to amend the New York state urban development corporation act, in relation to authorizing the urban development corporation to issue bonds to fund project costs for the implementation of a NY-CUNY challenge grant program; to amend chapter 81 of the laws of 2002, relating to providing for the administration of certain funds and accounts related to the 2002-2003 budget, in relation to increasing the aggregate amount of bonds to be issued by the New York state urban development corporation; to amend the public authorities law, in relation to financing of peace bridge and transportation capital projects; to amend the public authorities law, in relation to dormitories at certain educational institutions other than state operated institutions and statutory or contract colleges under the jurisdiction of the state university of New York; to amend the New York state medical care facilities finance agency act, in relation to bonds and mental health facilities improvement notes; to amend chapter 63 of the laws of 2005, relating to the composition and responsibilities of the New York state higher education capital matching grant board, in relation to increasing the amount of authorized matching capital grants; to direct the distribution of local sales tax revenue from the city of New York; to amend the public authorities law, in relation to cultural education facilities; to amend chapter 35 of the laws of 1979 relating to appropriating funds to the New York state urban development corporation, in relation to making technical corrections; and providing for the repeal of certain provisions upon expiration thereof (Part UU)

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 2016-2017
3 state fiscal year. Each component is wholly contained within a Part
4 identified as Parts A through UU. 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.

PART A

Section 1. Paragraph e of subdivision 1 of section 211-d of the education law, as amended by section 1 of part A of chapter 56 of the laws of 2015, is amended to read as follows:

e. Notwithstanding paragraphs a and b of this subdivision, a school district that submitted a contract for excellence for the two thousand eight--two thousand nine school year shall submit a contract for excellence for the two thousand nine--two thousand ten school year in conformity with the requirements of subparagraph (vi) of paragraph a of subdivision two of this section unless all schools in the district are identified as in good standing and provided further that, a school district that submitted a contract for excellence for the two thousand nine--two thousand ten school year, unless all schools in the district are identified as in good standing, shall submit a contract for excellence for the two thousand eleven--two thousand twelve school year which shall, notwithstanding the requirements of subparagraph (vi) of paragraph a of subdivision two of this section, provide for the expenditure of an amount which shall be not less than the product of the amount approved by the commissioner in the contract for excellence for the two thousand nine--two thousand ten school year, multiplied by the district's gap elimination adjustment percentage and provided further that, a school district that submitted a contract for excellence for the two thousand eleven--two thousand twelve school year, unless all schools in the district are identified as in good standing, shall submit a contract for excellence for the two thousand twelve--two thousand thirteen school year which shall, notwithstanding the requirements of subparagraph (vi) of paragraph a of subdivision two of this section, provide for the expenditure of an amount which shall be not less than the amount approved by the commissioner in the contract for excellence for the two thousand eleven--two thousand twelve school year and provided further that, a school district that submitted a contract for excellence for the two thousand twelve--two thousand thirteen school year, unless all schools in the district are identified as in good standing, shall submit a contract for excellence for the two thousand thirteen--two thousand fourteen school year which shall, notwithstanding the requirements of subparagraph (vi) of paragraph a of subdivision two of this section, provide for the expenditure of an amount which shall be not less than the amount approved by the commissioner in the contract for excellence for the two thousand twelve--two thousand thirteen school year and provided further that, a school district that submitted a contract for excellence for the two thousand thirteen--two thousand fourteen school year, unless all schools in the district are identified as in good standing, shall submit a contract for excellence for the two thousand fourteen--two thousand fifteen school year which shall, notwithstanding the requirements of subparagraph (vi) of paragraph a of subdivision two of this section, provide for the expenditure of an amount which shall be not less than the amount approved by the commissioner in the contract for excellence for the two thousand thirteen--two thousand fourteen school year; and provided further that, a school district that submitted a contract for excellence for the two thousand fourteen--two thousand fifteen school year, unless all schools in the district are identified as in good standing, shall submit a contract for excellence for the two thousand fifteen--two thousand sixteen school year which shall, notwithstanding the requirements of subparagraph (vi) of paragraph a of subdivision two of this section, provide for the

expenditure of an amount which shall be not less than the amount approved by the commissioner in the contract for excellence for the two thousand fourteen--two thousand fifteen school year; AND PROVIDED FURTHER THAT A SCHOOL DISTRICT THAT SUBMITTED A CONTRACT FOR EXCELLENCE FOR THE TWO THOUSAND FIFTEEN--TWO THOUSAND SIXTEEN SCHOOL YEAR, UNLESS ALL SCHOOLS IN THE DISTRICT ARE IDENTIFIED AS IN GOOD STANDING, SHALL SUBMIT A CONTRACT FOR EXCELLENCE FOR THE TWO THOUSAND SIXTEEN--TWO THOUSAND SEVENTEEN SCHOOL YEAR WHICH SHALL, NOTWITHSTANDING THE REQUIREMENTS OF SUBPARAGRAPH (VI) OF PARAGRAPH A OF SUBDIVISION TWO OF THIS SECTION, PROVIDE FOR THE EXPENDITURE OF AN AMOUNT WHICH SHALL BE NOT LESS THAN THE AMOUNT APPROVED BY THE COMMISSIONER IN THE CONTRACT FOR EXCELLENCE FOR THE TWO THOUSAND FIFTEEN--TWO THOUSAND SIXTEEN SCHOOL YEAR. For purposes of this paragraph, the "gap elimination adjustment percentage" shall be calculated as the sum of one minus the quotient of the sum of the school district's net gap elimination adjustment for two thousand ten--two thousand eleven computed pursuant to chapter fifty-three of the laws of two thousand ten, making appropriations for the support of government, plus the school district's gap elimination adjustment for two thousand eleven--two thousand twelve as computed pursuant to chapter fifty-three of the laws of two thousand eleven, making appropriations for the support of the local assistance budget, including support for general support for public schools, divided by the total aid for adjustment computed pursuant to chapter fifty-three of the laws of two thousand eleven, making appropriations for the local assistance budget, including support for general support for public schools. Provided, further, that such amount shall be expended to support and maintain allowable programs and activities approved in the two thousand nine--two thousand ten school year or to support new or expanded allowable programs and activities in the current year.

S 2. The closing paragraph of subdivision 5-a of section 3602 of the education law, as amended by section 2 of part A of chapter 56 of the laws of 2015, is amended to read as follows:

For the two thousand eight--two thousand nine school year, each school district shall be entitled to an apportionment equal to the product of fifteen percent and the additional apportionment computed pursuant to this subdivision for the two thousand seven--two thousand eight school year. For the two thousand nine--two thousand ten through two thousand [fifteen] SIXTEEN--two thousand [sixteen] SEVENTEEN school years, each school district shall be entitled to an apportionment equal to the amount set forth for such school district as "SUPPLEMENTAL PUB EXCESS COST" under the heading "2008-09 BASE YEAR AIDS" in the school aid computer listing produced by the commissioner in support of the budget for the two thousand nine--two thousand ten school year and entitled "SA0910".

S 3. Subdivision 12 of section 3602 of the education law is amended by adding a fourth undesignated paragraph to read as follows:

FOR THE TWO THOUSAND SIXTEEN--TWO THOUSAND SEVENTEEN SCHOOL YEAR, EACH SCHOOL DISTRICT SHALL BE ENTITLED TO AN APPORTIONMENT EQUAL TO THE AMOUNT SET FORTH FOR SUCH SCHOOL DISTRICT AS "ACADEMIC ENHANCEMENT" UNDER THE HEADING "2015-16 ESTIMATED AIDS" IN THE SCHOOL AID COMPUTER LISTING PRODUCED BY THE COMMISSIONER IN SUPPORT OF THE BUDGET FOR THE TWO THOUSAND FIFTEEN--TWO THOUSAND SIXTEEN SCHOOL YEAR AND ENTITLED "SA151-6", AND SUCH APPORTIONMENT SHALL BE DEEMED TO SATISFY THE STATE OBLIGATION TO PROVIDE AN APPORTIONMENT PURSUANT TO SUBDIVISION EIGHT OF SECTION THIRTY-SIX HUNDRED FORTY-ONE OF THIS ARTICLE.

S 4. The opening paragraph of subdivision 16 of section 3602 of the education law, as amended by section 4 of part A of chapter 56 of the laws of 2015, is amended to read as follows:

Each school district shall be eligible to receive a high tax aid apportionment in the two thousand eight--two thousand nine school year, which shall equal the greater of (i) the sum of the tier 1 high tax aid apportionment, the tier 2 high tax aid apportionment and the tier 3 high tax aid apportionment or (ii) the product of the apportionment received by the school district pursuant to this subdivision in the two thousand seven--two thousand eight school year, multiplied by the due-minimum factor, which shall equal, for districts with an alternate pupil wealth ratio computed pursuant to paragraph b of subdivision three of this section that is less than two, seventy percent (0.70), and for all other districts, fifty percent (0.50). Each school district shall be eligible to receive a high tax aid apportionment in the two thousand nine--two thousand ten through two thousand twelve--two thousand thirteen school years in the amount set forth for such school district as "HIGH TAX AID" under the heading "2008-09 BASE YEAR AIDS" in the school aid computer listing produced by the commissioner in support of the budget for the two thousand nine--two thousand ten school year and entitled "SA0910". Each school district shall be eligible to receive a high tax aid apportionment in the two thousand thirteen--two thousand fourteen through [two thousand fifteen--two thousand sixteen] TWO THOUSAND SIXTEEN--TWO THOUSAND SEVENTEEN school years equal to the greater of (1) the amount set forth for such school district as "HIGH TAX AID" under the heading "2008-09 BASE YEAR AIDS" in the school aid computer listing produced by the commissioner in support of the budget for the two thousand nine--two thousand ten school year and entitled "SA0910" or (2) the amount set forth for such school district as "HIGH TAX AID" under the heading "2013-14 ESTIMATED AIDS" in the school aid computer listing produced by the commissioner in support of the executive budget for the 2013-14 fiscal year and entitled "BT131-4".

S 5. The opening paragraph of subdivision 10 of section 3602-e of the education law, as amended by section 5 of part A of chapter 56 of the laws of 2015, is amended to read as follows:

Notwithstanding any provision of law to the contrary, for aid payable in the two thousand eight--two thousand nine school year, the grant to each eligible school district for universal prekindergarten aid shall be computed pursuant to this subdivision, and for the two thousand nine--two thousand ten and two thousand ten--two thousand eleven school years, each school district shall be eligible for a maximum grant equal to the amount computed for such school district for the base year in the electronic data file produced by the commissioner in support of the two thousand nine--two thousand ten education, labor and family assistance budget, provided, however, that in the case of a district implementing programs for the first time or implementing expansion programs in the two thousand eight--two thousand nine school year where such programs operate for a minimum of ninety days in any one school year as provided in section 151-1.4 of the regulations of the commissioner, for the two thousand nine--two thousand ten and two thousand ten--two thousand eleven school years, such school district shall be eligible for a maximum grant equal to the amount computed pursuant to paragraph a of subdivision nine of this section in the two thousand eight--two thousand nine school year, and for the two thousand eleven--two thousand twelve school year each school district shall be eligible for a maximum grant equal to the amount set forth for such school district as "UNIVERSAL PREKINDER-

GARTEN" under the heading "2011-12 ESTIMATED AIDS" in the school aid computer listing produced by the commissioner in support of the enacted budget for the 2011-12 school year and entitled "SA111-2", and for two thousand twelve--two thousand thirteen through two thousand [fifteen] SIXTEEN--two thousand [sixteen] SEVENTEEN school years each school district shall be eligible for a maximum grant equal to the greater of (i) the amount set forth for such school district as "UNIVERSAL PREKINDERGARTEN" under the heading "2010-11 BASE YEAR AIDS" in the school aid computer listing produced by the commissioner in support of the enacted budget for the 2011-12 school year and entitled "SA111-2", or (ii) the amount set forth for such school district as "UNIVERSAL PREKINDERGARTEN" under the heading "2010-11 BASE YEAR AIDS" in the school aid computer listing produced by the commissioner on May fifteenth, two thousand eleven pursuant to paragraph b of subdivision twenty-one of section three hundred five of this chapter, and provided further that the maximum grant shall not exceed the total actual grant expenditures incurred by the school district in the current school year as approved by the commissioner.

S 6. Paragraph h of subdivision 17 of section 3602 of the education law, as added by section 5-b of part A of chapter 56 of the laws of 2015, is amended to read as follows:

h. The gap elimination adjustment [restoration amount] for the two thousand sixteen--two thousand seventeen school year and thereafter shall equal [the product of the gap elimination percentage for such district and the gap elimination adjustment restoration allocation established pursuant to subdivision eighteen of this section] ZERO.

S 7. The opening paragraph, subparagraph 1 of paragraph a, clause (ii) of subparagraph 2 of paragraph b and paragraph d of subdivision 4 of section 3602 of the education law, as amended by section 5-a of part A of chapter 56 of the laws of 2015, are amended and a new paragraph b-2 is added to read as follows:

In addition to any other apportionment pursuant to this chapter, a school district, other than a special act school district as defined in subdivision eight of section four thousand one of this chapter, shall be eligible for total foundation aid equal to the product of total aidable foundation pupil units multiplied by the district's selected foundation aid, which shall be the greater of five hundred dollars ($500) or foundation formula aid, provided, however that for the two thousand seven--two thousand eight through two thousand eight--two thousand nine school years, no school district shall receive total foundation aid in excess of the sum of the total foundation aid base for aid payable in the two thousand seven--two thousand eight school year computed pursuant to subparagraph (i) of paragraph j of subdivision one of this section, plus the phase-in foundation increase computed pursuant to paragraph b of this subdivision, and provided further that for the two thousand twelve--two thousand thirteen school year, no school district shall receive total foundation aid in excess of the sum of the total foundation aid base for aid payable in the two thousand eleven--two thousand twelve school year computed pursuant to SUBPARAGRAPH (II) OF paragraph j of subdivision one of this section, plus the phase-in foundation increase computed pursuant to paragraph b of this subdivision, and provided further that for the two thousand thirteen--two thousand fourteen school year and thereafter, no school district shall receive total foundation aid in excess of the sum of the total foundation aid base computed pursuant to SUBPARAGRAPH (II) OF paragraph j of subdivision one of this section, plus the phase-in foundation increase computed pursuant to

paragraph b of this subdivision, AND PROVIDED FURTHER THAT FOR THE TWO THOUSAND SIXTEEN--TWO THOUSAND SEVENTEEN SCHOOL YEAR, NO ELIGIBLE SCHOOL DISTRICTS SHALL RECEIVE TOTAL FOUNDATION AID IN EXCESS OF THE SUM OF THE TOTAL FOUNDATION AID BASE COMPUTED PURSUANT TO SUBPARAGRAPH (II) OF PARAGRAPH J OF SUBDIVISION ONE OF THIS SECTION PLUS THE SUM OF (A) THE PHASE-IN FOUNDATION INCREASE, (B) THE EXECUTIVE FOUNDATION INCREASE WITH A MINIMUM INCREASE PURSUANT TO PARAGRAPH B-2 OF THIS SUBDIVISION, AND (C) AN AMOUNT EQUAL TO "COMMUNITY SCHOOLS AID" IN THE COMPUTER LISTING PRODUCED BY THE COMMISSIONER IN SUPPORT OF THE EXECUTIVE BUDGET REQUEST FOR THE TWO THOUSAND SIXTEEN--TWO THOUSAND SEVENTEEN SCHOOL YEAR AND ENTITLED "BT161-7", WHERE (1) "ELIGIBLE SCHOOL DISTRICT" SHALL BE DEFINED AS A DISTRICT WITH (A) AN UNRESTRICTED AID INCREASE OF LESS THAN SEVEN PERCENT (0.07) AND (B) A THREE YEAR AVERAGE FREE AND REDUCED PRICE LUNCH PERCENT GREATER THAN FIFTEEN PERCENT (0.15), AND (2) "UNRESTRICTED AID INCREASE" SHALL MEAN THE QUOTIENT ARRIVED AT WHEN DIVIDING (A) THE SUM OF THE EXECUTIVE FOUNDATION AID INCREASE PLUS THE GAP ELIMINATION ADJUSTMENT FOR THE BASE YEAR, BY (B) THE DIFFERENCE OF FOUNDATION AID FOR THE BASE YEAR LESS THE GAP ELIMINATION ADJUSTMENT FOR THE BASE YEAR, AND (3) "EXECUTIVE FOUNDATION INCREASE" SHALL MEAN THE DIFFERENCE OF (A) THE AMOUNTS SET FORTH FOR EACH SCHOOL DISTRICT AS "FOUNDATION AID" UNDER THE HEADING "2016-17 ESTIMATED AIDS" IN THE SCHOOL AID COMPUTER LISTING PRODUCED BY THE COMMISSIONER IN SUPPORT OF THE EXECUTIVE BUDGET REQUEST FOR THE TWO THOUSAND SIXTEEN--TWO THOUSAND SEVENTEEN SCHOOL YEAR AND ENTITLED "BT161-7" LESS (B) THE AMOUNTS SET FORTH FOR EACH SCHOOL DISTRICT AS "FOUNDATION AID" UNDER THE HEADING "2015-16 BASE YEAR AIDS" IN SUCH COMPUTER LISTING and provided further that total foundation aid shall not be less than the product of the total foundation aid base computed pursuant to paragraph j of subdivision one of this section and the due-minimum percent which shall be, for the two thousand twelve--two thousand thirteen school year, one hundred and six-tenths percent (1.006) and for the two thousand thirteen--two thousand fourteen school year for city school districts of those cities having populations in excess of one hundred twenty-five thousand and less than one million inhabitants one hundred and one and one hundred and seventy-six thousandths percent (1.01176), and for all other districts one hundred and three-tenths percent (1.003), and for the two thousand fourteen--two thousand fifteen school year one hundred and eighty-five hundredths percent (1.0085), and for the two thousand fifteen--two thousand sixteen school year, one hundred thirty-seven hundredths percent (1.0037), subject to allocation pursuant to the provisions of subdivision eighteen of this section and any provisions of a chapter of the laws of New York as described therein, nor more than the product of such total foundation aid base and one hundred fifteen percent, PROVIDED, HOWEVER, THAT FOR THE TWO THOUSAND SIXTEEN--TWO THOUSAND SEVENTEEN SCHOOL YEAR SUCH MAXIMUM SHALL BE NO MORE THAN THE SUM OF (I) THE PRODUCT OF SUCH TOTAL FOUNDATION AID BASE AND ONE HUNDRED FIFTEEN PERCENT PLUS (II) THE EXECUTIVE FOUNDATION INCREASE AND PLUS (III) "COMMUNITY SCHOOLS AID" IN THE COMPUTER LISTING PRODUCED BY THE COMMISSIONER IN SUPPORT OF THE EXECUTIVE BUDGET REQUEST FOR THE TWO THOUSAND SIXTEEN--TWO THOUSAND SEVENTEEN SCHOOL YEAR AND ENTITLED "BT161-7" and provided further that for the two thousand nine--two thousand ten through two thousand eleven--two thousand twelve school years, each school district shall receive total foundation aid in an amount equal to the amount apportioned to such school district for the two thousand eight--two thousand nine school year pursuant to this subdivision. Total aidable foundation pupil units shall be calculated pursuant to paragraph g of subdivision two of this

section. For the purposes of calculating aid pursuant to this subdivision, aid for the city school district of the city of New York shall be calculated on a citywide basis.

(1) The foundation amount shall reflect the average per pupil cost of general education instruction in successful school districts, as determined by a statistical analysis of the costs of special education and general education in successful school districts, provided that the foundation amount shall be adjusted annually to reflect the percentage increase in the consumer price index as computed pursuant to section two thousand twenty-two of this chapter, provided that for the two thousand eight--two thousand nine school year, for the purpose of such adjustment, the percentage increase in the consumer price index shall be deemed to be two and nine-tenths percent (0.029), and provided further that the foundation amount for the two thousand seven--two thousand eight school year shall be five thousand two hundred fifty-eight dollars, and provided further that for the two thousand seven--two thousand eight through two thousand [fifteen] SIXTEEN--two thousand [sixteen] SEVENTEEN school years, the foundation amount shall be further adjusted by the phase-in foundation percent established pursuant to paragraph b of this subdivision.

(ii) Phase-in foundation increase factor. For the two thousand eleven--two thousand twelve school year, the phase-in foundation increase factor shall equal thirty-seven and one-half percent (0.375) and the phase-in due minimum percent shall equal nineteen and forty-one hundredths percent (0.1941), for the two thousand twelve--two thousand thirteen school year the phase-in foundation increase factor shall equal one and seven-tenths percent (0.017), for the two thousand thirteen--two thousand fourteen school year the phase-in foundation increase factor shall equal (1) for a city school district in a city having a population of one million or more, five and twenty-three hundredths percent (0.0523) or (2) for all other school districts zero percent, for the two thousand fourteen--two thousand fifteen school year the phase-in foundation increase factor shall equal (1) for a city school district of a city having a population of one million or more, four and thirty-two hundredths percent (0.0432) or (2) for a school district other than a city school district having a population of one million or more for which (A) the quotient of the positive difference of the foundation formula aid minus the foundation aid base computed pursuant to paragraph j of subdivision one of this section divided by the foundation formula aid is greater than twenty-two percent (0.22) and (B) a combined wealth ratio less than thirty-five hundredths (0.35), seven percent (0.07) or (3) for all other school districts, four and thirty-one hundredths percent (0.0431), and for the two thousand fifteen--two thousand sixteen school year the phase-in foundation increase factor shall equal: (1) for a city school district of a city having a population of one million or more, thirteen and two hundred seventy-four thousandths percent (0.13274); or (2) for districts where the quotient arrived at when dividing (A) the product of the total aidable foundation pupil units multiplied by the district's selected foundation aid less the total foundation aid base computed pursuant to paragraph j of subdivision one of this section divided by (B) the product of the total aidable foundation pupil units multiplied by the district's selected foundation aid is greater than nineteen percent (0.19), and where the district's combined wealth ratio is less than thirty-three hundredths (0.33), seven and seventy-five hundredths percent (0.0775); or (3) for any other district designated as high need pursuant to clause (c) of subparagraph two of

paragraph c of subdivision six of this section for the school aid computer listing produced by the commissioner in support of the enacted budget for the two thousand seven--two thousand eight school year and entitled "SA0708", four percent (0.04); or (4) for a city school district in a city having a population of one hundred twenty-five thousand or more but less than one million, fourteen percent (0.14); or (5) for school districts that were designated as small city school districts or central school districts whose boundaries include a portion of a small city for the school aid computer listing produced by the commissioner in support of the enacted budget for the two thousand fourteen--two thousand fifteen school year and entitled "SA1415", four and seven hundred fifty-one thousandths percent (0.04751); or (6) for all other districts one percent (0.01), and for the two thousand sixteen--two thousand seventeen SCHOOL YEAR SHALL EQUAL FOR AN ELIGIBLE SCHOOL DISTRICT THE GREATER OF: (1) FOR A CITY SCHOOL DISTRICT IN A CITY WITH A POPULATION OF ONE MILLION OR MORE, SEVEN AND SEVEN HUNDRED EIGHTY FOUR THOUSANDTHS PERCENT (0.07784); OR (2) FOR A CITY SCHOOL DISTRICT IN A CITY WITH A POPULATION OF MORE THAN TWO HUNDRED FIFTY THOUSAND BUT LESS THAN ONE MILLION AS OF THE MOST RECENT FEDERAL DECENNIAL CENSUS, SEVEN AND THREE HUNDREDTHS PERCENT (0.0703); OR (3) FOR A CITY SCHOOL DISTRICT IN A CITY WITH A POPULATION OF MORE THAN TWO HUNDRED THOUSAND BUT LESS THAN TWO HUNDRED FIFTY THOUSAND AS OF THE MOST RECENT FEDERAL DECENNIAL CENSUS, SIX AND SEVENTY-TWO HUNDREDTHS PERCENT (0.0672); OR (4) FOR A CITY SCHOOL DISTRICT IN A CITY WITH A POPULATION OF MORE THAN ONE HUNDRED FIFTY THOUSAND BUT LESS THAN TWO HUNDRED THOUSAND AS OF THE MOST RECENT FEDERAL DECENNIAL CENSUS, SIX AND SEVENTY-FOUR HUNDREDTHS PERCENT (0.0674); OR (5) FOR A CITY SCHOOL DISTRICT IN A CITY WITH A POPULATION OF MORE THAN ONE HUNDRED TWENTY-FIVE THOUSAND BUT LESS THAN ONE HUNDRED FIFTY THOUSAND AS OF THE MOST RECENT FEDERAL DECENNIAL CENSUS, NINE AND FIFTY-FIVE HUNDREDTHS PERCENT (0.0955); OR (6) FOR SCHOOL DISTRICTS THAT WERE DESIGNATED AS SMALL CITY SCHOOL DISTRICTS OR CENTRAL SCHOOL DISTRICTS WHOSE BOUNDARIES INCLUDE A PORTION OF A SMALL CITY FOR THE SCHOOL AID COMPUTER LISTING PRODUCED BY THE COMMISSIONER IN SUPPORT OF THE ENACTED BUDGET FOR THE TWO THOUSAND FOURTEEN--TWO THOUSAND FIFTEEN SCHOOL YEAR AND ENTITLED "SA141-5" WITH A COMBINED WEALTH RATIO LESS THAN ONE AND FOUR TENTHS (1.4), NINE PERCENT (0.09), PROVIDED, HOWEVER, THAT FOR SUCH DISTRICTS THAT ARE ALSO DISTRICTS DESIGNATED AS HIGH NEED URBAN-SUBURBAN PURSUANT TO CLAUSE (C) OF SUBPARAGRAPH TWO OF PARAGRAPH C OF SUBDIVISION SIX OF THIS SECTION FOR THE SCHOOL AID COMPUTER LISTING PRODUCED BY THE COMMISSIONER IN SUPPORT OF THE ENACTED BUDGET FOR THE TWO THOUSAND SEVEN--TWO THOUSAND EIGHT SCHOOL YEAR AND ENTITLED "SA0708", NINE AND SEVEN HUNDRED AND NINETEEN THOUSANDTHS PERCENT (0.09719); OR (7) FOR SCHOOL DISTRICTS DESIGNATED AS HIGH NEED RURAL PURSUANT TO CLAUSE (C) OF SUBPARAGRAPH TWO OF PARAGRAPH C OF SUBDIVISION SIX OF THIS SECTION FOR THE SCHOOL AID COMPUTER LISTING PRODUCED BY THE COMMISSIONER IN SUPPORT OF THE ENACTED BUDGET FOR THE TWO THOUSAND SEVEN--TWO THOUSAND EIGHT SCHOOL YEAR AND ENTITLED "SA0708", THIRTEEN AND SIX TENTHS PERCENT (0.136); OR (8) FOR SCHOOL DISTRICTS DESIGNATED AS HIGH NEED URBAN-SUBURBAN PURSUANT TO CLAUSE (C) OF SUBPARAGRAPH TWO OF PARAGRAPH C OF SUBDIVISION SIX OF THIS SECTION FOR THE SCHOOL AID COMPUTER LISTING PRODUCED BY THE COMMISSIONER IN SUPPORT OF THE ENACTED BUDGET FOR THE TWO THOUSAND SEVEN--TWO THOUSAND EIGHT SCHOOL YEAR AND ENTITLED "SA0708", SEVEN HUNDRED NINETEEN THOUSANDTHS PERCENT (0.00719); OR (9) FOR ALL OTHER ELIGIBLE SCHOOL DISTRICTS, FORTY-SEVEN HUNDREDTHS PERCENT (0.0047) AND FOR THE TWO THOUSAND SEVENTEEN--TWO THOUSAND EIGHTEEN school year and thereafter the commissioner shall annually deter-

mine the phase-in foundation increase factor subject to allocation pursuant to the provisions of subdivision eighteen of this section and any provisions of a chapter of the laws of New York as described therein.

B-2. DUE MINIMUM FOR THE TWO THOUSAND SIXTEEN--TWO THOUSAND SEVENTEEN SCHOOL YEAR. NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE CONTRARY, FOR THE TWO THOUSAND SIXTEEN--TWO THOUSAND SEVENTEEN SCHOOL YEAR THE TOTAL FOUNDATION AID SHALL NOT BE LESS THAN THE SUM OF THE TOTAL FOUNDATION AID BASE COMPUTED PURSUANT TO PARAGRAPH J OF SUBDIVISION ONE OF THIS SECTION PLUS THE DUE MINIMUM FOR THE TWO THOUSAND SIXTEEN--TWO THOUSAND SEVENTEEN SCHOOL YEAR, WHERE SUCH DUE MINIMUM SHALL EQUAL THE DIFFERENCE OF (1) THE PRODUCT OF (A) TWO PERCENT (0.02) MULTIPLIED BY (B) THE DIFFERENCE OF TOTAL FOUNDATION AID FOR THE BASE YEAR LESS THE GAP ELIMINATION ADJUSTMENT FOR THE BASE YEAR, LESS (2) THE SUM OF (A) THE DIFFERENCE OF THE AMOUNTS SET FORTH FOR EACH SCHOOL DISTRICT AS "FOUNDATION AID" UNDER THE HEADING "2016-17 ESTIMATED AIDS" IN THE SCHOOL AID COMPUTER LISTING PRODUCED BY THE COMMISSIONER IN SUPPORT OF THE EXECUTIVE BUDGET REQUEST FOR THE TWO THOUSAND SIXTEEN--TWO THOUSAND SEVENTEEN SCHOOL YEAR AND ENTITLED "BT161-7" LESS THE AMOUNTS SET FORTH FOR EACH SCHOOL DISTRICT AS "FOUNDATION AID" UNDER THE HEADING "2015-16 BASE YEAR AIDS" IN SUCH COMPUTER LISTING PLUS (B) THE GAP ELIMINATION ADJUSTMENT FOR THE BASE YEAR.

d. For the two thousand fourteen--two thousand fifteen [and two thousand fifteen--two thousand sixteen] THROUGH TWO THOUSAND SIXTEEN--TWO THOUSAND SEVENTEEN school years a city school district of a city having a population of one million or more may use amounts apportioned pursuant to this subdivision for afterschool programs.

S 8. Subdivision 4 of section 3602 of the education law is amended by adding a new paragraph e to read as follows:

E. COMMUNITY SCHOOLS AID SET-ASIDE. EACH SCHOOL DISTRICT SHALL SET ASIDE FROM ITS TOTAL FOUNDATION AID COMPUTED FOR THE CURRENT YEAR PURSUANT TO THIS SUBDIVISION AN AMOUNT EQUAL TO THE FOLLOWING AMOUNT, IF ANY, FOR SUCH DISTRICT AND SHALL USE THE AMOUNT SO SET ASIDE TO SUPPORT THE TRANSFORMATION OF SCHOOL BUILDINGS INTO COMMUNITY HUBS TO DELIVER CO-LOCATED OR SCHOOL-LINKED ACADEMIC, HEALTH, MENTAL HEALTH, NUTRITION, COUNSELING, LEGAL AND/OR OTHER SERVICES TO STUDENTS AND THEIR FAMILIES, INCLUDING BUT NOT LIMITED TO PROVIDING A COMMUNITY SCHOOL SITE COORDINATOR, OR TO SUPPORT OTHER COSTS INCURRED TO MAXIMIZE STUDENTS' ACADEMIC ACHIEVEMENT:

| | |
|---|---|
| ADDISON | $132,624 |
| ADIRONDACK | $98,303 |
| AFTON | $62,527 |
| ALBANY | $2,696,127 |
| ALBION | $171,687 |
| ALTMAR-PARISH-WILLIAMSTOWN | $154,393 |
| AMITYVILLE | $140,803 |
| AMSTERDAM | $365,464 |
| ANDOVER | $41,343 |
| AUBURN | $211,759 |
| AUSABLE VALLEY | $82,258 |
| AVOCA | $40,506 |
| BATAVIA | $116,085 |
| BATH | $139,788 |
| BEACON | $87,748 |
| BEAVER RIVER | $67,970 |
| BEEKMANTOWN | $98,308 |

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|---|---|
| BELFAST | $44,520 |
| BELLEVILLE HENDERSON | $21,795 |
| BINGHAMTON | $477,949 |
| BOLIVAR-RICHBURG | $102,276 |
| BRADFORD | $28,058 |
| BRASHER FALLS | $146,944 |
| BRENTWOOD | $2,089,437 |
| BRIDGEWATER-WEST WINFIELD (MT. MARKHAM) | $101,498 |
| BROCTON | $63,939 |
| BROOKFIELD | $24,973 |
| BRUSHTON-MOIRA | $102,613 |
| BUFFALO | $12,524,617 |
| CAMDEN | $243,929 |
| CAMPBELL-SAVONA | $81,862 |
| CANAJOHARIE | $78,428 |
| CANASERAGA | $24,622 |
| CANDOR | $69,400 |
| CANISTEO-GREENWOOD | $105,783 |
| CARTHAGE | $273,578 |
| CASSADAGA VALLEY | $99,547 |
| CATSKILL | $69,599 |
| CATTARAUGUS-LITTLE VALLEY | $89,771 |
| CENTRAL ISLIP | $650,359 |
| CENTRAL VALLEY | $154,059 |
| CHARLOTTE VALLEY | $27,925 |
| CHATEAUGAY | $43,580 |
| CHEEKTOWAGA-SLOAN | $68,242 |
| CHENANGO VALLEY | $46,359 |
| CHERRY VALLEY-SPRINGFIELD | $29,704 |
| CINCINNATUS | $71,378 |
| CLIFTON-FINE | $17,837 |
| CLYDE-SAVANNAH | $84,797 |
| CLYMER | $28,267 |
| COHOES | $110,625 |
| COPENHAGEN | $35,037 |
| COPIAGUE | $308,995 |
| CORTLAND | $147,875 |
| CROWN POINT | $24,277 |
| CUBA-RUSHFORD | $67,917 |
| DALTON-NUNDA (KESHEQUA) | $65,630 |
| DANSVILLE | $136,766 |
| DE RUYTER | $38,793 |
| DEPOSIT | $37,615 |
| DOLGEVILLE | $82,884 |
| DOWNSVILLE | $10,000 |
| DUNDEE | $59,404 |
| DUNKIRK | $224,658 |
| EAST RAMAPO (SPRING VALLEY) | $360,848 |
| EDMESTON | $30,288 |
| EDWARDS-KNOX | $95,261 |
| ELIZABETHTOWN-LEWIS | $14,844 |
| ELLENVILLE | $128,950 |
| ELMIRA | $501,348 |
| FALLSBURG | $111,523 |
| FILLMORE | $84,252 |
| FORESTVILLE | $34,773 |

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|---|---|
| FORT EDWARD | $32,403 |
| FORT PLAIN | $86,187 |
| FRANKLIN | $19,086 |
| FRANKLINVILLE | $84,503 |
| FREEPORT | $479,702 |
| FRIENDSHIP | $51,013 |
| FULTON | $241,424 |
| GENESEE VALLEY | $65,066 |
| GENEVA | $146,409 |
| GEORGETOWN-SOUTH OTSELIC | $34,626 |
| GILBERTSVILLE-MOUNT UPTON | $30,930 |
| GLENS FALLS COMMON | $10,000 |
| GLOVERSVILLE | $257,549 |
| GOUVERNEUR | $197,139 |
| GOWANDA | $122,173 |
| GRANVILLE | $86,044 |
| GREEN ISLAND | $17,390 |
| GREENE | $87,782 |
| HADLEY-LUZERNE | $37,868 |
| HAMMOND | $18,750 |
| HANCOCK | $34,174 |
| HANNIBAL | $149,286 |
| HARPURSVILLE | $89,804 |
| HEMPSTEAD | $3,123,056 |
| HERKIMER | $64,467 |
| HERMON-DEKALB | $49,211 |
| HEUVELTON | $53,905 |
| HINSDALE | $47,128 |
| HORNELL | $152,327 |
| HUDSON | $86,263 |
| HUDSON FALLS | $125,709 |
| INDIAN RIVER | $404,452 |
| JAMESTOWN | $422,610 |
| JASPER-TROUPSBURG | $65,899 |
| JEFFERSON | $22,350 |
| JOHNSON | $179,735 |
| JOHNSTOWN | $98,329 |
| KINGSTON | $241,138 |
| KIRYAS JOEL | $10,000 |
| LA FARGEVILLE | $36,602 |
| LACKAWANNA | $293,188 |
| LANSINGBURGH | $170,080 |
| LAURENS | $32,110 |
| LIBERTY | $141,704 |
| LISBON | $56,498 |
| LITTLE FALLS | $76,292 |
| LIVINGSTON MANOR | $32,996 |
| LOWVILLE | $117,907 |
| LYME | $15,856 |
| LYONS | $89,298 |
| MADISON | $43,805 |
| MADRID-WADDINGTON | $59,412 |
| MALONE | $241,483 |
| MARATHON | $79,560 |
| MARGARETVILLE | $10,000 |
| MASSENA | $227,985 |

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|---|---|
| MCGRAW | $51,558 |
| MEDINA | $135,337 |
| MIDDLEBURGH | $58,936 |
| MIDDLETOWN | $683,511 |
| MILFORD | $28,281 |
| MONTICELLO | $185,418 |
| MORIAH | $76,592 |
| MORRIS | $45,012 |
| MORRISTOWN | $25,106 |
| MORRISVILLE-EATON | $62,490 |
| MT MORRIS | $58,594 |
| MT VERNON | $517,463 |
| NEW YORK CITY | $28,491,241 |
| NEWARK | $137,556 |
| NEWBURGH | $837,244 |
| NEWFIELD | $60,998 |
| NIAGARA FALLS | $733,330 |
| NORTH ROSE-WOLCOTT | $107,958 |
| NORTHERN ADIRONDACK | $84,115 |
| NORWICH | $155,921 |
| NORWOOD-NORFOLK | $116,262 |
| ODESSA-MONTOUR | $70,110 |
| OGDENSBURG | $126,942 |
| OLEAN | $129,603 |
| OPPENHEIM-EPHRATAH-ST. JOHNSVILLE | $86,646 |
| OTEGO-UNADILLA | $72,613 |
| OXFORD ACAD & CENTRAL SCHOOLS | $80,443 |
| PARISHVILLE-HOPKINTON | $35,003 |
| PEEKSKILL | $230,795 |
| PENN YAN | $71,001 |
| PINE VALLEY (SOUTH DAYTON) | $67,455 |
| PLATTSBURGH | $75,055 |
| POLAND | $37,498 |
| PORT CHESTER-RYE | $241,428 |
| PORT JERVIS | $189,220 |
| POUGHKEEPSIE | $1,747,582 |
| PRATTSBURGH | $35,110 |
| PULASKI | $89,146 |
| PUTNAM | $10,000 |
| RANDOLPH | $88,646 |
| RED CREEK | $87,007 |
| REMSEN | $32,650 |
| RENSSELAER | $74,616 |
| RICHFIELD SPRINGS | $37,071 |
| RIPLEY | $18,495 |
| ROCHESTER | $7,624,908 |
| ROME | $369,655 |
| ROMULUS | $22,112 |
| ROOSEVELT | $353,005 |
| SALAMANCA | $139,051 |
| SALMON RIVER | $200,831 |
| SANDY CREEK | $72,287 |
| SCHENECTADY | $642,884 |
| SCHENEVUS | $29,516 |
| SCIO | $47,097 |
| SHARON SPRINGS | $26,994 |

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|---|---|
| SHERBURNE-EARLVILLE | $154,286 |
| SHERMAN | $45,067 |
| SIDNEY | $98,699 |
| SILVER CREEK | $68,538 |
| SODUS | $100,038 |
| SOLVAY | $85,506 |
| SOUTH KORTRIGHT | $23,420 |
| SOUTH LEWIS | $95,627 |
| SOUTH SENECA | $49,768 |
| SPENCER-VAN ETTEN | $76,108 |
| ST REGIS FALLS | $30,078 |
| STAMFORD | $20,137 |
| STOCKBRIDGE VALLEY | $38,537 |
| SYRACUSE | $10,186,478 |
| TICONDEROGA | $36,467 |
| TIOGA | $99,411 |
| TROY | $277,420 |
| UNADILLA VALLEY | $90,571 |
| UNIONDALE | $362,887 |
| UTICA | $273,267 |
| VAN HORNESVILLE-OWEN D. YOUNG | $18,604 |
| WALTON | $82,541 |
| WARRENSBURG | $57,996 |
| WATERLOO | $123,111 |
| WATERTOWN | $222,343 |
| WATERVLIET | $94,487 |
| WAVERLY | $120,319 |
| WAYLAND-COHOCTON | $125,273 |
| WELLSVILLE | $114,359 |
| WEST CANADA VALLEY | $58,917 |
| WESTBURY | $403,563 |
| WESTFIELD | $46,542 |
| WHITEHALL | $46,192 |
| WHITESVILLE | $26,719 |
| WHITNEY POINT | $152,109 |
| WILLIAM FLOYD | $492,842 |
| WORCESTER | $26,862 |
| WYANDANCH | $402,010 |
| YONKERS | $4,286,726 |
| YORKSHIRE-PIONEER | $210,306 |

S 9. Intentionally Omitted.

S 10. The opening paragraph of section 3609-a of the education law, as amended by section 6 of part A of chapter 56 of the laws of 2015, is amended to read as follows:

For aid payable in the two thousand seven--two thousand eight school year through the [two thousand fifteen--two thousand sixteen] TWO THOUSAND SIXTEEN--TWO THOUSAND SEVENTEEN school year, "moneys apportioned" shall mean the lesser of (i) the sum of one hundred percent of the respective amount set forth for each school district as payable pursuant to this section in the school aid computer listing for the current year produced by the commissioner in support of the budget which includes the appropriation for the general support for public schools for the prescribed payments and individualized payments due prior to April first for the current year plus the apportionment payable during the current school year pursuant to subdivision six-a and subdivision fifteen of section thirty-six hundred two of this part minus any reductions to

current year aids pursuant to subdivision seven of section thirty-six hundred four of this part or any deduction from apportionment payable pursuant to this chapter for collection of a school district basic contribution as defined in subdivision eight of section forty-four hundred one of this chapter, less any grants provided pursuant to subparagraph two-a of paragraph b of subdivision four of section ninety-two-c of the state finance law, less any grants provided pursuant to subdivision six of section ninety-seven-nnnn of the state finance law, less any grants provided pursuant to subdivision twelve of section thirty-six hundred forty-one of this article, or (ii) the apportionment calculated by the commissioner based on data on file at the time the payment is processed; provided however, that for the purposes of any payments made pursuant to this section prior to the first business day of June of the current year, moneys apportioned shall not include any aids payable pursuant to subdivisions six and fourteen, if applicable, of section thirty-six hundred two of this part as current year aid for debt service on bond anticipation notes and/or bonds first issued in the current year or any aids payable for full-day kindergarten for the current year pursuant to subdivision nine of section thirty-six hundred two of this part. The definitions of "base year" and "current year" as set forth in subdivision one of section thirty-six hundred two of this part shall apply to this section. [For aid payable in the two thousand fourteen--two thousand fifteen school year, reference to such "school aid computer listing for the current year" shall mean the printouts entitled "SA141-5". For aid payable in the two thousand fifteen--two thousand sixteen school year, reference to such "school aid computer listing for the current year" shall mean the printouts entitled "SA151-6".] FOR AID PAYABLE IN THE TWO THOUSAND SIXTEEN--TWO THOUSAND SEVENTEEN SCHOOL YEAR, REFERENCE TO SUCH "SCHOOL AID COMPUTER LISTING FOR THE CURRENT YEAR" SHALL MEAN THE PRINTOUTS ENTITLED "SA161-7".

S 11. Subparagraphs 5, 6 and 7 of paragraph (e) of subdivision 3 of section 2853 of the education law, as added by section 5 of part BB of chapter 56 of the laws of 2014, are amended to read as follows:

(5) For a new charter school whose charter is granted or for an existing charter school whose expansion of grade level, pursuant to this article, is approved by their charter entity [before October first, two thousand sixteen], if the appeal results in a determination in favor of the charter school, the city school district shall pay the charter school an amount attributable to the grade level expansion or the formation of the new charter school that is equal to the lesser of:

(A) the actual rental cost of an alternative privately owned site selected by the charter school or

(B) twenty percent of the product of the charter school's basic tuition for the current school year and (i) for a new charter school that first commences instruction on or after July first, two thousand fourteen, the charter school's current year enrollment; or (ii) for a charter school which expands its grade level, pursuant to this article, [before October first, two thousand sixteen,] the positive difference of the charter school's enrollment in the current school year minus the charter school's enrollment in the school year prior to the first year of the expansion.

(6) [For a new charter school whose charter is granted or for an existing charter school whose expansion of grade level, pursuant to this article, is approved by their charter entity on or after October first, two thousand sixteen, if the appeal results in a determination in favor of the charter school, the city school district shall pay the charter

school an amount attributable to the grade level expansion or the formation of the new charter school that is equal to the maximum cost allowance established by the commissioner for leases aidable under subdivision six of section thirty-six hundred two of this chapter.

(7)] An arbitration in an appeal pursuant to this paragraph shall be conducted by a single arbitrator selected in accordance with this subparagraph from a list of arbitrators from the American arbitration association's panel of labor arbitrators, with relevant biographical information, submitted by such association to the commissioner pursuant to paragraph a of subdivision three of section three thousand twenty-a of this chapter. Upon request by the charter school, the commissioner shall forthwith send a copy of such list and biographical information simultaneously to the charter school and city school district. The parties shall, by mutual agreement, select an arbitrator from the list within fifteen days from receipt of the list, and if the parties fail to agree on an arbitrator within such fifteen day period or fail within such fifteen day period to notify the commissioner that an arbitrator has been selected, the commissioner shall appoint an arbitrator from the list to serve as the arbitrator. The arbitration shall be conducted in accordance with the American arbitration association's rules for labor arbitration, except that the arbitrator shall conduct a pre-hearing conference within ten to fifteen days of agreeing to serve and the arbitration shall be completed and a decision rendered within the time frames prescribed for hearings pursuant to section three thousand twenty-a of this chapter. The arbitrator's fee shall not exceed the rate established by the commissioner for hearings conducted pursuant to section three thousand twenty-a of this chapter, and the cost of such fee, the arbitrator's necessary travel and other reasonable expenses, and all other hearing expenses shall be borne equally by the parties to the arbitration.

S 11-a. Subdivision 6-g of section 3602 of the education law, as added by section 6 of part BB of chapter 56 of the laws of 2014, is amended to read as follows:

6-g. Charter schools facilities aid. a. The city school district of the city of New York, upon documenting that it has incurred total aggregate expenses of forty million dollars or more pursuant to [subparagraphs] SUBPARAGRAPH five [and six] of paragraph (e) of subdivision three of section twenty-eight hundred fifty-three of this chapter, shall be eligible for an apportionment pursuant to this subdivision for its annual approved expenditures for the lease of space for charter schools incurred in the base year in accordance with paragraph (e) of subdivision three of section twenty-eight hundred fifty-three of this chapter.

b. The apportionment shall equal the product of (1) the sum of:

[(A)] for aid payable for expenses incurred pursuant to subparagraph five of paragraph (e) of subdivision three of section twenty-eight hundred fifty-three of this chapter where the charter school prevails on appeal, the annual approved expenses incurred by the city school district pursuant to such subparagraph five[; and

(B) for aid payable for expenses incurred pursuant to subparagraph six of paragraph (e) of subdivision three of section twenty-eight hundred fifty-three of this chapter where the charter school prevails on appeal, the actual annual approved rental expenses incurred pursuant to such subparagraph six] multiplied by

(2) six-tenths.

c. For purposes of this subdivision, the approved expenses attributable to a lease by a charter school of a privately owned site shall be

the lesser of the actual rent paid under the lease or the maximum cost allowance established by the commissioner for leases aidable under subdivision six of this section.

d. Notwithstanding any provision of law to the contrary, amounts apportioned pursuant to this subdivision shall not be included in: (1) the allowable growth amount computed pursuant to paragraph dd of subdivision one of this section, (2) the preliminary growth amount computed pursuant to paragraph ff of subdivision one of this section, and (3) the allocable growth amount computed pursuant to paragraph gg of subdivision one of this section, and shall not be considered, and shall not be available for interchange with, general support for public schools.

S 12. Intentionally omitted.

S 13. Intentionally omitted.

S 14. Clauses (i) and (ii) of subparagraph 1 of paragraph e of subdivision 1 of section 3602 of the education law, as amended by section 11 of part B of chapter 57 of the laws of 2007, are amended to read as follows:

(i) determine the number of pupils tested who scored below the statewide reference point as determined by the commissioner on each test administered pursuant to this subparagraph, plus pupils, other than pupils with disabilities and ENGLISH LANGUAGE LEARNER pupils [with limited English proficiency] as defined by the commissioner who are exempt from taking such tests, provided, however, that a district employing eight or more teachers in such years but not operating each grade may use the percentage computed pursuant to this paragraph for the district which in such years enrolled the greatest number of pupils in such grade from such district;

(ii) divide the sum of such numbers by the number of such pupils who took each of such tests, plus pupils, other than pupils with disabilities and ENGLISH LANGUAGE LEARNER pupils [with limited English proficiency] as defined by the commissioner who are exempt from taking such tests, provided, however, that a district which in any of the applicable school years did not maintain a home school or employed fewer than eight teachers, and which in the base year employed eight or more teachers, may use the scores in a later test as designated by the commissioner for the purposes of this paragraph;

S 15. Paragraph o of subdivision 1 of section 3602 of the education law, as amended by section 11 of part B of chapter 57 of the laws of 2007, is amended to read as follows:

o. "[Limited English proficient] ENGLISH LANGUAGE LEARNER count" shall mean the number of pupils served in the base year in programs for pupils with limited English proficiency approved by the commissioner pursuant to the provisions of this chapter and in accordance with regulations adopted for such purpose.

S 16. Paragraph b of subdivision 2 of section 3602-d of the education law, as added by chapter 792 of the laws of 1990, is amended to read as follows:

(b) "Disadvantaged" shall mean individuals (other than handicapped individuals) who have economic or academic disadvantages and who require special services and assistance in order to enable them to succeed in work-prep programs. Such term includes individuals who are: members of economically disadvantaged families as set forth in regulations promulgated by the department pursuant to sections sixty-four hundred fifty-one and sixty-four hundred fifty-two of this chapter or as set forth in the Federal Job Training Partnership Act of nineteen hundred eighty-two (PL 97-300) (29 U.S.C.A. S 1501 et seq.); migrants; [individuals who

have limited English proficiency] ENGLISH LANGUAGE LEARNERS; and individuals who are identified as potential dropouts from secondary school.

S 17. Paragraph d of subdivision 4 of section 3602-f of the education law, as added by section 83-a of part L of chapter 405 of the laws of 1999, is amended to read as follows:

d. [Limited English proficient] ENGLISH LANGUAGE LEARNER pupil count as defined in paragraph o of subdivision one of section thirty-six hundred two of this article.

S 18. Section 3604 of the education law is amended by adding a new subdivision 13 to read as follows:

13. FOR PURPOSES OF THIS CHAPTER, "LIMITED ENGLISH PROFICIENT" AND "LIMITED ENGLISH PROFICIENCY" SHALL MEAN "ENGLISH LANGUAGE LEARNER".

S 19. Clause (B) of subparagraph 2 of paragraph b of subdivision 6 of section 3641 of the education law, as added by section 2 of part B of chapter 58 of the laws of 2011, is amended to read as follows:

(B) [students with limited English proficiency and] students who are English language learners;

S 20. Intentionally Omitted.

S 21. Notwithstanding any provision of law to the contrary, for the 2016-2017 school year and thereafter, for any pre-kindergarten program receiving state funds that is identified by the office of children and family services, the department of health and mental hygiene of the city of New York, or the state education department as needing extraordinary quality support, such entity shall provide a recommendation for such program to voluntarily participate in QUALITYstarsNY subject to available appropriation.

S 22. Intentionally omitted.

S 23. Subdivision 16 of section 3602-ee of the education law, as added by section 1 of part CC of chapter 56 of the laws of 2014, is amended to read as follows:

16. The authority of the department to administer the universal full-day pre-kindergarten program shall expire June thirtieth, two thousand [sixteen] SEVENTEEN; provided that the program shall continue and remain in full effect.

S 24. Paragraph b of subdivision 6-c of section 3602 of the education law, as added by chapter 1 of the laws of 2013, is amended to read as follows:

b. For projects approved by the commissioner authorized to receive additional building aid pursuant to this subdivision for the purchase of stationary metal detectors, security cameras or other security devices approved by the commissioner that increase the safety of students and school personnel, provided that for purposes of this paragraph such other security devices shall be limited to electronic security systems and hardened doors, and provided that for projects approved by the commissioner on or after the first day of July two thousand thirteen and before the first day of July [two thousand sixteen] TWO THOUSAND SEVENTEEN such additional aid shall equal the product of (i) the building aid ratio computed for use in the current year pursuant to paragraph c of subdivision six of this section plus ten percentage points, except that in no case shall this amount exceed one hundred percent, and (ii) the actual approved expenditures incurred in the base year pursuant to this subdivision, provided that the limitations on cost allowances prescribed by paragraph a of subdivision six of this section shall not apply, and provided further that any projects aided under this paragraph must be included in a district's school safety plan. The commissioner shall annually prescribe a special cost allowance for metal detectors, and

security cameras, and the approved expenditures shall not exceed such cost allowance.

S 25. Section 2 of chapter 552 of the laws of 1995 amending the education law relating to contracts for the transportation of school children, as amended by chapter 116 of the laws of 2013, is amended to read as follows:

S 2. This act shall take effect on the first day of January next succeeding the date on which it shall have become a law and shall remain in full force and effect until January 1, [2017] 2020, when upon such date the provisions of this act shall be deemed repealed.

S 26. Paragraph b of subdivision 2 of section 3612 of the education law, as amended by section 8 of part A of chapter 56 of the laws of 2015, is amended to read as follows:

b. Such grants shall be awarded to school districts, within the limits of funds appropriated therefor, through a competitive process that takes into consideration the magnitude of any shortage of teachers in the school district, the number of teachers employed in the school district who hold temporary licenses to teach in the public schools of the state, the number of provisionally certified teachers, the fiscal capacity and geographic sparsity of the district, the number of new teachers the school district intends to hire in the coming school year and the number of summer in the city student internships proposed by an eligible school district, if applicable. Grants provided pursuant to this section shall be used only for the purposes enumerated in this section. Notwithstanding any other provision of law to the contrary, a city school district in a city having a population of one million or more inhabitants receiving a grant pursuant to this section may use no more than eighty percent of such grant funds for any recruitment, retention and certification costs associated with transitional certification of teacher candidates for the school years two thousand one--two thousand two through [two thousand fifteen--two thousand sixteen] TWO THOUSAND SIXTEEN--TWO THOUSAND SEVENTEEN.

S 27. Subdivision 6 of section 4402 of the education law, as amended by section 9 of part A of chapter 56 of the laws of 2015, is amended to read as follows:

6. Notwithstanding any other law, rule or regulation to the contrary, the board of education of a city school district with a population of one hundred twenty-five thousand or more inhabitants shall be permitted to establish maximum class sizes for special classes for certain students with disabilities in accordance with the provisions of this subdivision. For the purpose of obtaining relief from any adverse fiscal impact from under-utilization of special education resources due to low student attendance in special education classes at the middle and secondary level as determined by the commissioner, such boards of education shall, during the school years nineteen hundred ninety-five--ninety-six through June thirtieth, two thousand [sixteen] SEVENTEEN of the [two thousand fifteen--two thousand sixteen] TWO THOUSAND SIXTEEN--TWO THOUSAND SEVENTEEN school year, be authorized to increase class sizes in special classes containing students with disabilities whose age ranges are equivalent to those of students in middle and secondary schools as defined by the commissioner for purposes of this section by up to but not to exceed one and two tenths times the applicable maximum class size specified in regulations of the commissioner rounded up to the nearest whole number, provided that in a city school district having a population of one million or more, classes that have a maximum class size of fifteen may be increased by no more than one student and provided that

the projected average class size shall not exceed the maximum specified in the applicable regulation, provided that such authorization shall terminate on June thirtieth, two thousand. Such authorization shall be granted upon filing of a notice by such a board of education with the commissioner stating the board's intention to increase such class sizes and a certification that the board will conduct a study of attendance problems at the secondary level and will implement a corrective action plan to increase the rate of attendance of students in such classes to at least the rate for students attending regular education classes in secondary schools of the district. Such corrective action plan shall be submitted for approval by the commissioner by a date during the school year in which such board increases class sizes as provided pursuant to this subdivision to be prescribed by the commissioner. Upon at least thirty days notice to the board of education, after conclusion of the school year in which such board increases class sizes as provided pursuant to this subdivision, the commissioner shall be authorized to terminate such authorization upon a finding that the board has failed to develop or implement an approved corrective action plan.

S 28. Subdivision b of section 2 of chapter 756 of the laws of 1992, relating to funding a program for work force education conducted by the consortium for worker education in New York city, as amended by section 13 of part A of chapter 56 of the laws of 2015, is amended to read as follows:

b. Reimbursement for programs approved in accordance with subdivision a of this section for the 2012--2013 school year shall not exceed 63.3 percent of the lesser of such approvable costs per contact hour or twelve dollars and thirty-five cents per contact hour, reimbursement for the 2013--2014 school year shall not exceed 62.3 percent of the lesser of such approvable costs per contact hour or twelve dollars and sixty-five cents per contact hour, reimbursement for the 2014--2015 school year shall not exceed 61.6 percent of the lesser of such approvable costs per contact hour or thirteen dollars per contact hour, [and] reimbursement for the 2015--2016 school year shall not exceed 60.7 percent of the lesser of such approvable costs per contact hour or thirteen dollars and forty cents per contact hour, AND REIMBURSEMENT FOR THE 2016--2017 SCHOOL YEAR SHALL NOT EXCEED 60.3 PERCENT OF THE LESSER OF SUCH APPROVABLE COSTS PER CONTACT HOUR OR THIRTEEN DOLLARS NINETY CENTS PER CONTACT HOUR where a contact hour represents sixty minutes of instruction services provided to an eligible adult. Notwithstanding any other provision of law to the contrary, for the 2012--2013 school year such contact hours shall not exceed one million six hundred sixty-four thousand five hundred thirty-two (1,664,532) hours; whereas for the 2013--2014 school year such contact hours shall not exceed one million six hundred forty-nine thousand seven hundred forty-six (1,649,746) hours; whereas for the 2014--2015 school year such contact hours shall not exceed one million six hundred twenty-five thousand (1,625,000) hours; whereas for the 2015--2016 school year such contact hours shall not exceed one million five hundred ninety-nine thousand fifteen (1,599,015) HOURS; WHEREAS FOR THE 2016--2017 SCHOOL YEAR SUCH CONTACT HOURS SHALL NOT EXCEED ONE MILLION FIVE HUNDRED FIFTY-ONE THOUSAND THREE HUNDRED TWELVE (1,551,312). Notwithstanding any other provision of law to the contrary, the apportionment calculated for the city school district of the city of New York pursuant to subdivision 11 of section 3602 of the education law shall be computed as if such contact hours provided by the consortium for worker education, not to exceed the contact hours set forth herein, were eligible for aid in accordance with

the provisions of such subdivision 11 of section 3602 of the education law.

S 29. Section 4 of chapter 756 of the laws of 1992, relating to funding a program for work force education conducted by the consortium for worker education in New York city, is amended by adding a new subdivision u to read as follows:

U. THE PROVISIONS OF THIS SUBDIVISION SHALL NOT APPLY AFTER THE COMPLETION OF PAYMENTS FOR THE 2016--2017 SCHOOL YEAR. NOTWITHSTANDING ANY INCONSISTENT PROVISIONS OF LAW, THE COMMISSIONER SHALL WITHHOLD A PORTION OF EMPLOYMENT PREPARATION EDUCATION AID DUE TO THE CITY SCHOOL DISTRICT OF THE CITY OF NEW YORK TO SUPPORT A PORTION OF THE COSTS OF THE WORK FORCE EDUCATION PROGRAM. SUCH MONEYS SHALL BE CREDITED TO THE ELEMENTARY AND SECONDARY EDUCATION FUND LOCAL ASSISTANCE ACCOUNT AND SHALL NOT EXCEED THIRTEEN MILLION DOLLARS.

S 30. Section 6 of chapter 756 of the laws of 1992, relating to funding a program for work force education conducted by the consortium for worker education in New York city, as amended by section 15 of part A of chapter 56 of the laws of 2015, is amended to read as follows:

S 6. This act shall take effect July 1, 1992, and shall be deemed repealed on June 30, [2016] 2017.

S 31. Section 99-u of the state finance law, as added by section 2 of part GG of chapter 59 of the laws of 2013, subdivision 2-a as added by chapter 453 of the laws if 2015, is amended to read as follows:

S 99-u. New York state teen health education fund. 1. There is hereby established in the JOINT custody of the STATE COMPTROLLER AND commissioner of taxation and finance a special [account] FUND to be known as the "New York state teen health education fund".

2. Such fund shall consist of all revenues received by the department of taxation and finance, pursuant to the provisions of section six hundred thirty-c of the tax law and all other moneys appropriated thereto from any other fund or source pursuant to law. Nothing contained in this section shall prevent the state from receiving grants, gifts or bequests for the purposes of the fund as defined in this section and depositing them into the fund according to law.

2-a. On or before the first day of February each year, the commissioner of [health] EDUCATION shall provide a written report to the temporary president of the senate, speaker of the assembly, chair of the senate finance committee, chair of the assembly ways and means committee, chair of the senate committee on health, chair of the assembly health committee, the state comptroller and the public. Such report shall include how the monies of the fund were utilized during the preceding calendar year, and shall include:

(i) the amount of money dispersed from the fund and the award process used for such disbursements;

(ii) recipients of awards from the fund;

(iii) the amount awarded to each;

(iv) the purposes for which such awards were granted; and

(v) a summary financial plan for such monies which shall include estimates of all receipts and all disbursements for the current and succeeding fiscal years, along with the actual results from the prior fiscal year.

3. [The moneys in said account shall be retained by the fund and shall be released by the commissioner of taxation and finance only upon certificates signed by the commissioner of education or his or her designee and only for the purposes set forth in this section.] MONEYS SHALL BE PAYABLE FROM THE FUND ON THE AUDIT AND WARRANT OF THE COMP-

TROLLER ON VOUCHERS APPROVED AND CERTIFIED BY THE COMMISSIONER OF EDUCATION.

4. The moneys in such fund shall be expended for the purpose of supplementing educational programs in schools for health and awareness of issues facing teens today when it comes to their health. Eligible health programs are those with an established curriculum providing instruction on alcohol, tobacco and other drug abuse prevention, the causes and problems associated with teen obesity, and for awareness of the symptoms of teen endometriosis.

S 32. Subdivision 1 of section 167 of chapter 169 of the laws of 1994, relating to certain provisions related to the 1994-95 state operations, aid to localities, capital projects and debt service budgets, as amended by section 16 of part A of chapter 56 of the laws of 2015, is amended to read as follows:

1. Sections one through seventy of this act shall be deemed to have been in full force and effect as of April 1, 1994 provided, however, that sections one, two, twenty-four, twenty-five and twenty-seven through seventy of this act shall expire and be deemed repealed on March 31, 2000; provided, however, that section twenty of this act shall apply only to hearings commenced prior to September 1, 1994, and provided further that section twenty-six of this act shall expire and be deemed repealed on March 31, 1997; and provided further that sections four through fourteen, sixteen, and eighteen, nineteen and twenty-one through twenty-one-a of this act shall expire and be deemed repealed on March 31, 1997; and provided further that sections three, fifteen, seventeen, twenty, twenty-two and twenty-three of this act shall expire and be deemed repealed on March 31, [2017] 2018.

S 33. Subdivisions 22 and 24 of section 140 of chapter 82 of the laws of 1995, amending the education law and other laws relating to state aid to school districts and the appropriation of funds for the support of government, as amended by section 17 of part A of chapter 56 of the laws of 2015, are amended to read as follows:

(22) sections one hundred twelve, one hundred thirteen, one hundred fourteen, one hundred fifteen and one hundred sixteen of this act shall take effect on July 1, 1995; provided, however, that section one hundred thirteen of this act shall remain in full force and effect until July 1, [2016] 2017 at which time it shall be deemed repealed;

(24) sections one hundred eighteen through one hundred thirty of this act shall be deemed to have been in full force and effect on and after July 1, 1995; provided further, however, that the amendments made pursuant to section one hundred twenty-four of this act shall be deemed to be repealed on and after July 1, [2016] 2017;

S 34. Section 12 of chapter 147 of the laws of 2001, amending the education law relating to conditional appointment of school district, charter school or BOCES employees, as amended by section 19 of part A of chapter 56 of the laws of 2015, is amended to read as follows:

S 12. This act shall take effect on the same date as chapter 180 of the laws of 2000 takes effect, and shall expire July 1, [2016] 2017 when upon such date the provisions of this act shall be deemed repealed.

S 35. Section 4 of chapter 425 of the laws of 2002, amending the education law relating to the provision of supplemental educational services, attendance at a safe public school and the suspension of pupils who bring a firearm to or possess a firearm at a school, as amended by section 20 of part A of chapter 56 of the laws of 2015, is amended to read as follows:

S 4. This act shall take effect July 1, 2002 and shall expire and be deemed repealed June 30, [2016] 2017.

S 36. Section 5 of chapter 101 of the laws of 2003, amending the education law relating to the implementation of the No Child Left Behind Act of 2001, as amended by section 21 of part A of chapter 56 of the laws of 2015, is amended to read as follows:

S 5. This act shall take effect immediately; provided that sections one, two and three of this act shall expire and be deemed repealed on June 30, [2016] 2017.

S 37. School bus driver training. In addition to apportionments otherwise provided by section 3602 of the education law, for aid payable in the 2016--2017 school year, the commissioner of education shall allocate school bus driver training grants to school districts and boards of cooperative educational services pursuant to sections 3650-a, 3650-b and 3650-c of the education law, or for contracts directly with not-for-profit educational organizations for the purposes of this section. Such payments shall not exceed four hundred thousand dollars ($400,000) per school year.

S 38. Special apportionment for salary expenses. a. Notwithstanding any other provision of law, upon application to the commissioner of education, not sooner than the first day of the second full business week of June 2017 and not later than the last day of the third full business week of June 2017, a school district eligible for an apportionment pursuant to section 3602 of the education law shall be eligible to receive an apportionment pursuant to this section, for the school year ending June 30, 2017, for salary expenses incurred between April 1 and June 30, 2016 and such apportionment shall not exceed the sum of (i) the deficit reduction assessment of 1990--1991 as determined by the commissioner of education, pursuant to paragraph f of subdivision 1 of section 3602 of the education law, as in effect through June 30, 1993, plus (ii) 186 percent of such amount for a city school district in a city with a population in excess of 1,000,000 inhabitants, plus (iii) 209 percent of such amount for a city school district in a city with a population of more than 195,000 inhabitants and less than 219,000 inhabitants according to the latest federal census, plus (iv) the net gap elimination adjustment for 2010--2011, as determined by the commissioner of education pursuant to chapter 53 of the laws of 2010, plus (v) the gap elimination adjustment for 2011--2012 as determined by the commissioner of education pursuant to subdivision 17 of section 3602 of the education law, and provided further that such apportionment shall not exceed such salary expenses. Such application shall be made by a school district, after the board of education or trustees have adopted a resolution to do so and in the case of a city school district in a city with a population in excess of 125,000 inhabitants, with the approval of the mayor of such city.

b. The claim for an apportionment to be paid to a school district pursuant to subdivision a of this section shall be submitted to the commissioner of education on a form prescribed for such purpose, and shall be payable upon determination by such commissioner that the form has been submitted as prescribed. Such approved amounts shall be payable on the same day in September of the school year following the year in which application was made as funds provided pursuant to subparagraph (4) of paragraph b of subdivision 4 of section 92-c of the state finance law, on the audit and warrant of the state comptroller on vouchers certified or approved by the commissioner of education in the manner prescribed by law from moneys in the state lottery fund and from the

general fund to the extent that the amount paid to a school district pursuant to this section exceeds the amount, if any, due such school district pursuant to subparagraph (2) of paragraph a of subdivision 1 of section 3609-a of the education law in the school year following the year in which application was made.

c. Notwithstanding the provisions of section 3609-a of the education law, an amount equal to the amount paid to a school district pursuant to subdivisions a and b of this section shall first be deducted from the following payments due the school district during the school year following the year in which application was made pursuant to subparagraphs (1), (2), (3), (4) and (5) of paragraph a of subdivision 1 of section 3609-a of the education law in the following order: the lottery apportionment payable pursuant to subparagraph (2) of such paragraph followed by the fixed fall payments payable pursuant to subparagraph (4) of such paragraph and then followed by the district's payments to the teachers' retirement system pursuant to subparagraph (1) of such paragraph, and any remainder to be deducted from the individualized payments due the district pursuant to paragraph b of such subdivision shall be deducted on a chronological basis starting with the earliest payment due the district.

S 39. Special apportionment for public pension accruals. a. Notwithstanding any other provision of law, upon application to the commissioner of education, not later than June 30, 2017, a school district eligible for an apportionment pursuant to section 3602 of the education law shall be eligible to receive an apportionment pursuant to this section, for the school year ending June 30, 2017 and such apportionment shall not exceed the additional accruals required to be made by school districts in the 2004--2005 and 2005--2006 school years associated with changes for such public pension liabilities. The amount of such additional accrual shall be certified to the commissioner of education by the president of the board of education or the trustees or, in the case of a city school district in a city with a population in excess of 125,000 inhabitants, the mayor of such city. Such application shall be made by a school district, after the board of education or trustees have adopted a resolution to do so and in the case of a city school district in a city with a population in excess of 125,000 inhabitants, with the approval of the mayor of such city.

b. The claim for an apportionment to be paid to a school district pursuant to subdivision a of this section shall be submitted to the commissioner of education on a form prescribed for such purpose, and shall be payable upon determination by such commissioner that the form has been submitted as prescribed. Such approved amounts shall be payable on the same day in September of the school year following the year in which application was made as funds provided pursuant to subparagraph (4) of paragraph b of subdivision 4 of section 92-c of the state finance law, on the audit and warrant of the state comptroller on vouchers certified or approved by the commissioner of education in the manner prescribed by law from moneys in the state lottery fund and from the general fund to the extent that the amount paid to a school district pursuant to this section exceeds the amount, if any, due such school district pursuant to subparagraph (2) of paragraph a of subdivision 1 of section 3609-a of the education law in the school year following the year in which application was made.

c. Notwithstanding the provisions of section 3609-a of the education law, an amount equal to the amount paid to a school district pursuant to subdivisions a and b of this section shall first be deducted from the

following payments due the school district during the school year following the year in which application was made pursuant to subparagraphs (1), (2), (3), (4) and (5) of paragraph a of subdivision 1 of section 3609-a of the education law in the following order: the lottery apportionment payable pursuant to subparagraph (2) of such paragraph followed by the fixed fall payments payable pursuant to subparagraph (4) of such paragraph and then followed by the district's payments to the teachers' retirement system pursuant to subparagraph (1) of such paragraph, and any remainder to be deducted from the individualized payments due the district pursuant to paragraph b of such subdivision shall be deducted on a chronological basis starting with the earliest payment due the district.

S 40. a. Notwithstanding any other law, rule or regulation to the contrary, any moneys appropriated to the state education department may be suballocated to other state departments or agencies, as needed, to accomplish the intent of the specific appropriations contained therein.

b. Notwithstanding any other law, rule or regulation to the contrary, moneys appropriated to the state education department from the general fund/aid to localities, local assistance account-001, shall be for payment of financial assistance, as scheduled, net of disallowances, refunds, reimbursement and credits.

c. Notwithstanding any other law, rule or regulation to the contrary, all moneys appropriated to the state education department for aid to localities shall be available for payment of aid heretofore or hereafter to accrue and may be suballocated to other departments and agencies to accomplish the intent of the specific appropriations contained therein.

d. Notwithstanding any other law, rule or regulation to the contrary, moneys appropriated to the state education department for general support for public schools may be interchanged with any other item of appropriation for general support for public schools within the general fund local assistance account office of prekindergarten through grade twelve education programs.

S 41. Notwithstanding the provision of any law, rule, or regulation to the contrary, the city school district of the city of Rochester, upon the consent of the board of cooperative educational services of the supervisory district serving its geographic region may purchase from such board for the 2016--2017 school year, as a non-component school district, services required by article 19 of the education law.

S 42. The amounts specified in this section shall be a set aside from the state funds which each such district is receiving from the total foundation aid: for the purpose of the development, maintenance or expansion of magnet schools or magnet school programs for the 2016--2017 school year. To the city school district of the city of New York there shall be paid forty-eight million one hundred seventy-five thousand dollars ($48,175,000) including five hundred thousand dollars ($500,000) for the Andrew Jackson High School; to the Buffalo city school district, twenty-one million twenty-five thousand dollars ($21,025,000); to the Rochester city school district, fifteen million dollars ($15,000,000); to the Syracuse city school district, thirteen million dollars ($13,000,000); to the Yonkers city school district, forty-nine million five hundred thousand dollars ($49,500,000); to the Newburgh city school district, four million six hundred forty-five thousand dollars ($4,645,000); to the Poughkeepsie city school district, two million four hundred seventy-five thousand dollars ($2,475,000); to the Mount Vernon city school district, two million dollars ($2,000,000); to the New Rochelle city school district, one million four hundred ten thousand

dollars ($1,410,000); to the Schenectady city school district, one million eight hundred thousand dollars ($1,800,000); to the Port Chester city school district, one million one hundred fifty thousand dollars ($1,150,000); to the White Plains city school district, nine hundred thousand dollars ($900,000); to the Niagara Falls city school district, six hundred thousand dollars ($600,000); to the Albany city school district, three million five hundred fifty thousand dollars ($3,550,000); to the Utica city school district, two million dollars ($2,000,000); to the Beacon city school district, five hundred sixty-six thousand dollars ($566,000); to the Middletown city school district, four hundred thousand dollars ($400,000); to the Freeport union free school district, four hundred thousand dollars ($400,000); to the Greenburgh central school district, three hundred thousand dollars ($300,000); to the Amsterdam city school district, eight hundred thousand dollars ($800,000); to the Peekskill city school district, two hundred thousand dollars ($200,000); and to the Hudson city school district, four hundred thousand dollars ($400,000). Notwithstanding the provisions of this section, a school district receiving a grant pursuant to this section may use such grant funds for: (i) any instructional or instructional support costs associated with the operation of a magnet school; or (ii) any instructional or instructional support costs associated with implementation of an alternative approach to reduction of racial isolation and/or enhancement of the instructional program and raising of standards in elementary and secondary schools of school districts having substantial concentrations of minority students. The commissioner of education shall not be authorized to withhold magnet grant funds from a school district that used such funds in accordance with this section, notwithstanding any inconsistency with a request for proposals issued by such commissioner. For the purpose of attendance improvement and dropout prevention for the 2016--2017 school year, for any city school district in a city having a population of more than one million, the set aside for attendance improvement and dropout prevention shall equal the amount set aside in the base year. For the 2016--2017 school year, it is further provided that any city school district in a city having a population of more than one million shall allocate at least one-third of any increase from base year levels in funds set aside pursuant to the requirements of this section to community-based organizations. Any increase required pursuant to this section to community-based organizations must be in addition to allocations provided to community-based organizations in the base year. For the purpose of teacher support for the 2016--2017 school year: to the city school district of the city of New York, sixty-two million seven hundred seven thousand dollars ($62,707,000); to the Buffalo city school district, one million seven hundred forty-one thousand dollars ($1,741,000); to the Rochester city school district, one million seventy-six thousand dollars ($1,076,000); to the Yonkers city school district, one million one hundred forty-seven thousand dollars ($1,147,000); and to the Syracuse city school district, eight hundred nine thousand dollars ($809,000). All funds made available to a school district pursuant to this section shall be distributed among teachers including prekindergarten teachers and teachers of adult vocational and academic subjects in accordance with this section and shall be in addition to salaries heretofore or hereafter negotiated or made available; provided, however, that all funds distributed pursuant to this section for the current year shall be deemed to incorporate all funds distributed pursuant to former subdivision 27 of section 3602 of the education law for prior years. In school

districts where the teachers are represented by certified or recognized employee organizations, all salary increases funded pursuant to this section shall be determined by separate collective negotiations conducted pursuant to the provisions and procedures of article 14 of the civil service law, notwithstanding the existence of a negotiated agreement between a school district and a certified or recognized employee organization.

S 43. Support of public libraries. The moneys appropriated for the support of public libraries by a chapter of the laws of 2016 enacting the aid to localities budget shall be apportioned for the 2016-2017 state fiscal year in accordance with the provisions of sections 271, 272, 273, 282, 284, and 285 of the education law as amended by the provisions of this chapter and the provisions of this section, provided that library construction aid pursuant to section 273-a of the education law shall not be payable from the appropriations for the support of public libraries and provided further that no library, library system or program, as defined by the commissioner of education, shall receive less total system or program aid than it received for the year 2001-2002 except as a result of a reduction adjustment necessary to conform to the appropriations for support of public libraries. Notwithstanding any other provision of law to the contrary the moneys appropriated for the support of public libraries for the year 2016-2017 by a chapter of the laws of 2016 enacting the education, labor and family assistance budget shall fulfill the state's obligation to provide such aid and, pursuant to a plan developed by the commissioner of education and approved by the director of the budget, the aid payable to libraries and library systems pursuant to such appropriations shall be reduced proportionately to assure that the total amount of aid payable does not exceed the total appropriations for such purpose.

S 44. Subdivision a of section 5 of chapter 121 of the laws of 1996 relating to authorizing the Roosevelt union free school district to finance deficits by the issuance of serial bonds, as amended by section 26-b of part A of chapter 56 of the laws of 2015, is amended to read as follows:

a. Notwithstanding any other provisions of law, upon application to the commissioner of education submitted not sooner than April first and not later than June thirtieth of the applicable school year, the Roosevelt union free school district shall be eligible to receive an apportionment pursuant to this chapter for salary expenses, including related benefits, incurred between April first and June thirtieth of such school year. Such apportionment shall not exceed: for the 1996-97 school year through the [2015-16] 2016-17 school year, four million dollars ($4,000,000); for the [2016-17] 2017-18 school year, three million dollars ($3,000,000); for the [2017-18] 2018-19 school year, two million dollars ($2,000,000); for the [2018-19] 2019-20 school year, one million dollars ($1,000,000); and for the [2019-20] 2020-21 school year, zero dollars. Such annual application shall be made after the board of education has adopted a resolution to do so with the approval of the commissioner of education.

S 45. Paragraph a-1 of subdivision 11 of section 3602 of the education law, as amended by section 15-a of part A of chapter 56 of the laws of 2015, is amended to read as follows:

a-1. Notwithstanding the provisions of paragraph a of this subdivision, for aid payable in the school years two thousand--two thousand one through two thousand nine--two thousand ten, and two thousand eleven--two thousand twelve through two thousand [fifteen] SIXTEEN--two thousand

[sixteen] SEVENTEEN, the commissioner may set aside an amount not to exceed two million five hundred thousand dollars from the funds appropriated for purposes of this subdivision for the purpose of serving persons twenty-one years of age or older who have not been enrolled in any school for the preceding school year, including persons who have received a high school diploma or high school equivalency diploma but fail to demonstrate basic educational competencies as defined in regulation by the commissioner, when measured by accepted standardized tests, and who shall be eligible to attend employment preparation education programs operated pursuant to this subdivision.

S 46. The commissioner of education is hereby authorized and directed to examine the process for determining the number of eligible students in the federal and state free and reduced price lunch program that are used to calculate aid under section 3602 of the education law for districts that are participating in the community eligibility provision program authorized by the Healthy, Hunger-Free Kids Act of 2010 and prepare a report of recommendations that would ensure a more accurate representation of this population for use in such education aid formulae. In developing such recommendations the commissioner shall consult with impacted districts, including city school districts of cities with one hundred twenty-five thousand inhabitants or more. Provided further, in developing such recommendations, the commissioner shall examine other reliable measures of student poverty. The report shall be submitted to the director of the budget, the chairs of the senate finance committee, the assembly ways and means committee, the senate education committee, and the assembly education committee on or before October 1, 2016.

S 47. Clause (c) of subparagraph 5 of paragraph e of subdivision 6 of section 3602 of the education law, as amended by section 7-a of part A of chapter 56 of the laws of 2015, is amended to read as follows:

(c) At the end of each ten year segment of an assumed amortization established pursuant to subparagraphs two, three and four of this paragraph, or in the [two thousand sixteen--two thousand seventeen] TWO THOUSAND SEVENTEEN--TWO THOUSAND EIGHTEEN school year in the case of assumed amortizations whose ten year segment ends prior to such school year, the commissioner shall revise the remaining scheduled semiannual payments of the outstanding principal and interest of such assumed amortization, other than the outstanding principal and interest of refunding bonds where the district can demonstrate to the commissioner that it is precluded by state or federal law, rule or regulation from refinancing such outstanding principal and interest, based on the interest rates applicable for the current year if the difference of the interest rate upon which the existing assumed amortization is based minus such interest rate applicable for the current year is equal to or greater than one quarter of one-one hundredth. Provided however, in the case of assumed amortization whose ten year segment ended prior to the [two thousand sixteen--two thousand seventeen] TWO THOUSAND SEVENTEEN--TWO THOUSAND EIGHTEEN school year the next ten year segment shall be deemed to commence with the [two thousand sixteen--two thousand seventeen] TWO THOUSAND SEVENTEEN--TWO THOUSAND EIGHTEEN school year. The department shall notify school districts of projects subject to the provisions of this clause by no later than December first next preceding the school year in which the assumed amortization is scheduled to be revised pursuant to this clause.

S 48. Notwithstanding any provision of law to the contrary, for the Sandy Creek central school district having a penalty arising from the late filing of a final cost report pursuant to section 31 of part A of

chapter 57 of the laws of 2012 in the amount of not more than $4,694,839, the commissioner of education shall recover such penalty in five equal annual installments beginning the later of June of 2017 or June of the school year in which such district is notified of the penalty. Provided further that such district may elect to make an initial payment no later than thirty days in advance of the first annual installment which shall reduce the amount of each annual installment.

S 49. Notwithstanding any provision of law to the contrary, for the Newburgh city school district having a penalty arising from the late filing of a final cost report pursuant to section 31 of part A of chapter 57 of the laws of 2012 in the amount of not more than $12,747,495, the commissioner of education shall recover such penalty in five equal annual installments beginning the later of June of 2017 or June of the school year in which such district is notified of the penalty. Provided further that such district may elect to make an initial payment no later than thirty days in advance of the first annual installment which shall reduce the amount of each annual installment.

S 50. Notwithstanding any provision of law to the contrary, for the Islip union free school district having a penalty arising from the late filing of a final cost report pursuant to section 31 of part A of chapter 57 of the laws of 2012 in the amount of not more than $1,246,922, the commissioner of education shall recover such penalty in five equal annual installments beginning the later of June of 2017 or June of the school year in which such district is notified of the penalty. Provided further that such district may elect to make an initial payment no later than thirty days in advance of the first annual installment which shall reduce the amount of each annual installment.

S 51. Notwithstanding any provision of law to the contrary, for the Mattituck-Cutchogue union free school district having a penalty arising from the late filing of a final cost report pursuant to section 31 of part A of chapter 57 of the laws of 2012 in the amount of not more than $999,823, the commissioner of education shall recover such penalty in five equal annual installments beginning the later of June of 2017 or June of the school year in which such district is notified of the penalty. Provided further that such district may elect to make an initial payment no later than thirty days in advance of the first annual installment which shall reduce the amount of each annual installment.

S 52. Notwithstanding any provision of the law to the contrary, for the Lackawanna city school district having a penalty arising from the late filing of a final cost report pursuant to section 31 of part A of chapter 57 of the laws of 2012 in the amount of not more than $839,524, the commissioner of education shall recover such penalty in five equal annual installments beginning the later of June of 2017 or June of the school year in which such district is notified of the penalty. Provided further that such district may elect to make an initial payment no later than thirty days in advance of the first annual installment which shall reduce the amount of each annual installment.

S 53. Subdivision 4 of section 3627 of the education law, as amended by section 1 of part C of chapter 60 of the laws of 2015, is amended to read as follows:

4. Notwithstanding any other provision of law to the contrary, any expenditures for transportation provided pursuant to this section in the two thousand thirteen--two thousand fourteen [and two thousand fourteen--two thousand fifteen] school year and thereafter and otherwise eligible for transportation aid pursuant to subdivision seven of section thirty-six hundred two of this article shall be considered approved

transportation expenses eligible for transportation aid, provided further that for the two thousand thirteen--two thousand fourteen school year such aid shall be limited to eight million one hundred thousand dollars and for the two thousand fourteen--two thousand fifteen school year [and thereafter] such aid shall be limited to THE SUM OF twelve million six hundred thousand dollars PLUS THE BASE AMOUNT AND FOR THE TWO THOUSAND FIFTEEN--TWO THOUSAND SIXTEEN SCHOOL YEAR AND THEREAFTER SUCH AID SHALL BE LIMITED TO THE SUM OF SEVENTEEN MILLION ONE HUNDRED THOUSAND DOLLARS PLUS THE BASE AMOUNT. FOR PURPOSES OF THIS SUBDIVISION, "BASE AMOUNT" MEANS THE AMOUNT OF TRANSPORTATION AID PAID TO THE SCHOOL DISTRICT FOR EXPENDITURES INCURRED IN THE TWO THOUSAND TWELVE--TWO THOUSAND THIRTEEN SCHOOL YEAR FOR TRANSPORTATION THAT WOULD HAVE BEEN ELIGIBLE FOR AID PURSUANT TO THIS SECTION HAD THIS SECTION BEEN IN EFFECT IN SUCH SCHOOL YEAR, EXCEPT THAT SUBDIVISION SIX OF THIS SECTION SHALL BE DEEMED NOT TO HAVE BEEN IN EFFECT. And provided further that [such expenditures eligible for aid under this section shall supplement not supplant local expenditures for such transportation in the two thousand twelve--two thousand thirteen school year] THE SCHOOL DISTRICT SHALL CONTINUE TO ANNUALLY EXPEND FOR THE TRANSPORTATION DESCRIBED IN SUBDIVISION ONE OF THIS SECTION AT LEAST THE EXPENDITURES USED FOR THE BASE AMOUNT.

S 54. Severability. The provisions of this act shall be severable, and if the application of any clause, sentence, paragraph, subdivision, section or part of this act to any person or circumstance shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not necessarily affect, impair or invalidate the application of any such clause, sentence, paragraph, subdivision, section, part of this act or remainder thereof, as the case may be, to any other person or circumstance, 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.

S 55. This act shall take effect immediately, and shall be deemed to have been in full force and effect on and after April 1, 2016, provided, however, that sections one, six, seven, eight, ten, twenty-six, twenty-seven, twenty-eight, twenty-nine, thirty-seven, forty-one and forty-two of this act shall take effect July 1, 2016; provided, further, that the amendments to chapter 756 of the laws of 1992, amending the education law relating to funding a program for work force education conducted by a consortium for worker education in New York City made by sections twenty-eight and twenty-nine of this act shall not affect the repeal of such chapter and shall be deemed repealed therewith, provided, further, that section thirty-three of this act shall take effect immediately and shall be deemed to have been in full force and effect on and after the effective date of section 140 of chapter 82 of the laws of 1995.

PART B

Section 1. Section 2801-a of the education law, as added by chapter 181 of the laws of 2000, subdivision 1 as amended by chapter 380 of the laws of 2001, is amended to read as follows:

S 2801-a. School safety plans. 1. The board of education or trustees, as defined in section two of this chapter, of every school district within the state, however created, and every board of cooperative educational services and county vocational education and extension board and the chancellor of the city school district of the city of New York shall

adopt and amend a comprehensive district-wide school safety plan and building-level [school safety] EMERGENCY RESPONSE plans regarding crisis intervention, emergency response and management, provided that in the city school district of the city of New York, such plans shall be adopted by the chancellor of the city school district. Such plans shall be developed by a district-wide school safety team and a building-level [school safety] EMERGENCY RESPONSE team established pursuant to subdivision four of this section and shall be in a form developed by the commissioner in consultation with the division of criminal justice services, the superintendent of the state police and any other appropriate state agencies. [A school district having only one school building, shall develop a single building-level school safety plan, which shall also fulfill all requirements for development of a district-wide plan.] THE COMMISSIONER, IN CONSULTATION WITH THE SUPERINTENDENT OF THE STATE POLICE, IS AUTHORIZED TO DEVELOP AN APPEALS PROCESS FROM DUPLICATIVE REQUIREMENTS OF A DISTRICT-WIDE SCHOOL SAFETY PLAN FOR SCHOOL DISTRICTS HAVING ONLY ONE SCHOOL BUILDING.

2. Such comprehensive district-wide safety plan shall be developed by the district-wide school safety team and shall include at a minimum:

a. policies and procedures for responding to implied or direct threats of violence by students, teachers, other school personnel as well as visitors to the school, INCLUDING THREATS BY STUDENTS AGAINST THEMSELVES, WHICH FOR THE PURPOSES OF THIS SECTION SHALL INCLUDE SUICIDE;

b. policies and procedures for responding to acts of violence by students, teachers, other school personnel as well as visitors to the school, including consideration of zero-tolerance policies for school violence;

c. appropriate prevention and intervention strategies such as:

(i) collaborative arrangements with state and local law enforcement officials, designed to ensure that school safety officers and other security personnel are adequately trained, including being trained to de-escalate potentially violent situations, and are effectively and fairly recruited;

(ii) non-violent conflict resolution training programs;

(iii) peer mediation programs and youth courts; and

(iv) extended day and other school safety programs;

d. policies and procedures for contacting appropriate law enforcement officials in the event of a violent incident;

e. policies and procedures for contacting parents, guardians or persons in parental relation to the students of the district in the event of a violent incident AND POLICIES AND PROCEDURES FOR CONTACTING PARENTS, GUARDIANS OR PERSONS IN PARENTAL RELATION TO AN INDIVIDUAL STUDENT OF THE DISTRICT IN THE EVENT OF AN IMPLIED OR DIRECT THREAT OF VIOLENCE BY SUCH STUDENT AGAINST THEMSELVES, WHICH FOR PURPOSES OF THIS SECTION SHALL INCLUDE SUICIDE;

f. policies and procedures relating to school building security, including where appropriate the use of school safety officers and/or security devices or procedures;

g. policies and procedures for the dissemination of informative materials regarding the early detection of potentially violent behaviors, including but not limited to the identification of family, community and environmental factors, to teachers, administrators, school personnel, persons in parental relation to students of the district, students and other persons deemed appropriate to receive such information;

h. policies and procedures for annual school safety training for staff and students; PROVIDED THAT THE DISTRICT MUST CERTIFY TO THE COMMISSION-

ER THAT ALL STAFF HAVE UNDERGONE ANNUAL TRAINING ON THE EMERGENCY RESPONSE PLAN, AND THAT THE SCHOOL SAFETY TRAINING INCLUDE COMPONENTS ON VIOLENCE PREVENTION AND MENTAL HEALTH, SUCH TRAINING MAY BE IMPLEMENTED AND CONDUCTED IN CONJUNCTION WITH EXISTING PROFESSIONAL DEVELOPMENT AND TRAINING; PROVIDED HOWEVER THAT NEW EMPLOYEES HIRED AFTER THE START OF THE SCHOOL YEAR SHALL RECEIVE TRAINING WITHIN THIRTY DAYS OF SUCH HIRE OR AS PART OF A DISTRICT'S EXISTING NEW HIRE TRAINING PROGRAM, WHICHEVER IS SOONER;

i. protocols for responding to bomb threats, hostage-takings, intrusions and kidnappings;

j. strategies for improving communication among students and between students and staff and reporting of potentially violent incidents, such as the establishment of youth-run programs, peer mediation, conflict resolution, creating a forum or designating a mentor for students concerned with bullying or violence and establishing anonymous reporting mechanisms for school violence; [and]

k. a description of the duties of hall monitors and any other school safety personnel, the training required of all personnel acting in a school security capacity, and the hiring and screening process for all personnel acting in a school security capacity; AND

1. THE DESIGNATION OF THE SUPERINTENDENT, OR SUPERINTENDENT'S DESIGNEE, AS THE DISTRICT CHIEF EMERGENCY OFFICER RESPONSIBLE FOR COORDINATING COMMUNICATION BETWEEN SCHOOL STAFF AND LAW ENFORCEMENT AND FIRST RESPONDERS, AND ENSURING STAFF UNDERSTANDING OF THE DISTRICT-LEVEL SAFETY PLAN. THE CHIEF EMERGENCY OFFICER SHALL ALSO BE RESPONSIBLE FOR ENSURING THE COMPLETION AND YEARLY UPDATING OF BUILDING-LEVEL EMERGENCY RESPONSE PLANS.

3. A [school] BUILDING LEVEL emergency response plan, developed by the building-level [school safety] EMERGENCY RESPONSE team defined in subdivision four of this section, shall BE KEPT CONFIDENTIAL, INCLUDING BUT NOT LIMITED TO THE FLOOR PLANS, BLUEPRINTS, SCHEMATICS OR OTHER MAPS OF THE SCHOOL INTERIOR, SCHOOL GROUNDS AND ROAD MAPS OF THE IMMEDIATE SURROUNDING AREA, AND SHALL NOT BE DISCLOSED EXCEPT TO AUTHORIZED DEPARTMENT OR SCHOOL STAFF, AND LAW ENFORCEMENT OFFICERS, AND SHALL include the following elements:

a. policies and procedures for [the safe evacuation of students, teachers, other school personnel as well as visitors to the school in the event of a serious violent incident or other emergency, which shall include evacuation routes and shelter sites and procedures for addressing medical needs, transportation and emergency notification to persons in parental relation to a student. For purposes of this subdivision, "serious violent incident" means an incident of violent criminal conduct that is, or appears to be, life threatening and warrants the evacuation of students and/or staff, as defined in regulations of the commissioner developed in conjunction with the division of criminal justice services] RESPONSE TO EMERGENCY SITUATIONS, SUCH AS THOSE REQUIRING EVACUATION, SHELTERING, AND LOCK-DOWN. THESE POLICIES SHALL INCLUDE, AT A MINIMUM, EVACUATION ROUTES, SHELTER SITES, AND PROCEDURES FOR ADDRESSING MEDICAL NEEDS, TRANSPORTATION AND EMERGENCY NOTIFICATION OF PARENTS AND GUARDIANS;

b. designation of an emergency response team comprised of school personnel, [local] law enforcement officials, FIRE OFFICIALS and representatives from local regional and/or state emergency response agencies, other appropriate incident response teams, and a post-incident response team that includes appropriate school personnel, medical personnel,

mental health counselors and others who can assist the school community in coping with the aftermath of a violent incident;

c. [procedures for assuring that crisis response and law enforcement officials have access to] floor plans, blueprints, schematics or other maps of the school interior, school grounds and road maps of the immediate surrounding area;

d. establishment of internal and external communication systems in emergencies;

e. definition of the chain of command in a manner consistent with the national interagency incident management system/incident command system;

f. coordination of the [school safety] EMERGENCY RESPONSE plan with the state-wide plan for disaster mental health services to assure that the school has access to federal, state and local mental health resources in the event of a violent incident;

g. procedures for review and the conduct of drills and other exercises to test components of the emergency response plan; and

h. policies and procedures for securing and restricting access to the crime scene in order to preserve evidence in cases of violent crimes on school property.

4. Each district-wide school safety team shall be appointed by the board of education, or the chancellor in the case of the city school district of the city of New York, and shall include but not be limited to representatives of the school board, [student,] teacher, administrator, and parent organizations, school safety personnel, and other school personnel. AT THE DISCRETION OF THE BOARD OF EDUCATION, OR THE CHANCELLOR IN THE CASE OF THE CITY OF NEW YORK, A STUDENT MAY BE ALLOWED TO PARTICIPATE ON THE SAFETY TEAM, PROVIDED HOWEVER, THAT NO PORTION OF A CONFIDENTIAL BUILDING-LEVEL EMERGENCY RESPONSE PLAN SHALL BE SHARED WITH SUCH STUDENT NOR SHALL SUCH STUDENT BE PRESENT WHERE DETAILS OF A CONFIDENTIAL BUILDING-LEVEL EMERGENCY RESPONSE PLAN OR CONFIDENTIAL PORTIONS OF A DISTRICT-WIDE EMERGENCY RESPONSE STRATEGY ARE DISCUSSED. Each building-level [school safety] EMERGENCY RESPONSE team shall be appointed by the building principal, in accordance with regulations or guidelines prescribed by the board of education, chancellor or other governing body. Such building-level teams shall include but not be limited to representatives of teacher, administrator, and parent organizations, school safety personnel and other school personnel, community members, [local] law enforcement officials, [local ambulance] FIRE OFFICIALS or other emergency response agencies, and any other representatives the board of education, chancellor or other governing body deems appropriate.

5. [Each safety plan shall be reviewed by the appropriate school safety team on at least an annual basis, and updated as needed] THE DISTRICT-WIDE SAFETY PLAN AND BUILDING-LEVEL EMERGENCY RESPONSE PLANS SHALL BE REVIEWED BY THE APPROPRIATE TEAM ON AT LEAST AN ANNUAL BASIS AND UPDATED AS NEEDED.

6. Each board of education, chancellor or other governing body shall make each district-wide [and building-level school] safety plan available for public comment at least thirty days prior to its adoption[, provided that only a summary of each building-level emergency response plan shall be made available for public comment]. Such district-wide [and building-level] plans may be adopted by the school board only after at least one public hearing that provides for the participation of school personnel, parents, students and any other interested parties. Each district shall file a copy of its district-wide [comprehensive] safety plan with the commissioner and all amendments to such plan shall

be filed with the commissioner no later than thirty days after their adoption.

[A] 7. EACH BOARD OF EDUCATION, CHANCELLOR OR OTHER GOVERNING BODY OR OFFICER SHALL ENSURE A copy of each building-level [safety] EMERGENCY RESPONSE plan and any amendments thereto, shall be filed with the appropriate local law enforcement agency and with the state police within thirty days of its adoption. Building-level emergency response plans shall be confidential and shall not be subject to disclosure under article six of the public officers law or any other provision of law. If the board of education, chancellor or other governing body or chancellor fails to file such plan as required by this section, the commissioner may, in an amount determined by the commissioner, withhold public money from the district until the district is in compliance.

[7. The commissioner may grant a waiver of the requirements of this section to any school district or board of cooperative educational services for a period of up to two years from the date of enactment upon a finding by the commissioner that such district had adopted a comprehensive school safety plan on the effective date of this section which is in substantial compliance with the requirements of this section.]

8. The commissioner shall annually report to the governor and the legislature on the implementation and compliance with the provisions of this section.

9. Whenever it shall have been demonstrated to the satisfaction of the commissioner that a school district has failed to adopt a code of conduct which fully satisfies the requirements of section twenty-eight hundred one of this article, or a [school safety plan] DISTRICT-WIDE SAFETY PLAN OR BUILDING-LEVEL EMERGENCY RESPONSE PLANS which satisfies the requirements of this section, or to faithfully and completely implement [either or both] ALL THREE, the commissioner may, on thirty days notice to the district, withhold from the district monies to be paid to such district for the current school year pursuant to section thirty-six hundred nine-a of this chapter, exclusive of monies to be paid in respect of obligations to the retirement systems for school and district staff and pursuant to collective bargaining agreements, or the commissioner may direct the district to expend up to such amount upon the development and implementation of a code of conduct and a school district safety plan as required by such sections. Prior to such withholding or redirection, the commissioner shall provide the district an opportunity to present evidence of extenuating circumstances; when combined with evidence that the district shall promptly comply within short time frames that shall be established by the commissioner as part of an agreement between the district and the commissioner, the commissioner may temporarily stay the withholding or redirection of funds pending implementation of such agreement. If the district promptly and fully complies with the agreement and is in full compliance with this section and section twenty-eight hundred one of this article, the commissioner shall abate the withholding in its entirety. Any failure to meet the obligations of the compliance agreement by the district within the time frames established shall be considered a willful violation of a commissioner's order by the members of the district board for purposes of subdivision one of section three hundred six of the education law. Notwithstanding any other law, rule or regulation, such transfer shall take effect upon filing of a notice thereof with the director of the budget and the chairs of the senate finance and assembly ways and means committees.

S 2. The section heading and subdivisions 1 and 1-a of section 807 of the education law, the section heading as amended by chapter 765 of the laws of 1964, subdivision 1 as amended by chapter 143 of the laws of 1985 and subdivision 1-a as added by chapter 9 of the laws of 1991, are amended to read as follows:

Fire AND EMERGENCY drills. 1. It shall be the duty of the principal or other person in charge of every public or private school or educational institution within the state, other than colleges or universities, to instruct and train the pupils by means of drills, so that they may in a sudden emergency be able to [leave the school building] RESPOND APPROPRIATELY in the shortest possible time and without confusion or panic. Such drills [or rapid dismissals] shall be held at least twelve times in each school year, eight of which required drills shall be held between September first and December [first] THIRTY-FIRST of each such year. [At least one-third of all such required drills shall be through use of the fire escapes on buildings where fire escapes are provided. In the course of at least one such drill, pupils shall be instructed in the procedure to be followed in the event that a fire occurs during lunch period, provided however, that such additional instruction may be waived where a drill is held during the regular school lunch period. At least four] EIGHT OF ALL SUCH DRILLS SHALL BE EVACUATION DRILLS, FOUR OF WHICH SHALL BE THROUGH USE OF THE FIRE ESCAPES ON BUILDINGS WHERE FIRE ESCAPES ARE PROVIDED OR THROUGH THE USE OF IDENTIFIED SECONDARY MEANS OF EGRESS. FOUR OF ALL SUCH REQUIRED DRILLS SHALL BE LOCK-DOWN DRILLS. DRILLS SHALL BE CONDUCTED AT DIFFERENT TIMES OF THE SCHOOL DAY. PUPILS SHALL BE INSTRUCTED IN THE PROCEDURE TO BE FOLLOWED IN THE EVENT THAT A FIRE OCCURS DURING THE LUNCH PERIOD OR ASSEMBLY, PROVIDED HOWEVER, THAT SUCH ADDITIONAL INSTRUCTION MAY BE WAIVED WHERE A DRILL IS HELD DURING THE REGULAR SCHOOL LUNCH PERIOD OR ASSEMBLY. FOUR additional drills shall be held in each school year during the hours after sunset and before sunrise in school buildings in which students are provided with sleeping accommodations. At least two additional drills shall be held during summer school in buildings where summer school is conducted, and one of such drills shall be held during the first week of summer school.

1-a. In the case of after-school programs, events or performances which are conducted within a school building and which include persons who do not regularly attend classes in such school building, the principal or other person in charge of the building shall require the teacher or person in charge of such after-school program, event or performance to notify persons in attendance at the beginning of each such program, event or performance, of the procedures to be followed in the event of an emergency so that they may be able to [leave the building] RESPOND in a timely, orderly manner.

S 3. Subdivision 7 of section 3604 of the education law, as amended by section 31 of part B of chapter 57 of the laws of 2007, is amended to read as follows:

7. No district shall be entitled to any portion of such school moneys on such apportionment unless the report of the trustees or board of education for the preceding school year shall show that the public schools were actually in session in the district and taught by a qualified teacher or by successive qualified teachers or by qualified teachers for not less than one hundred eighty days. The moneys payable to a school district pursuant to section thirty-six hundred nine-a of this chapter in the current year shall be reduced by one one-hundred eightieth of the district's total foundation aid for each day less than one hundred eighty days that the schools of the district were actually in

session, except that the commissioner may disregard such reduction, up to five days, in the apportionment of public money, if he finds that the schools of the district were not in session for one hundred eighty days because of extraordinarily adverse weather conditions, impairment of heating facilities, insufficiency of water supply, shortage of fuel, lack of electricity, natural gas leakage, unacceptable levels of chemical substances, A CREDIBLE THREAT TO STUDENT SAFETY AS REASONABLY DETERMINED BY A LEAD SCHOOL OFFICIAL or the destruction of a school building either in whole or in part, and if, further, the commissioner finds that such district cannot make up such days of instruction by using for the secondary grades all scheduled vacation days which occur prior to the first scheduled regents examination day in June, and for the elementary grades all scheduled vacation days which occur prior to the last scheduled regents examination day in June. For the purposes of this subdivision, "scheduled vacation days" shall mean days on which the schools of the district are not in session and for which no prohibition exists in subdivision eight of this section for them to be in session.

S 4. This act shall take effect July 1, 2016.

## PART C

Intentionally Omitted

## PART D

Section 1. Subparagraph 4 of paragraph h of subdivision 2 of section 355 of the education law, as amended by chapter 260 of the laws of 2011, the opening paragraph as amended by chapter 437 of the laws of 2015 and clause (ii) as amended by section 1 of part P of chapter 57 of the laws of 2012, is amended to read as follows:

(4) The trustees shall not impose a differential tuition charge based upon need or income. Except as hereinafter provided, all students enrolled in programs leading to like degrees at state-operated institutions of the state university shall be charged a uniform rate of tuition except for differential tuition rates based on state residency. Provided, however, that the trustees may authorize the presidents of the colleges of technology and the colleges of agriculture and technology to set differing rates of tuition for each of the colleges for students enrolled in degree-granting programs leading to an associate degree and non-degree granting programs so long as such tuition rate does not exceed the tuition rate charged to students who are enrolled in like degree programs or degree-granting undergraduate programs leading to a baccalaureate degree at other state-operated institutions of the state university of New York. Notwithstanding any other provision of this subparagraph, the trustees may authorize the setting of a separate category of tuition rate, that shall be greater than the tuition rate for resident students and less than the tuition rate for non-resident students, only for students enrolled in distance learning courses who are not residents of the state. Except as otherwise authorized in this subparagraph, the trustees shall not adopt changes affecting tuition charges prior to the enactment of the annual budget, provided however that:

(i) Commencing with the two thousand eleven--two thousand twelve academic year and ending in the two thousand fifteen--two thousand sixteen academic year the state university of New York board of trustees shall be empowered to increase the resident undergraduate rate of

tuition by not more than three hundred dollars over the resident undergraduate rate of tuition adopted by the board of trustees in the prior academic year, provided however that COMMENCING WITH THE TWO THOUSAND ELEVEN--TWO THOUSAND TWELVE ACADEMIC YEAR AND EACH YEAR THEREAFTER if the annual resident undergraduate rate of tuition would exceed five thousand dollars, then a tuition credit for each eligible student, as determined and calculated by the New York state higher education services corporation pursuant to section six hundred eighty-nine-a of this title, shall be applied toward the tuition charged for each semester, quarter or term of study. Tuition for each semester, quarter or term of study shall not be due for any student eligible to receive such tuition credit until the tuition credit is calculated and applied against the tuition charged for the corresponding semester, quarter or term.

(ii) On or before November thirtieth, two thousand eleven, the trustees shall approve and submit to the chairs of the assembly ways and means committee and the senate finance committee and to the director of the budget a master tuition plan setting forth the tuition rates that the trustees propose for resident undergraduate students for the five year period commencing with the two thousand eleven--two thousand twelve academic year and ending in the two thousand fifteen-two thousand sixteen academic year, and shall submit any proposed amendments to such plan by November thirtieth of each subsequent year thereafter through November thirtieth, two thousand fifteen, and provided further, that with the approval of the board of trustees, each university center may increase non-resident undergraduate tuition rates each year by not more than ten percent over the tuition rates of the prior academic year for a [five] SIX year period commencing with the [semester following the semester in which the governor and the chancellor of the state university of New York approve the NY-SUNY 2020 proposal for such university center] TWO THOUSAND ELEVEN--TWO THOUSAND TWELVE ACADEMIC YEAR AND ENDING IN THE TWO THOUSAND SIXTEEN--TWO THOUSAND SEVENTEEN ACADEMIC YEAR.

(iii) [The state shall appropriate annually and make available general fund operating support, including fringe benefits, for the state university in an amount not less than the amount appropriated and made available to the state university in state fiscal year two thousand eleven--two thousand twelve.] Beginning in state fiscal year two thousand twelve-two thousand thirteen and [thereafter] ENDING IN STATE FISCAL YEAR TWO THOUSAND FIFTEEN--TWO THOUSAND SIXTEEN, the state shall appropriate and make available general fund operating support, including fringe benefits, for the state university in an amount not less than the amount appropriated and made available in the prior state fiscal year; provided, however, that if the governor declares a fiscal emergency, and communicates such emergency to the temporary president of the senate and speaker of the assembly, state support for operating expenses at the state university and city university may be reduced in a manner proportionate to one another, and the aforementioned provisions shall not apply.

(iv) For the state university fiscal years commencing two thousand eleven--two thousand twelve and ending two thousand fifteen--two thousand sixteen, each university center may set aside a portion of its tuition revenues derived from tuition increases to provide increased financial aid for New York state resident undergraduate students whose net taxable income is eighty thousand dollars or more subject to the approval of a NY-SUNY 2020 proposal by the governor and the chancellor

of the state university of New York. Nothing in this paragraph shall be construed as to authorize that students whose net taxable income is eighty thousand dollars or more are eligible for tuition assistance program awards pursuant to section six hundred sixty-seven of this chapter.

S 2. Paragraph (a) of subdivision 7 of section 6206 of the education law, as amended by chapter 260 of the laws of 2011 and the opening paragraph as amended by chapter 437 of the laws of 2015, is amended to read as follows:

(a) The board of trustees shall establish positions, departments, divisions and faculties; appoint and in accordance with the provisions of law fix salaries of instructional and non-instructional employees therein; establish and conduct courses and curricula; prescribe conditions of student admission, attendance and discharge; and shall have the power to determine in its discretion whether tuition shall be charged and to regulate tuition charges, and other instructional and non-instructional fees and other fees and charges at the educational units of the city university. The trustees shall review any proposed community college tuition increase and the justification for such increase. The justification provided by the community college for such increase shall include a detailed analysis of ongoing operating costs, capital, debt service expenditures, and all revenues. The trustees shall not impose a differential tuition charge based upon need or income. All students enrolled in programs leading to like degrees at the senior colleges shall be charged a uniform rate of tuition, except for differential tuition rates based on state residency. Notwithstanding any other provision of this paragraph, the trustees may authorize the setting of a separate category of tuition rate, that shall be greater than the tuition rate for resident students and less than the tuition rate for non-resident students, only for students enrolled in distance learning courses who are not residents of the state; provided, however, that:

(i) Commencing with the two thousand eleven--two thousand twelve academic year and ending in the two thousand fifteen--two thousand sixteen academic year, the city university of New York board of trustees shall be empowered to increase the resident undergraduate rate of tuition by not more than three hundred dollars over the resident undergraduate rate of tuition adopted by the board of trustees in the prior academic year, provided however that COMMENCING WITH THE TWO THOUSAND ELEVEN--TWO THOUSAND TWELVE ACADEMIC YEAR AND EACH YEAR THEREAFTER if the annual resident undergraduate rate of tuition would exceed five thousand dollars, then a tuition credit for each eligible student, as determined and calculated by the New York state higher education services corporation pursuant to section six hundred eighty-nine-a of this chapter, shall be applied toward the tuition charged for each semester, quarter or term of study. Tuition for each semester, quarter or term of study shall not be due for any student eligible to receive such tuition credit until the tuition credit is calculated and applied against the tuition charged for the corresponding semester, quarter or term.

(ii) On or before November thirtieth, two thousand eleven, the trustees shall approve and submit to the chairs of the assembly ways and means committee and the senate finance committee and to the director of the budget a master tuition plan setting forth the tuition rates that the trustees propose for resident undergraduate students for the five year period commencing with the two thousand eleven--two thousand twelve academic year and ending in the two thousand fifteen--two thousand

sixteen academic year, and shall submit any proposed amendments to such plan by November thirtieth of each subsequent year thereafter through November thirtieth, two thousand fifteen.

(iii) [The state shall appropriate annually and make available state support for operating expenses, including fringe benefits, for the city university in an amount not less than the amount appropriated and made available to the city university in state fiscal year two thousand eleven--two thousand twelve.] Beginning in state fiscal year two thousand twelve--two thousand thirteen and [thereafter] ENDING IN STATE FISCAL YEAR TWO THOUSAND FIFTEEN--TWO THOUSAND SIXTEEN, the state shall appropriate and make available state support for operating expenses, including fringe benefits, for the city university in an amount not less than the amount appropriated and made available in the prior state fiscal year; provided, however, that if the governor declares a fiscal emergency, and communicates such emergency to the temporary president of the senate and speaker of the assembly, state support for operating expenses of the state university and city university may be reduced in a manner proportionate to one another, and the aforementioned provisions shall not apply.

S 3. Intentionally omitted.

S 4. Intentionally omitted.

S 5. Section 16 of chapter 260 of the laws of 2011 amending the education law and the New York state urban development corporation act relating to establishing components of the NY-SUNY 2020 challenge grant program, as amended by section 65-a of part HH of chapter 57 of the laws of 2013, is amended to read as follows:

S 16. This act shall take effect July 1, 2011; provided that sections one, two, three, four, five, six, eight, nine, ten, eleven, twelve[,] AND thirteen[, fourteen and fifteen] of this act shall expire [5] 6 years after such effective date when upon such date the provisions of this act shall be deemed repealed; AND PROVIDED FURTHER THAT SECTIONS FOURTEEN AND FIFTEEN OF THIS ACT SHALL EXPIRE 5 YEARS AFTER SUCH EFFECTIVE DATE WHEN UPON SUCH DATE THE PROVISIONS OF THIS ACT SHALL BE DEEMED REPEALED.

S 6. This act shall take effect immediately; provided that the amendments to subparagraph 4 of paragraph h of subdivision 2 of section 355 of the education law made by section one of this act and the amendments to paragraph (a) of subdivision 7 of section 6206 of the education law made by section two of this act shall not affect the expiration of such provisions and shall be deemed to expire therewith; provided further, that if chapter 437 of the laws of 2015 shall not have taken effect by such effective date, then sections one and two of this act shall take effect on the same day and in the same manner as sections 1 and 3 of chapter 437 of the laws of 2015, take effect.

## PART E

Section 1. The state finance law is amended by adding a new section 99-y to read as follows:

S 99-Y. SUNY STONY BROOK AFFILIATION ESCROW FUND. 1. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, RULE, REGULATION, OR PRACTICE TO THE CONTRARY, THERE IS HEREBY ESTABLISHED IN THE JOINT CUSTODY OF THE COMPTROLLER AND THE CHANCELLOR OF THE STATE UNIVERSITY OF NEW YORK (SUNY) A TRUST AND AGENCY FUND, TO BE KNOWN AS THE "SUNY STONY BROOK AFFILIATION ESCROW FUND" WHICH SHALL BE AVAILABLE WITHOUT FISCAL YEAR LIMITATION.

2. THE SUNY STONY BROOK AFFILIATION ESCROW FUND SHALL CONSIST OF (I) ALL MONIES GENERATED THROUGH THE ACTIVITIES OF STONY BROOK AT SOUTHAMPTON HOSPITAL, INCLUDING BUT NOT LIMITED TO PATIENT REVENUE, FEDERAL REIMBURSEMENT, AND OTHER ASSOCIATED REVENUE SOURCES, (II) RENT PAYMENTS MADE BY STONY BROOK UNIVERSITY HOSPITAL TO THE SOUTHAMPTON HOSPITAL ASSOCIATION UNDER A CERTAIN LEASE AGREEMENT APPROVED BY THE DIRECTOR OF THE BUDGET, THE OFFICE OF THE NEW YORK STATE ATTORNEY GENERAL AND THE OFFICE OF THE NEW YORK STATE COMPTROLLER AND (III) TO THE EXTENT PERMITTED UNDER THE LEASE AGREEMENT REFERRED TO IN PARAGRAPH (II) OF THIS SUBDIVISION, WORKING CAPITAL ADVANCES AND CAPITAL ACQUISITION ADVANCES MADE BY STONY BROOK UNIVERSITY HOSPITAL TO THE SOUTHAMPTON HOSPITAL ASSOCIATION.

3. MONIES OF THE SUNY STONY BROOK AFFILIATION ESCROW FUND SHALL BE EXPENDED ONLY FOR THE PURPOSES OF STONY BROOK HOSPITAL AT SOUTHAMPTON.

S 2. This act shall take effect immediately.

## PART F

Intentionally Omitted

## PART G

Section 1. Subdivision (a) of section 50 of chapter 161 of the laws of 2005 amending the education law relating to the New York state licensed social worker loan forgiveness program, as amended by section 1 of part M of chapter 58 of the laws of 2011, is amended to read as follows:

(a) [section two of this act shall expire and be deemed repealed June 30, 2016; and provided, further that] the amendment to paragraph b of subdivision 1 of section 679-c and the amendment to paragraph 2 of subdivision a of section 679-d of the education law made by sections three and four of this act shall not affect the repeal of such sections and shall be deemed repealed therewith;

S 2. Section 3 of part V of chapter 57 of the laws of 2005 amending the education law relating to the New York state nursing faculty loan forgiveness incentive program and the New York state nursing faculty scholarship program, as amended by section 1 of part L of chapter 58 of the laws of 2011, is amended to read as follows:

S 3. This act shall take effect on the same date and in the same manner as Part H of this chapter; provided that section two of this act shall take effect on the same date and in the same manner as Part I of this chapter[; and provided further that this act shall expire and be deemed repealed on June 30, 2016].

S 3. Section 17 of chapter 31 of the laws of 1985 amending the education law relating to regents scholarships in certain professions, as amended by section 1 of part K of chapter 58 of the laws of 2011, is amended to read as follows:

S 17. This act shall take effect immediately; provided, however, that the scholarship and loan forgiveness programs established pursuant to the provisions of this act shall terminate upon the granting of such awards for the 2008-2009 school year provided, however, that the regents physician loan forgiveness program established pursuant to this act shall [not terminate until the granting of such awards] CONTINUE for the 2015-16 school year[, provided that the final disbursement of any multi-year awards granted in such school year shall be paid] AND THEREAFTER.

S 4. Paragraph a of subdivision 5 of section 679-c of the education law, as amended by section 1 of part E3 of chapter 57 of the laws of 2007, is amended to read as follows:

a. The corporation shall convert to a student loan the full amount of the award given pursuant to this section, plus interest, according to a schedule to be determined by the corporation if: (1) three years after the completion of the degree program it is found that an applicant did not begin to provide nursing faculty or clinical nurse faculty services; (2) if such applicant does not provide nursing faculty or clinical nursing faculty services for four years within seven years of the completion of the master's degree program in nursing or doctoral degree; or (3) the student fails to receive a master's degree in nursing or doctoral degree that will qualify them as nursing faculty or adjunct clinical faculty within the three years of receiving the award. THE TERMS AND CONDITIONS OF THIS SUBDIVISION SHALL BE DEFERRED FOR ANY INTERRUPTION IN GRADUATE OR DOCTORAL STUDY OR EMPLOYMENT AS ESTABLISHED BY THE RULES AND REGULATIONS OF THE CORPORATION. ANY OBLIGATION TO COMPLY WITH SUCH PROVISIONS AS OUTLINED IN THIS SECTION SHALL BE CANCELLED UPON THE DEATH OF THE RECIPIENT. NOTWITHSTANDING ANY PROVISIONS OF THIS SUBDIVISION TO THE CONTRARY, THE CORPORATION IS AUTHORIZED TO PROMULGATE RULES AND REGULATIONS TO PROVIDE FOR THE WAIVER OR SUSPENSION OF ANY FINANCIAL OBLIGATION WHICH WOULD INVOLVE EXTREME HARDSHIP.

S 5. Subdivision 5 of section 669-d of the education law, as amended by section 1 of part H1 of chapter 109 of the laws of 2006, is amended to read as follows:

5. The corporation shall convert to a student loan the full amount of the award given pursuant to this section, plus interest, according to a schedule to be determined by the corporation if: (a) two years after the completion of the degree program and receipt of initial certification it is found that a recipient is not teaching in the field of math or science in a school located within New York state providing secondary education recognized by the board of regents or the university of the state of New York; or (b) a recipient has not taught in the field of math or science in a school located within New York state providing secondary education recognized by the board of regents or the university of the state of New York for five of the seven years after the completion of the degree program and receipt of initial certification; or (c) a recipient fails to complete their degree program or changes majors to an undergraduate degree program other than in science or math; or (d) a recipient fails to receive or maintain their teaching certificate or license in New York state; or (e) a recipient fails to respond to requests by the corporation for the status of his or her academic or professional progress. THE TERMS AND CONDITIONS OF THIS SUBDIVISION SHALL BE DEFERRED FOR ANY INTERRUPTION IN UNDERGRADUATE OR GRADUATE STUDY OR EMPLOYMENT AS ESTABLISHED BY THE RULES AND REGULATIONS OF THE CORPORATION. ANY OBLIGATION TO COMPLY WITH SUCH PROVISIONS AS OUTLINED IN THIS SECTION SHALL BE CANCELLED UPON THE DEATH OF THE RECIPIENT. NOTWITHSTANDING ANY PROVISIONS OF THIS SUBDIVISION TO THE CONTRARY, THE CORPORATION IS AUTHORIZED TO PROMULGATE RULES AND REGULATIONS TO PROVIDE FOR THE WAIVER OR SUSPENSION OF ANY FINANCIAL OBLIGATION WHICH WOULD INVOLVE EXTREME HARDSHIP.

S 6. This act shall take effect immediately.

PART H

Intentionally Omitted

PART I

Intentionally Omitted

PART J

Intentionally Omitted

PART K

Section 1. Subdivision 1 of section 652 of the labor law, as amended by section 1 of part P of chapter 57 of the laws of 2013, is amended to read as follows:

1. Statutory. Every employer shall pay to each of its employees for each hour worked a wage of not less than:

$4.25 on and after April 1, 1991,

$5.15 on and after March 31, 2000,

$6.00 on and after January 1, 2005,

$6.75 on and after January 1, 2006,

$7.15 on and after January 1, 2007,

$8.00 on and after December 31, 2013,

$8.75 on and after December 31, 2014,

$9.00 on and after December 31, 2015, AND UNTIL DECEMBER 31, 2016, or, if greater, such other wage as may be established by federal law pursuant to 29 U.S.C. section 206 or its successors

or such other wage as may be established in accordance with the provisions of this article.

(A) NEW YORK CITY. (I) LARGE EMPLOYERS. EVERY EMPLOYER OF ELEVEN OR MORE EMPLOYEES SHALL PAY TO EACH OF ITS EMPLOYEES FOR EACH HOUR WORKED IN THE CITY OF NEW YORK A WAGE OF NOT LESS THAN:

$11.00 PER HOUR ON AND AFTER DECEMBER 31, 2016,

$13.00 PER HOUR ON AND AFTER DECEMBER 31, 2017,

$15.00 PER HOUR ON AND AFTER DECEMBER 31, 2018, OR, IF GREATER, SUCH OTHER WAGE AS MAY BE ESTABLISHED BY FEDERAL LAW PURSUANT TO 29 U.S.C. SECTION 206 OR ITS SUCCESSORS OR SUCH OTHER WAGE AS MAY BE ESTABLISHED IN ACCORDANCE WITH THE PROVISIONS OF THIS ARTICLE.

(II) SMALL EMPLOYERS. EVERY EMPLOYER OF TEN OR LESS EMPLOYEES SHALL PAY TO EACH OF ITS EMPLOYEES FOR EACH HOUR WORKED IN THE CITY OF NEW YORK A WAGE OF NOT LESS THAN:

$10.50 PER HOUR ON AND AFTER DECEMBER 31, 2016,

$12.00 PER HOUR ON AND AFTER DECEMBER 31, 2017,

$13.50 PER HOUR ON AND AFTER DECEMBER 31, 2018,

$15.00 PER HOUR ON AND AFTER DECEMBER 31, 2019, OR, IF GREATER, SUCH OTHER WAGE AS MAY BE ESTABLISHED BY FEDERAL LAW PURSUANT TO 29 U.S.C. SECTION 206 OR ITS SUCCESSORS OR SUCH OTHER WAGE AS MAY BE ESTABLISHED IN ACCORDANCE WITH THE PROVISIONS OF THIS ARTICLE.

(B) REMAINDER OF DOWNSTATE. EVERY EMPLOYER SHALL PAY TO EACH OF ITS EMPLOYEES FOR EACH HOUR WORKED IN THE COUNTIES OF NASSAU, SUFFOLK AND WESTCHESTER A WAGE NOT LESS THAN:

$10.00 PER HOUR ON AND AFTER DECEMBER 31, 2016,

$11.00 PER HOUR ON AND AFTER DECEMBER 31, 2017,

$12.00 PER HOUR ON AND AFTER DECEMBER 31, 2018,

$13.00 PER HOUR ON AND AFTER DECEMBER 31, 2019,

$14.00 PER HOUR ON AND AFTER DECEMBER 31, 2020,

$15.00 PER HOUR ON AND AFTER DECEMBER 31, 2021,

OR, IF GREATER, SUCH OTHER WAGE AS MAY BE ESTABLISHED BY FEDERAL LAW PURSUANT TO 29 U.S.C. SECTION 206 OR ITS SUCCESSORS OR SUCH OTHER WAGE AS MAY BE ESTABLISHED IN ACCORDANCE WITH THE PROVISIONS OF THIS ARTICLE.

(C) REMAINDER OF STATE. EVERY EMPLOYER SHALL PAY TO EACH OF ITS EMPLOYEES FOR EACH HOUR WORKED OUTSIDE OF THE CITY OF NEW YORK AND THE COUNTIES OF NASSAU, SUFFOLK, AND WESTCHESTER, A WAGE OF NOT LESS THAN:

$9.70 ON AND AFTER DECEMBER 31, 2016,

$10.40 ON AND AFTER DECEMBER 31, 2017,

$11.10 ON AND AFTER DECEMBER 31, 2018,

$11.80 ON AND AFTER DECEMBER 31, 2019,

$12.50 ON AND AFTER DECEMBER 31, 2020,

AND ON EACH FOLLOWING DECEMBER THIRTY-FIRST, A WAGE PUBLISHED BY THE COMMISSIONER ON OR BEFORE OCTOBER FIRST, BASED ON THE THEN CURRENT MINIMUM WAGE INCREASED BY A PERCENTAGE DETERMINED BY THE DIRECTOR OF THE BUDGET IN CONSULTATION WITH THE COMMISSIONER, WITH THE RESULT ROUNDED TO THE NEAREST FIVE CENTS, TOTALING NO MORE THAN FIFTEEN DOLLARS, WHERE THE PERCENTAGE INCREASE SHALL BE BASED ON INDICES INCLUDING, BUT NOT LIMITED TO, (I) THE RATE OF INFLATION FOR THE MOST RECENT TWELVE MONTH PERIOD ENDING JUNE OF THAT YEAR BASED ON THE CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS ON A NATIONAL AND SEASONALLY UNADJUSTED BASIS (CPI-U), OR A SUCCESSOR INDEX AS CALCULATED BY THE UNITED STATES DEPARTMENT OF LABOR, (II) THE RATE OF STATE PERSONAL INCOME GROWTH FOR THE PRIOR CALENDAR YEAR, OR A SUCCESSOR INDEX, PUBLISHED BY THE BUREAU OF ECONOMIC ANALYSIS OF THE UNITED STATES DEPARTMENT OF COMMERCE, OR (III) WAGE GROWTH; OR, IF GREATER, SUCH OTHER WAGE AS MAY BE ESTABLISHED BY FEDERAL LAW PURSUANT TO 29 U.S.C. SECTION 206 OR ITS SUCCESSORS OR SUCH OTHER WAGE AS MAY BE ESTABLISHED IN ACCORDANCE WITH THE PROVISIONS OF THIS ARTICLE.

(D) THE RATES AND SCHEDULES ESTABLISHED IN PARAGRAPHS (A) AND (B) OF THIS SUBDIVISION SHALL NOT BE DEEMED TO BE THE MINIMUM WAGE UNDER THIS SUBDIVISION FOR PURPOSES OF THE CALCULATIONS SPECIFIED IN SUBDIVISIONS ONE AND TWO OF SECTION FIVE HUNDRED TWENTY-SEVEN OF THIS CHAPTER.

S 2. Subdivisions 4 and 5 of section 652 of the labor law, as amended by chapter 747 of the laws of 2004, are amended to read as follows:

4. Notwithstanding subdivisions one and two of this section, the wage for an employee who is a food service worker receiving tips shall be a cash wage of at least [three dollars and thirty cents per hour on or after March thirty-first, two thousand; three dollars and eighty-five cents on or after January first, two thousand five; at least four dollars and thirty-five cents on or after January first, two thousand six; and at least four dollars and sixty cents on or after January first, two thousand seven] TWO-THIRDS OF THE MINIMUM WAGE RATES SET FORTH IN SUBDIVISION ONE OF THIS SECTION, ROUNDED TO THE NEAREST FIVE CENTS OR SEVEN DOLLARS AND FIFTY CENTS, WHICHEVER IS HIGHER, provided that the tips of such an employee, when added to such cash wage, are equal to or exceed the minimum wage in effect pursuant to subdivision one of this section and provided further that no other cash wage is established pursuant to section six hundred fifty-three of this article. [In the event the cash wage payable under the Fair Labor Standards Act (29 United States Code Sec. 203 (m), as amended), is increased after enactment of this subdivision, the cash wage payable under this subdivision shall automatically be increased by the proportionate increase in the cash wage payable under such federal law, and will be immediately enforceable as the cash wage payable to food service workers under this article.]

5. Notwithstanding subdivisions one and two of this section, meal and lodging allowances for a food service worker receiving a cash wage

[amounting to three dollars and thirty cents per hour on or after March thirty-first, two thousand; three dollars and eighty-five cents on or after January first, two thousand five; four dollars and thirty-five cents on or after January first, two thousand six; and four dollars and sixty cents on or after January first, two thousand seven,] PURSUANT TO SUBDIVISION FOUR OF THIS SECTION shall not increase more than two-thirds of the increase required by subdivision two of this section as applied to state wage orders in effect pursuant to subdivision one of this section.

S 3. Subdivision 6 of section 652 of the labor law is REPEALED and a new subdivision 6 is added to read as follows:

6. NOTWITHSTANDING SUBDIVISION ONE OF THIS SECTION, AND SECTIONS SIX HUNDRED FIFTY-THREE AND SIX HUNDRED FIFTY-FIVE OF THIS ARTICLE, ON OR AFTER JANUARY FIRST, TWO THOUSAND NINETEEN, AND EACH JANUARY FIRST THEREAFTER UNTIL SUCH TIME AS THE MINIMUM WAGE IS FIFTEEN DOLLARS IN ALL AREAS OF THE STATE, THE DIVISION OF BUDGET SHALL CONDUCT AN ANALYSIS OF THE STATE OF THE ECONOMY IN EACH REGION, AND THE EFFECT OF THE MINIMUM WAGE INCREASES LISTED IN THIS SECTION, TO DETERMINE WHETHER THERE SHOULD BE A TEMPORARY SUSPENSION OR DELAY IN ANY SCHEDULED INCREASES. IN CONDUCTING ITS ANALYSIS, THE DIVISION OF BUDGET SHALL CONSULT THE DEPARTMENT, THE DEPARTMENT'S DIVISION OF RESEARCH AND STATISTICS, THE UNITED STATES DEPARTMENT OF LABOR, THE FEDERAL RESERVE BANK OF NEW YORK AND OTHER ECONOMIC EXPERTS. THE DIVISION OF BUDGET WILL REFERENCE WELL-ESTABLISHED ECONOMIC INDEXES AND ACCEPTED ECONOMIC FACTORS, INCLUDING THOSE SET FORTH IN SECTION SIX HUNDRED FIFTY-FOUR OF THIS ARTICLE, TO JUSTIFY AND EXPLAIN ITS DECISION. AFTER REVIEWING SUCH INDEXES AND FACTORS, THE DIVISION SHALL DETERMINE WHETHER SCHEDULED INCREASES IN THE MINIMUM WAGE SHALL CONTINUE UP TO AND INCLUDING FIFTEEN DOLLARS. THE DIVISION OF BUDGET WILL ISSUE A REPORT AND RECOMMENDATION TO THE COMMISSIONER, WHO SHALL TAKE ACTION ON THAT REPORT AND RECOMMENDATION PURSUANT TO SECTION SIX HUNDRED FIFTY-SIX OF THIS ARTICLE.

S 4. Notwithstanding sections 653, 655, 656 and 659 of the labor law, the power of the commissioner of labor to appoint, convene, or reconvene a wage board, and to take action upon the report and recommendation of a wage board shall exclude the power to appoint, convene, or reconvene a wage board to inquire into, report, and recommend a wage that exceeds the highest rate listed in section 652 of the labor law as amended by section one of this act prior to such rate becoming effective, and shall exclude the power to take action on, adopt, or modify, any prior recommendation by any wage board to establish such wage. Such limitation shall not preclude such commissioner's power to appoint, convene, or reconvene a wage board to inquire into, report and recommend regulations to carry out the purposes of article 19 of the labor law.

S 5. Notwithstanding subdivision 2 of section 652 and subdivision (2) of section 653 of the labor law, the commissioner of labor may smooth wages and modify an existing wage order to conform with subdivision 1 of section 652 of the labor law, as amended by section one of this act, and provided further that in no event may a worker's wages be reduced by such conformity.

S 6. This act shall take effect immediately.

PART L

Intentionally Omitted

PART M

Section 1. Clause (G) of subparagraph (vii) of paragraph 2 of subdivision (d) of section 1089 of the family court act, as added by section 27 of part A of chapter 3 of the laws of 2005, is amended to read as follows:

(G) where a child has or will before the next permanency hearing reach the age of fourteen, (I) the services and assistance necessary to assist the child in learning independent living skills TO ASSIST THE CHILD TO MAKE THE TRANSITION FROM FOSTER CARE TO SUCCESSFUL ADULTHOOD; AND (II) A. THAT THE PERMANENCY PLAN DEVELOPED FOR THE CHILD IN FOSTER CARE WHO HAS ATTAINED THE AGE OF FOURTEEN, AND ANY REVISION OR ADDITION TO THE PLAN, SHALL BE DEVELOPED IN CONSULTATION WITH THE CHILD AND, AT THE OPTION OF THE CHILD, WITH UP TO TWO MEMBERS OF THE CHILD'S PERMANENCY PLANNING TEAM WHO ARE SELECTED BY THE CHILD AND WHO ARE NOT A FOSTER PARENT OF, OR THE CASE WORKER, CASE PLANNER OR CASE MANAGER FOR, THE CHILD EXCEPT THAT THE LOCAL COMMISSIONER OF SOCIAL SERVICES WITH CUSTODY OF THE CHILD MAY REJECT AN INDIVIDUAL SO SELECTED BY THE CHILD IF SUCH LOCAL COMMISSIONER HAS GOOD CAUSE TO BELIEVE THAT THE INDIVIDUAL WOULD NOT ACT IN THE BEST INTERESTS OF THE CHILD, AND B. THAT ONE INDIVIDUAL SO SELECTED BY THE CHILD MAY BE DESIGNATED TO BE THE CHILD'S ADVISOR AND, AS NECESSARY, ADVOCATE, WITH RESPECT TO THE APPLICATION OF THE REASONABLE AND PRUDENT PARENT STANDARD TO THE CHILD; and

S 2. Paragraph (b) of subdivision 7 of section 355.5 of the family court act, as amended by section 17 of part L of chapter 56 of the laws of 2015, is amended to read as follows:

(b) in the case of a respondent who has attained the age of fourteen, (I) the services needed, if any, to assist the respondent to make the transition from foster care to [independent living] SUCCESSFUL ADULTHOOD; AND (II)(A) THAT THE PERMANENCY PLAN DEVELOPED FOR THE RESPONDENT, AND ANY REVISION OR ADDITION TO THE PLAN, SHALL BE DEVELOPED IN CONSULTATION WITH THE RESPONDENT AND, AT THE OPTION OF THE RESPONDENT, WITH UP TO TWO MEMBERS OF THE RESPONDENT'S PERMANENCY PLANNING TEAM WHO ARE SELECTED BY THE RESPONDENT AND WHO ARE NOT A FOSTER PARENT OF, OR CASE WORKER, CASE PLANNER OR CASE MANAGER FOR, THE CHILD, EXCEPT THAT THE LOCAL COMMISSIONER OF SOCIAL SERVICES WITH CUSTODY OF THE RESPONDENT OR THE COMMISSIONER OF THE OFFICE OF CHILDREN AND FAMILY SERVICES IF SUCH OFFICE HAS CUSTODY OF THE RESPONDENT MAY REJECT AN INDIVIDUAL SELECTED BY THE RESPONDENT IF SUCH COMMISSIONER HAS GOOD CAUSE TO BELIEVE THAT THE INDIVIDUAL WOULD NOT ACT IN THE BEST INTERESTS OF THE RESPONDENT, AND (B) THAT ONE INDIVIDUAL SO SELECTED BY THE RESPONDENT MAY BE DESIGNATED TO BE THE RESPONDENT'S ADVISOR AND, AS NECESSARY, ADVOCATE, WITH RESPECT TO THE APPLICATION OF THE REASONABLE AND PRUDENT PARENT STANDARD;

S 3. Paragraph (ii) of subdivision (d) of section 756-a of the family court act, as amended by section 22 of part L of chapter 56 of the laws of 2015, is amended to read as follows:

(ii) in the case of a child who has attained the age of fourteen, (A) the services needed, if any, to assist the child to make the transition from foster care to [independent living] SUCCESSFUL ADULTHOOD; AND (B)(1) THAT THE PERMANENCY PLAN DEVELOPED FOR THE CHILD, AND ANY REVISION OR ADDITION TO THE PLAN SHALL BE DEVELOPED IN CONSULTATION WITH THE CHILD AND, AT THE OPTION OF THE CHILD, WITH UP TO TWO ADDITIONAL MEMBERS OF THE CHILD'S PERMANENCY PLANNING TEAM WHO ARE SELECTED BY THE CHILD AND WHO ARE NOT A FOSTER PARENT OF, OR CASE WORKER, CASE PLANNER OR CASE MANAGER FOR, THE CHILD, EXCEPT THAT THE LOCAL COMMISSIONER OF SOCIAL SERVICES WITH CUSTODY OF THE CHILD MAY REJECT AN INDIVIDUAL SO SELECTED BY THE CHILD IF SUCH COMMISSIONER HAS GOOD CAUSE TO BELIEVE

THAT THE INDIVIDUAL WOULD NOT ACT IN THE BEST INTERESTS OF THE CHILD, AND (2) THAT ONE INDIVIDUAL SO SELECTED BY THE CHILD MAY BE DESIGNATED TO BE THE CHILD'S ADVISOR AND, AS NECESSARY, ADVOCATE WITH RESPECT TO THE APPLICATION OF THE REASONABLE AND PRUDENT PARENT STANDARD;

S 4. Subdivisions 1 and 2 of section 458-c of the social services law, as added by section 4 of part F of chapter 58 of the laws of 2010, are amended to read as follows:

1. A social services official shall make payments for non-recurring guardianship expenses incurred by or on behalf of the relatives OR SUCCESSOR GUARDIANS who have been approved by the social services official to receive kinship guardianship assistance payments, when such expenses are incurred in connection with assuming the guardianship of a foster child OR A FORMER FOSTER CHILD IN REGARD TO SUCCESSOR GUARDIANS. The agreement for the payment of non-recurring guardianship expenses must be reflected in the written agreement set forth in subdivision four of section four hundred fifty-eight-b of this title. In accordance with subdivision two of this section, the payments shall be made by the social services official either to the relative OR SUCCESSOR guardian or guardians directly or to an attorney on behalf of the relative OR SUCCESSOR guardian or guardians, AS APPLICABLE, for the allowable amount of non-recurring guardianship expenses incurred in connection with obtaining such guardianship.

2. The amount of the payment made pursuant to this section shall not exceed two thousand dollars for each foster child for whom the relatives, OR EACH FORMER FOSTER CHILD FOR WHOM THE SUCCESSOR GUARDIANS, seek guardianship or permanent guardianship and shall be available only for those expenses that are determined to be eligible for reimbursement by the social services official in accordance with the regulations of the office of children and family services.

S 5. The social services law is amended by adding a new section 383-a to read as follows:

S 383-A. IMMUNITY FROM LIABILITY FOR APPLICATION OF THE REASONABLE AND PRUDENT PARENT STANDARD. 1. LEGISLATIVE INTENT. IT IS THE INTENT OF THE LEGISLATURE TO PROMOTE A SAFE AND NURTURING ENVIRONMENT FOR CHILDREN IN FOSTER CARE THAT, AMONG OTHER THINGS, ALLOWS THEM TO ENGAGE IN AGE AND DEVELOPMENTALLY APPROPRIATE ACTIVITIES WITH THEIR PEERS. IT IS ALSO THE INTENT OF THE LEGISLATURE TO ENCOURAGE CAREGIVERS TO ALLOW FOSTER CHILDREN TO PARTICIPATE IN SUCH ACTIVITIES BY PROVIDING TRAINING, GUIDANCE, AND APPROPRIATE LIABILITY PROTECTIONS WHEN CAREGIVERS MAKE REASONABLE AND PRUDENT DECISIONS WITH REGARD TO SUCH ACTIVITIES. IT IS NOT THE INTENT OF THE LEGISLATURE TO RELIEVE CAREGIVERS OR ANY OTHER PERSON OF ANY DUTY OR RESPONSIBILITY OWED TO A FOSTER CHILD.

2. DEFINITIONS. AS USED IN THIS SECTION, THE FOLLOWING TERMS SHALL HAVE THE FOLLOWING MEANINGS:

(A) "CAREGIVER" SHALL MEAN THE FOLLOWING PERSON OR ENTITY AT THE TIME THAT SUCH PERSON OR ENTITY WAS RESPONSIBLE FOR THE CARE OF THE FOSTER CHILD OR CHILDREN:

(I) A FOSTER PARENT WHO HAS BEEN TRAINED IN THE REASONABLE AND PRUDENT PARENT STANDARD IN ACCORDANCE WITH 42 U.S.C. 671 AS AMENDED BY P.L. 113-183 AND THE REGULATIONS OF THE OFFICE OF CHILDREN AND FAMILY SERVICES; OR

(II) THE EMPLOYEE OF A CHILD CARE FACILITY OPERATED BY AN AUTHORIZED AGENCY THAT IS DESIGNATED TO APPLY THE REASONABLE AND PRUDENT PARENT STANDARD WHO HAS BEEN TRAINED IN THE REASONABLE AND PRUDENT PARENT STANDARD IN ACCORDANCE WITH 42 U.S.C. 671 AS AMENDED BY P.L. 113-183 AND THE REGULATIONS OF THE OFFICE OF CHILDREN AND FAMILY SERVICES.

(B) "CHILD" SHALL MEAN A CHILD WHO IS IN FOSTER CARE OR WHO WAS IN FOSTER CARE AT THE TIME THE REASONABLE AND PRUDENT PARENT STANDARD WAS APPLIED.

(C) "CHILD CARE FACILITY" SHALL MEAN AN INSTITUTION, GROUP RESIDENCE, GROUP HOME, AGENCY OPERATED BOARDING HOME, OR SUPERVISED INDEPENDENT LIVING PROGRAM.

(D) "REASONABLE AND PRUDENT PARENT STANDARD" SHALL MEAN, IN ACCORDANCE WITH 42 U.S.C. 675 AS AMENDED BY P.L. 113-183, THE STANDARD CHARACTERIZED BY CAREFUL AND SENSIBLE PARENTAL DECISIONS THAT MAINTAIN THE HEALTH, SAFETY, AND BEST INTERESTS OF A CHILD WHILE AT THE SAME TIME ENCOURAGING THE EMOTIONAL AND DEVELOPMENTAL GROWTH OF THE CHILD THAT A CAREGIVER SHALL USE WHEN DETERMINING WHETHER TO ALLOW A CHILD IN FOSTER CARE TO PARTICIPATE IN EXTRACURRICULAR, ENRICHMENT, CULTURAL OR SOCIAL ACTIVITIES.

(E) "AGE OR DEVELOPMENTALLY-APPROPRIATE" SHALL MEAN:

(I) ACTIVITIES OR ITEMS THAT ARE GENERALLY ACCEPTED AS SUITABLE FOR CHILDREN OF THE SAME CHRONOLOGICAL AGE OR LEVEL OF MATURITY OR THAT ARE DETERMINED TO BE DEVELOPMENTALLY-APPROPRIATE FOR A CHILD, BASED ON THE DEVELOPMENT OF COGNITIVE, EMOTIONAL, PHYSICAL, AND BEHAVIORAL CAPACITIES THAT ARE TYPICAL FOR AN AGE OR AGE GROUP; AND

(II) IN THE CASE OF A SPECIFIC CHILD, ACTIVITIES OR ITEMS THAT ARE SUITABLE FOR THE CHILD BASED ON THE DEVELOPMENTAL STAGE ATTAINED BY THE CHILD WITH RESPECT TO THE COGNITIVE, EMOTIONAL, PHYSICAL, AND BEHAVIORAL CAPACITIES OF THE CHILD.

3. CAREGIVERS SHALL APPLY THE REASONABLE AND PRUDENT PARENT STANDARD WHEN DECIDING WHETHER OR NOT TO ALLOW A CHILD IN FOSTER CARE TO PARTICIPATE IN AGE OR DEVELOPMENTALLY APPROPRIATE EXTRACURRICULAR, ENRICHMENT, CULTURAL, OR SOCIAL ACTIVITIES. WHERE SUCH DECISIONS REQUIRE THE INPUT OR PERMISSION OF A LOCAL DEPARTMENT OF SOCIAL SERVICES OR A VOLUNTARY AUTHORIZED AGENCY, SUCH DEPARTMENT OR AGENCY SHALL ALSO APPLY THE REASONABLE AND PRUDENT PARENT STANDARD IN MAKING A DECISION ABOUT PARTICIPATION IN SUCH ACTIVITIES.

4. WHETHER OR NOT A CAREGIVER IS LIABLE FOR INJURIES TO THE CHILD THAT OCCUR AS A RESULT OF PARTICIPATION IN AGE OR DEVELOPMENTALLY APPROPRIATE EXTRACURRICULAR, ENRICHMENT, CULTURAL, OR SOCIAL ACTIVITIES SHALL BE DETERMINED BASED UPON WHETHER SUCH DECISION TO ALLOW PARTICIPATION WAS MADE IN COMPLIANCE WITH THE STANDARD DEFINED IN PARAGRAPH (D) OF SUBDIVISION TWO OF THIS SECTION AND ANY OTHER FACTORS AS REQUIRED BY LAW. WHERE SUCH CHILD IS INJURED AS A RESULT OF THE DECISION TO ALLOW PARTICIPATION IN SUCH ACTIVITIES, A CAREGIVER SHALL NOT BE LIABLE FOR SUCH INJURIES IF THE DECISION TO ALLOW SUCH PARTICIPATION WAS MADE IN COMPLIANCE WITH THE REASONABLE AND PRUDENT PARENT STANDARD AS SET FORTH HEREIN. PROVIDED HOWEVER NOTHING IN THIS SECTION SHALL OTHERWISE LIMIT THE ABILITY OF A CHILD TO BRING AN ACTION AGAINST A CAREGIVER OR ANY OTHER PARTY WHOSE ACTS OR OMISSIONS RESULT IN INJURY TO SUCH CHILD. WHERE A LOCAL DEPARTMENT OF SOCIAL SERVICES OR VOLUNTARY AUTHORIZED AGENCY HAS MADE OR BEEN INVOLVED IN THE DECISIONS UNDER SUBDIVISION THREE OF THIS SECTION, THE LIABILITY STANDARDS FOR CAREGIVERS SHALL APPLY TO SUCH DISTRICT OR AGENCY.

S 6. The opening paragraph of paragraph (e) of subdivision 2 of section 378-a of the social services law, as amended by section 10 of part L of chapter 56 of the laws of 2015, is amended to read as follows:

[After] EXCEPT AS SET FORTH IN PARAGRAPH (M) OF THIS SECTION, AFTER reviewing any criminal history record information provided by the division of criminal justice services, the office of children and family

services shall promptly notify the authorized agency or other state agency that:

S 7. Subdivision 2 of section 378-a of the social services law is amended by adding a new paragraph (m) to read as follows:

(M)(1) THE OFFICE OF CHILDREN AND FAMILY SERVICES SHALL NOT RELEASE THE CONTENT OF THE RESULTS OF THE NATIONWIDE CRIMINAL HISTORY RECORD CHECK CONDUCTED BY THE FEDERAL BUREAU OF INVESTIGATION IN ACCORDANCE WITH THIS SUBDIVISION TO AN AUTHORIZED AGENCY, AS DEFINED IN PARAGRAPHS (A) OR (C) OF SUBDIVISION TEN OF SECTION THREE HUNDRED SEVENTY-ONE OF THIS TITLE.

(2) FOR ANY APPLICATION MADE TO SUCH AN AUTHORIZED AGENCY UNDER THIS SUBDIVISION, THE OFFICE OF CHILDREN AND FAMILY SERVICES SHALL:

(A) REVIEW AND EVALUATE THE RESULTS OF THE NATIONWIDE CRIMINAL HISTORY RECORD CHECK OF THE PROSPECTIVE FOSTER PARENT, PROSPECTIVE ADOPTIVE PARENT AND ANY OTHER PERSON OVER THE AGE OF EIGHTEEN WHO RESIDES IN THE HOME OF SUCH APPLICANT IN ACCORDANCE WITH THE STANDARDS SET FORTH IN PARAGRAPH (E) OF THIS SUBDIVISION RELATING TO MANDATORY DISQUALIFYING CONVICTIONS, HOLD IN ABEYANCE CHARGES OR CONVICTIONS, AND DISCRETIONARY CHARGES AND CONVICTIONS; AND

(B) BASED ON THE RESULTS OF THE NATIONWIDE CRIMINAL HISTORY RECORD CHECK, INFORM SUCH AUTHORIZED AGENCY THAT THE APPLICATION FOR CERTIFICATION OR APPROVAL OF THE PROSPECTIVE FOSTER PARENT OR THE PROSPECTIVE ADOPTIVE PARENT EITHER: (I) MUST BE DENIED; (II) MUST BE HELD IN ABEYANCE PENDING SUBSEQUENT NOTIFICATION FROM THE OFFICE OF CHILDREN AND FAMILY SERVICES; OR (III) THAT THE OFFICE OF CHILDREN AND FAMILY SERVICES HAS NO OBJECTION, SOLELY BASED ON THE NATIONWIDE CRIMINAL HISTORY RECORD CHECK, FOR THE AUTHORIZED AGENCY TO PROCEED WITH A DETERMINATION ON SUCH APPLICATION BASED ON THE STANDARDS FOR CERTIFICATION OR APPROVAL OF A PROSPECTIVE FOSTER PARENT OR PROSPECTIVE ADOPTIVE PARENT, AS SET FORTH IN THE REGULATIONS OF THE OFFICE OF CHILDREN AND FAMILY SERVICES.

(3) WHERE THE OFFICE OF CHILDREN AND FAMILY SERVICES DIRECTS THE AUTHORIZED AGENCY TO DENY THE APPLICATION OF A PROSPECTIVE FOSTER PARENT OR A PROSPECTIVE ADOPTIVE PARENT IN ACCORDANCE WITH THIS PARAGRAPH, THE OFFICE OF CHILDREN AND FAMILY SERVICES SHALL ALSO NOTIFY THE PROSPECTIVE FOSTER PARENT, PROSPECTIVE ADOPTIVE PARENT OR OTHER PERSON OVER THE AGE OF EIGHTEEN WHO RESIDED IN THE HOME OF THE APPLICANT WHOSE CRIMINAL HISTORY WAS THE BASIS FOR THE DENIAL AND SHALL PROVIDE SUCH PROSPECTIVE FOSTER PARENT, PROSPECTIVE ADOPTIVE PARENT OR OTHER PERSON A COPY OF THE RESULTS OF THE NATIONWIDE CRIMINAL HISTORY RECORD CHECK UPON WHICH SUCH DENIAL WAS BASED AND A WRITTEN STATEMENT SETTING FORTH THE REASONS FOR SUCH DENIAL. IF THE APPLICANT IS DISQUALIFIED UNDER ITEM (II) OF CLAUSE (A) OF SUBPARAGRAPH ONE OF PARAGRAPH (E) OF THIS SUBDIVISION, THEN THE APPLICANT MAY APPLY FOR RELIEF FROM THE MANDATORY DISQUALIFICATION BASED ON THE GROUNDS THAT THE OFFENSE WAS NOT SPOUSAL ABUSE AS THAT TERM IS DEFINED IN PARAGRAPH (J) OF THIS SUBDIVISION.

(4) THIS PARAGRAPH DOES NOT APPLY TO NATIONWIDE CRIMINAL HISTORY RECORD CHECKS CONDUCTED BY THE FEDERAL BUREAU OF INVESTIGATION ON BEHALF OF STATE AGENCIES OR AUTHORIZED AGENCIES, AS DEFINED IN PARAGRAPH (B) OF SUBDIVISION TEN OF SECTION THREE HUNDRED SEVENTY-ONE OF THIS TITLE, OR TO THE RESULTS OF STATEWIDE CRIMINAL HISTORY RECORD CHECKS CONDUCTED BY THE DIVISION OF CRIMINAL JUSTICE SERVICES.

S 8. Severability. If any clause, sentence, paragraph, subdivision, section or part contained in any part of this act shall be adjudged by any court of competent jurisdiction to be invalid, such judgement 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 contained in any 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 9. This act shall take effect immediately, provided however that sections six and seven of this act shall take effect on the two hundred seventieth day after it shall have become a law.

PART N

Intentionally Omitted

PART O

Section 1. Paragraphs (a), (b), (c) and (d) of subdivision 1 of section 131-o of the social services law, as amended by section 1 of part I of chapter 56 of the laws of 2015, are amended to read as follows:

(a) in the case of each individual receiving family care, an amount equal to at least $141.00 for each month beginning on or after January first, two thousand [fifteen] SIXTEEN.

(b) in the case of each individual receiving residential care, an amount equal to at least $163.00 for each month beginning on or after January first, two thousand [fifteen] SIXTEEN.

(c) in the case of each individual receiving enhanced residential care, an amount equal to at least $193.00 for each month beginning on or after January first, two thousand [fifteen] SIXTEEN.

(d) for the period commencing January first, two thousand [sixteen] SEVENTEEN, the monthly personal needs allowance shall be an amount equal to the sum of the amounts set forth in subparagraphs one and two of this paragraph:

(1) the amounts specified in paragraphs (a), (b) and (c) of this subdivision; and

(2) the amount in subparagraph one of this paragraph, multiplied by the percentage of any federal supplemental security income cost of living adjustment which becomes effective on or after January first, two thousand [sixteen] SEVENTEEN, but prior to June thirtieth, two thousand [sixteen] SEVENTEEN, rounded to the nearest whole dollar.

S 2. Paragraphs (a), (b), (c), (d), (e) and (f) of subdivision 2 of section 209 of the social services law, as amended by section 2 of part I of chapter 56 of the laws of 2015, are amended to read as follows:

(a) On and after January first, two thousand [fifteen] SIXTEEN, for an eligible individual living alone, $820.00; and for an eligible couple living alone, $1204.00.

(b) On and after January first, two thousand [fifteen] SIXTEEN, for an eligible individual living with others with or without in-kind income, $756.00; and for an eligible couple living with others with or without in-kind income, $1146.00.

(c) On and after January first, two thousand [fifteen] SIXTEEN, (i) for an eligible individual receiving family care, $999.48 if he or she is receiving such care in the city of New York or the county of Nassau, Suffolk, Westchester or Rockland; and (ii) for an eligible couple receiving family care in the city of New York or the county of Nassau, Suffolk, Westchester or Rockland, two times the amount set forth in

subparagraph (i) of this paragraph; or (iii) for an eligible individual receiving such care in any other county in the state, $961.48; and (iv) for an eligible couple receiving such care in any other county in the state, two times the amount set forth in subparagraph (iii) of this paragraph.

(d) On and after January first, two thousand [fifteen] SIXTEEN, (i) for an eligible individual receiving residential care, $1168.00 if he or she is receiving such care in the city of New York or the county of Nassau, Suffolk, Westchester or Rockland; and (ii) for an eligible couple receiving residential care in the city of New York or the county of Nassau, Suffolk, Westchester or Rockland, two times the amount set forth in subparagraph (i) of this paragraph; or (iii) for an eligible individual receiving such care in any other county in the state, $1138.00; and (iv) for an eligible couple receiving such care in any other county in the state, two times the amount set forth in subparagraph (iii) of this paragraph.

(e) (i) On and after January first, two thousand [fifteen] SIXTEEN, for an eligible individual receiving enhanced residential care, $1427.00; and (ii) for an eligible couple receiving enhanced residential care, two times the amount set forth in subparagraph (i) of this paragraph.

(f) The amounts set forth in paragraphs (a) through (e) of this subdivision shall be increased to reflect any increases in federal supplemental security income benefits for individuals or couples which become effective on or after January first, two thousand [sixteen] SEVENTEEN but prior to June thirtieth, two thousand [sixteen] SEVENTEEN.

S 3. This act shall take effect December 31, 2016.

## PART P

Section 1. Notwithstanding any other provision of law, the housing trust fund corporation may provide, for purposes of the rural rental assistance program, a sum not to exceed twenty-two million two hundred ninety-two thousand dollars for the fiscal year ending March 31, 2017. Notwithstanding any other provision of law, and subject to the approval of the New York state director of the budget, the board of directors of the state of New York mortgage agency shall authorize the transfer to the housing trust fund corporation, for the purposes of reimbursing any costs associated with rural rental assistance program contracts authorized by this section, a total sum not to exceed twenty-two million two hundred ninety-two thousand dollars, such transfer to be made from (i) the special account of the mortgage insurance fund created pursuant to section 2429-b of the public authorities law, in an amount not to exceed the actual excess balance in the special account of the mortgage insurance fund, as determined and certified by the state of New York mortgage agency for the fiscal year 2015-2016 in accordance with section 2429-b of the public authorities law, if any, and/or (ii) provided that the reserves in the project pool insurance account of the mortgage insurance fund created pursuant to section 2429-b of the public authorities law are sufficient to attain and maintain the credit rating (as determined by the state of New York mortgage agency) required to accomplish the purposes of such account, the project pool insurance account of the mortgage insurance fund, such transfer to be made as soon as practicable but no later than June 30, 2016. Notwithstanding any other provision of law, such funds may be used by the corporation in support of contracts scheduled to expire in the fiscal year ending March 31, 2017 for as many

as 10 additional years; in support of contracts for new eligible projects for a period not to exceed 5 years; and in support of contracts which reach their 25 year maximum in and/or prior to the fiscal year ending March 31, 2017 for an additional one year period.

S 2. Notwithstanding any other provision of law, the housing finance agency may provide, for costs associated with the rehabilitation of Mitchell Lama housing projects, a sum not to exceed forty-two million dollars for the fiscal year ending March 31, 2017. Notwithstanding any other provision of law, and subject to the approval of the New York state director of the budget, the board of directors of the state of New York mortgage agency shall authorize the transfer to the housing finance agency, for the purposes of reimbursing any costs associated with Mitchell Lama housing projects authorized by this section, a total sum not to exceed forty-two million dollars, such transfer to be made from (i) the special account of the mortgage insurance fund created pursuant to section 2429-b of the public authorities law, in an amount not to exceed the actual excess balance in the special account of the mortgage insurance fund, as determined and certified by the state of New York mortgage agency for the fiscal year 2015-2016 in accordance with section 2429-b of the public authorities law, if any, and/or (ii) provided that the reserves in the project pool insurance account of the mortgage insurance fund created pursuant to section 2429-b of the public authorities law are sufficient to attain and maintain the credit rating (as determined by the state of New York mortgage agency) required to accomplish the purposes of such account, the project pool insurance account of the mortgage insurance fund, such transfer to be made as soon as practicable but no later than March 31, 2017.

S 3. Notwithstanding any other provision of law, the housing trust fund corporation may provide, for purposes of the neighborhood preservation program, a sum not to exceed eight million nine hundred seventy-nine thousand dollars for the fiscal year ending March 31, 2017. Within this total amount one hundred fifty thousand dollars shall be used for the purpose of entering into a contract with the neighborhood preservation coalition to provide technical assistance and services to companies funded pursuant to article XVI of the private housing finance law. Notwithstanding any other provision of law, and subject to the approval of the New York state director of the budget, the board of directors of the state of New York mortgage agency shall authorize the transfer to the housing trust fund corporation, for the purposes of reimbursing any costs associated with neighborhood preservation program contracts authorized by this section, a total sum not to exceed eight million nine hundred seventy-nine thousand dollars, such transfer to be made from (i) the special account of the mortgage insurance fund created pursuant to section 2429-b of the public authorities law, in an amount not to exceed the actual excess balance in the special account of the mortgage insurance fund, as determined and certified by the state of New York mortgage agency for the fiscal year 2015-2016 in accordance with section 2429-b of the public authorities law, if any, and/or (ii) provided that the reserves in the project pool insurance account of the mortgage insurance fund created pursuant to section 2429-b of the public authorities law are sufficient to attain and maintain the credit rating (as determined by the state of New York mortgage agency) required to accomplish the purposes of such account, the project pool insurance account of the mortgage insurance fund, such transfer to be made as soon as practicable but no later than June 30, 2016.

S 4. Notwithstanding any other provision of law, the housing trust fund corporation may provide, for purposes of the rural preservation program, a sum not to exceed three million seven hundred thirty-nine thousand dollars for the fiscal year ending March 31, 2017. Within this total amount one hundred fifty thousand dollars shall be used for the purpose of entering into a contract with the rural housing coalition to provide technical assistance and services to companies funded pursuant to article XVII of the private housing finance law. Notwithstanding any other provision of law, and subject to the approval of the New York state director of the budget, the board of directors of the state of New York mortgage agency shall authorize the transfer to the housing trust fund corporation, for the purposes of reimbursing any costs associated with rural preservation program contracts authorized by this section, a total sum not to exceed three million seven hundred thirty-nine thousand dollars, such transfer to be made from (i) the special account of the mortgage insurance fund created pursuant to section 2429-b of the public authorities law, in an amount not to exceed the actual excess balance in the special account of the mortgage insurance fund, as determined and certified by the state of New York mortgage agency for the fiscal year 2015-2016 in accordance with section 2429-b of the public authorities law, if any, and/or (ii) provided that the reserves in the project pool insurance account of the mortgage insurance fund created pursuant to section 2429-b of the public authorities law are sufficient to attain and maintain the credit rating (as determined by the state of New York mortgage agency) required to accomplish the purposes of such account, the project pool insurance account of the mortgage insurance fund, such transfer to be made as soon as practicable but no later than June 30, 2016.

S 5. Notwithstanding any other provision of law, the housing trust fund corporation may provide, for purposes of the rural and urban community investment fund program created pursuant to article XXVII of the private housing finance law, a sum not to exceed thirty-one million two hundred fifty thousand dollars for the fiscal year ending March 31, 2017. Notwithstanding any other provision of law, and subject to the approval of the New York state director of the budget, the board of directors of the state of New York mortgage agency shall authorize the transfer to the housing trust fund corporation, for the purposes of reimbursing any costs associated with rural and urban community investment fund program contracts authorized by this section, a total sum not to exceed thirty-one million two hundred fifty thousand dollars, such transfer to be made from (i) the special account of the mortgage insurance fund created pursuant to section 2429-b of the public authorities law, in an amount not to exceed the actual excess balance in the special account of the mortgage insurance fund, as determined and certified by the state of New York mortgage agency for the fiscal year 2015-2016 in accordance with section 2429-b of the public authorities law, if any, and/or (ii) provided that the reserves in the project pool insurance account of the mortgage insurance fund created pursuant to section 2429-b of the public authorities law are sufficient to attain and maintain the credit rating (as determined by the state of New York mortgage agency) required to accomplish the purposes of such account, the project pool insurance account of the mortgage insurance fund, such transfer to be made as soon as practicable but no later than March 31, 2017.

S 6. Notwithstanding any other provision of law, the housing trust fund corporation may provide, for the purposes of carrying out the provisions of the low income housing trust fund program created pursuant

to article XVIII of the private housing finance law, a sum not to exceed ten million dollars for the fiscal year ending March 31, 2017. Notwithstanding any other provision of law, and subject to the approval of the New York state director of the budget, the board of directors of the state of New York mortgage agency shall authorize the transfer to the housing trust fund corporation, for the purposes of carrying out the provisions of the low income housing trust fund program created pursuant to article XVIII of the private housing finance law authorized by this section, a total sum not to exceed ten million dollars, such transfer to be made from (i) the special account of the mortgage insurance fund created pursuant to section 2429-b of the public authorities law, in an amount not to exceed the actual excess balance in the special account of the mortgage insurance fund, as determined and certified by the state of New York mortgage agency for the fiscal year 2015-2016 in accordance with section 2429-b of the public authorities law, if any, and/or (ii) provided that the reserves in the project pool insurance account of the mortgage insurance fund created pursuant to section 2429-b of the public authorities law are sufficient to attain and maintain the credit rating (as determined by the state of New York mortgage agency) required to accomplish the purposes of such account, the project pool insurance account of the mortgage insurance fund, such transfer to be made as soon as practicable but no later than March 31, 2017.

S 7. Notwithstanding any other provision of law, the housing trust fund corporation may provide, for purposes of the homes for working families program for deposit in the housing trust fund created pursuant to section 59-a of the private housing finance law and subject to the provisions of article XVIII of the private housing finance law, a sum not to exceed twelve million seven hundred fifty thousand dollars for the fiscal year ending March 31, 2017. Notwithstanding any other provision of law, and subject to the approval of the New York state director of the budget, the board of directors of the state of New York mortgage agency shall authorize the transfer to the housing trust fund corporation, for the purposes of reimbursing any costs associated with homes for working families program contracts authorized by this section, a total sum not to exceed twelve million seven hundred fifty thousand dollars, such transfer to be made from (i) the special account of the mortgage insurance fund created pursuant to section 2429-b of the public authorities law, in an amount not to exceed the actual excess balance in the special account of the mortgage insurance fund, as determined and certified by the state of New York mortgage agency for the fiscal year 2015-2016 in accordance with section 2429-b of the public authorities law, if any, and/or (ii) provided that the reserves in the project pool insurance account of the mortgage insurance fund created pursuant to section 2429-b of the public authorities law are sufficient to attain and maintain the credit rating (as determined by the state of New York mortgage agency) required to accomplish the purposes of such account, the project pool insurance account of the mortgage insurance fund, such transfer to be made as soon as practicable but no later than March 31, 2017.

S 8. Notwithstanding any other provision of law, the homeless housing and assistance corporation may provide, for purposes of the New York state supportive housing program, the solutions to end homelessness program or the operational support for AIDS housing program, or to qualified grantees under those programs, in accordance with the requirements of those programs, a sum not to exceed fifteen million six hundred ninety thousand dollars and an additional sum not to exceed six hundred

thousand dollars for purposes of the New York state supportive housing program for the fiscal year ending March 31, 2017. The homeless housing and assistance corporation may enter into an agreement with the office of temporary and disability assistance to administer such sum in accordance with the requirements of the programs. Notwithstanding any other provision of law, and subject to the approval of the director of the budget, the board of directors of the state of New York mortgage agency shall authorize the transfer to the homeless housing and assistance corporation, a total sum not to exceed sixteen million two hundred ninety thousand dollars, such transfer to be made from (i) the special account of the mortgage insurance fund created pursuant to section 2429-b of the public authorities law, in an amount not to exceed the actual excess balance in the special account of the mortgage insurance fund, as determined and certified by the state of New York mortgage agency for the fiscal year 2015-2016 in accordance with section 2429-b of the public authorities law, if any, and/or (ii) provided that the reserves in the project pool insurance account of the mortgage insurance fund created pursuant to section 2429-b of the public authorities law are sufficient to attain and maintain the credit rating (as determined by the state of New York mortgage agency) required to accomplish the purposes of such account, the project pool insurance account of the mortgage insurance fund, such transfer to be made as soon as practicable but no later than March 31, 2017.

S 9. Notwithstanding any other provision of law, the housing trust fund corporation shall provide, for the purposes of the mobile and manufactured home replacement program, a sum not to exceed two million dollars for the fiscal year ending March 31, 2017.

Eligible units of local government or not-for-profit corporations with substantial experience in affordable housing, may apply to administer local programs to replace dilapidated mobile or manufactured homes that are sited on land owned by the homeowner with new manufactured, modular or site built homes. All replacement homes shall be energy star rated for energy efficiency. The total contract pursuant to any one eligible applicant in a specified region may not exceed five hundred thousand dollars. The corporation shall authorize the eligible applicant to spend seven and one-half percent of the contract amount for approved planning and costs associated with administering the program. The contract shall provide for completion of the program within a reasonable period, as specified therein, which shall not exceed four years from commencement of the program. Upon request, the corporation may extend the term of the contract for up to an additional one year period for good cause shown by the eligible applicant.

An eligible property must be the primary residence of the homeowner with a total household income that does not exceed eighty percent of area median income for the county in which a project is located as calculated by the United States department of housing and urban development. Funds shall be made available for relocation assistance to eligible property owners who are unable to voluntarily relocate during the demolition and construction phases of the project. The cost of demolition and removal shall be an eligible use within the program. The total payment to replace a mobile or manufactured home pursuant to any one eligible property shall not exceed one hundred thousand dollars and provide for completion not to exceed four years.

Financial assistance to property owners shall be one hundred percent grants in the form of deferred payment loans (DPL). A ten year declining balance lien in the form of a note and mortgage, duly filed at the coun-

ty clerk's office, will be utilized for replacement projects. No interest or payments will be required on the DPL unless the property is sold or transferred before the regulatory term expires. In such cases funds will be recaptured from the proceeds of the sale of the home, on a declining balance basis, unless an income-eligible immediate family member accepts ownership of, and resides in the home for the remainder of the regulatory term.

Notwithstanding any other provision of law, and subject to approval of the New York state director of the budget, the board of directors of the state of New York mortgage agency shall authorize the transfer to the housing trust fund corporation, for the purposes of carrying out the provisions of the mobile and manufactured home replacement program, a total sum not to exceed two million dollars, such transfer to be made from (i) the special account of the mortgage insurance fund created pursuant to section 2429-b of the public authorities law, in an amount not to exceed the actual excess balance in the special account of the mortgage insurance fund, as determined and certified by the state of New York mortgage agency for the fiscal year 2015- 2016 in accordance with section 2429-b of the public authorities law, if any, and/or (ii) provided that the reserves in the project pool insurance account of the mortgage insurance fund created pursuant to section 2429-b of the public authorities law are sufficient to attain and maintain the credit rating (as determined by the state of New York mortgage agency) required to accomplish the purposes of such account, the project pool insurance account of the mortgage insurance fund, such transfer to be made as soon as practicable but no later than March 31, 2017.

S 10. Notwithstanding any other provision of law to the contrary, the housing trust fund corporation may provide, for costs associated with naturally occurring retirement communities, a sum not to exceed three hundred fifty thousand dollars for the fiscal year ending March 31, 2017. Notwithstanding any other provision of law to the contrary, and subject to the approval of the New York state director of the budget, the board of directors of the state of New York mortgage agency shall authorize the transfer to the housing trust fund corporation, for the purposes of reimbursing any costs associated with naturally occurring retirement communities authorized by this section, a total sum not to exceed three hundred fifty thousand dollars, such transfer to be made from (i) the special account of the mortgage insurance fund created pursuant to section 2429-b of the public authorities law, in an amount not to exceed the actual excess balance in the special account of the mortgage insurance fund, as determined and certified by the state of New York mortgage agency for the fiscal year 2015-2016 in accordance with section 2429-b of the public authorities law, if any, and/or (ii) provided that the reserves in the project pool insurance account of the mortgage insurance fund created pursuant to section 2429-b of the public authorities law are sufficient to attain and maintain the credit rating (as determined by the state of New York mortgage agency) required to accomplish the purposes of such account, the project pool insurance account of the mortgage insurance fund, such transfer to be made as soon as practicable but no later than March 31, 2017.

S 11. Notwithstanding any other provision of law to the contrary, the housing trust fund corporation may provide, for costs associated with neighborhood naturally occurring retirement communities, a sum not to exceed three hundred fifty thousand dollars for the fiscal year ending March 31, 2017. Notwithstanding any other provision of law to the contrary, and subject to the approval of the New York state director of

the budget, the board of directors of the state of New York mortgage agency shall authorize the transfer to the housing trust fund corporation, for the purposes of reimbursing any costs associated with neighborhood naturally occurring retirement communities authorized by this section, a total sum not to exceed three hundred fifty thousand dollars, such transfer to be made from (i) the special account of the mortgage insurance fund created pursuant to section 2429-b of the public authorities law, in an amount not to exceed the actual excess balance in the special account of the mortgage insurance fund, as determined and certified by the state of New York mortgage agency for the fiscal year 2015-2016 in accordance with section 2429-b of the public authorities law, if any, and/or (ii) provided that the reserves in the project pool insurance account of the mortgage insurance fund created pursuant to section 2429-b of the public authorities law are sufficient to attain and maintain the credit rating (as determined by the state of New York mortgage agency) required to accomplish the purposes of such account, the project pool insurance account of the mortgage insurance fund, such transfer to be made as soon as practicable but no later than March 31, 2017.

S 12. This act shall take effect immediately.

## PART Q

Section 1. Section 4 of subpart A of part D of chapter 58 of the laws the 2011 amending the education law relating to capital facilities in support of the state university and community colleges, is amended to read as follows:

S 4. This act shall take effect immediately and shall expire and be deemed repealed June 30, [2016] 2021.

S 2. Section 4 of subpart B of part D of chapter 58 of the laws of 2011 amending the education law relating to procurement in support of the state and city universities, is amended to read as follows:

S 4. This act shall take effect immediately and shall expire and be deemed repealed June 30, [2016] 2021.

S 3. Section 3 of subpart C of part D of chapter 58 of the laws of 2011 amending the education law relating to state university health care facilities, is amended to read as follows:

S 3. This act shall take effect immediately, and shall expire and be deemed repealed June 30, [2016] 2021.

S 4. This act shall take effect immediately.

## PART R

Section 1. Subdivision 1 of section 663 of the education law, as amended by section 1 of part F of chapter 58 of the laws of 2011, is amended to read as follows:

1. Income defined. Except as otherwise provided in this section, "income" shall be the total of the combined net taxable income and income from pensions of New York state, local governments, the federal government and any private employer of the applicant, the applicant's spouse, and the applicant's parents, including any pension and annuity income excluded for purposes of taxation pursuant to paragraph three-a of subsection (c) of section six hundred twelve of the tax law, as reported in New York state income tax returns for the calendar year [next preceding the beginning of the school year for] COINCIDING WITH THE TAX YEAR ESTABLISHED BY THE U.S. DEPARTMENT OF EDUCATION TO QUALIFY APPLICANTS FOR FEDERAL STUDENT FINANCIAL AID PROGRAMS AUTHORIZED BY

TITLE IV OF THE HIGHER EDUCATION ACT OF 1965, AS AMENDED, FOR THE SCHOOL YEAR IN which application for assistance is made, except that any amount received by an applicant as a scholarship at an educational institution or as a fellowship grant, including the value of contributed services and accommodations, shall not be included within the definition of "income" for the purposes of this article. The term "parent" shall include birth parents, stepparents, adoptive parents and the spouse of an adoptive parent. Income, if not a whole dollar amount, shall be assumed to be equal to the next lowest whole dollar amount. Any change in the status of an applicant with regard to the persons responsible for the applicant's support occurring after the beginning of any semester shall not be considered to change the applicant's award for that semester.

S 2. This act shall take effect immediately and shall apply to all awards commencing with the 2017-2018 school year and thereafter.

PART S

Section 1. Subdivision c of section 2 of part K of chapter 58 of the laws of 2010 amending the social services law relating to establishing the savings plan demonstration project, is amended to read as follows:

c. this act shall expire and be deemed repealed March 31, [2016] 2017.

S 2. This act shall take effect immediately.

PART T

Section 1. Subdivision 10 of section 6306 of the education law, as added by section 1 of part Y of chapter 56 of the laws of 2015, is amended to read as follows:

10. The boards of trustees of the state university of New York community colleges shall consult with boards of cooperative educational services (BOCES) to identify new or existing programs offered to students that would allow a student to pursue an associate of occupational studies (AOS) degree from a community college upon high school graduation. Once identified, BOCES in collaboration with the community college boards of trustees shall make such path, identified programs, and AOS degree options known to ensure that students are aware that such options exist. Such notification [may] SHALL begin [as early as] IN the [seventh] EIGHTH grade, AND INCLUDE THE PROVISION OF MATERIALS ON AOS DEGREE OPTIONS TO SCHOOL COUNSELORS IN EACH SCHOOL DISTRICT IN SUCH REGION. Provided however, that such boards and BOCES shall not take any action to direct or suggest that a student should pursue a particular degree or pathway.

S 2. This act shall take effect immediately.

PART U

Section 1. Subdivisions 3, 5 and 6 of section 6456 of the education law, as added by section 1 of part X of chapter 56 of the laws of 2015, are amended to read as follows:

3. A. Funds appropriated IN THE TWO THOUSAND FIFTEEN--TWO THOUSAND SIXTEEN ACADEMIC YEAR for the purposes of this initiative shall be allocated by sector as follows: fifty-two percent for institutions in the state university of New York; thirty percent for institutions in the city university of New York; and eighteen percent for other degree-

granting institutions in New York with current Arthur O. Eve higher education opportunity programs.

B. FUNDS APPROPRIATED IN THE TWO THOUSAND SIXTEEN--TWO THOUSAND SEVENTEEN ACADEMIC YEAR AND THEREAFTER FOR THE PURPOSES OF THIS INITIATIVE SHALL BE ALLOCATED BY SECTOR BASED ON THE PERCENTAGE OF FOSTER YOUTH IDENTIFIED BY EACH INSTITUTION THAT WILL BE SERVED BY THIS INITIATIVE IN THE FOLLOWING ACADEMIC YEAR, IN APPLICATIONS RECEIVED BY THE COMMISSIONER PURSUANT TO SUBDIVISION SIX OF THIS SECTION, PROVIDED HOWEVER THAT THE AWARD PER STUDENT FOR FOSTER YOUTH FIRST SERVED IN THE TWO THOUSAND FIFTEEN--TWO THOUSAND SIXTEEN ACADEMIC YEAR SHALL BE NO LESS THAN THE AMOUNT PER STUDENT AWARDED FOR THOSE STUDENTS IN THE TWO THOUSAND FIFTEEN--TWO THOUSAND SIXTEEN ACADEMIC YEAR.

5. Moneys made available to institutions under this section shall be spent for the following purposes:

a. to provide additional services and expenses to expand opportunities through existing postsecondary opportunity programs at the state university of New York, the city university of New York, and other degree-granting higher education institutions for foster youth;

b. to provide any necessary supplemental financial aid for foster youth, which may include the cost of tuition and fees, books, transportation, HOUSING and other expenses as determined by the commissioner to be necessary for such foster youth to attend college;

c. summer college preparation programs to help foster youth transition to college, prepare them to navigate on-campus systems, and provide preparation in reading, writing, and mathematics for foster youth who need it; or

d. advisement, tutoring, and academic assistance for foster youth.

6. Eligible institutions shall file an application for approval by the commissioner no later than the first of [October] MAY each year demonstrating a need for such funding, including how the funding would be used and how many foster youth would be assisted with such funding. Successful applicants will be funded as provided in subdivision four of this section.

S 2. This act shall take effect immediately.

PART V

Section 1. The education law is amended by adding a new section 609 to read as follows:

S 609. TUITION, AID AND PLACEMENT REPORT. IN ACADEMIC YEAR TWO THOUSAND SIXTEEN--TWO THOUSAND SEVENTEEN, ALL NON-PUBLIC INSTITUTIONS OF HIGHER EDUCATION, RECOGNIZED AND APPROVED BY THE REGENTS OF THE UNIVERSITY OF THE STATE OF NEW YORK, WHICH PROVIDE A COURSE OF STUDY LEADING TO THE GRANTING OF A FOUR YEAR POST-SECONDARY DEGREE OR DIPLOMA, EXCEPT FOR A NON-PUBLIC DEGREE-GRANTING INSTITUTION THAT DOES NOT OFFER A PROGRAM OF STUDY THAT LEADS TO A BACCALAUREATE DEGREE, OR AT A REGISTERED NOT-FOR-PROFIT BUSINESS SCHOOL QUALIFIED FOR TAX EXEMPTION UNDER SECTION 501(C)(3) OF THE INTERNAL REVENUE CODE FOR FEDERAL INCOME TAX PURPOSES THAT DOES NOT OFFER A PROGRAM OF STUDY THAT LEADS TO A BACCALAUREATE DEGREE, SHALL REPORT TO THE SENATE AND ASSEMBLY CHAIRS OF THE HIGHER EDUCATION COMMITTEES ON OR BEFORE AUGUST FIFTEENTH, TWO THOUSAND SIXTEEN, ON THE FOLLOWING: FACTORS THAT DRIVE COST INCREASES; TUITION TRENDS FOR THE PAST SIX YEARS AND PERCENTAGE OF YEAR TO YEAR INCREASES; TOTAL COST OF FEES; IF THE INSTITUTION HAS AN ENDOWMENT AND THE AMOUNT OF SUCH ENDOWMENT; THE AVERAGE INSTITUTIONAL FINANCIAL AID PACKAGE BY INCOME BRACKET AS DEFINED BY THE NATIONAL CENTER FOR EDUCATION STATIS-

TICS' INTEGRATED POST-SECONDARY EDUCATION DATA SYSTEM; GRADUATION RATES FOR FOUR, FIVE AND SIX YEARS; ENROLLMENT TRENDS OVER THE PAST SIX YEARS; THE AMOUNT SPENT TO EDUCATE STUDENTS PER FTE; THE PERCENTAGE OF STUDENTS WHO ARE TAP AND PELL ELIGIBLE; ADMINISTRATIVE AND OPERATING COSTS AND THE PERCENTAGE OF THOSE COSTS FUNDED BY TUITION; AND COST SAVING MEASURES IMPLEMENTED OVER THE PAST SIX YEARS, IF ANY.

S 2. This act shall take effect immediately.

PART W

Section 1. Subdivision (i) of section 17 of the social services law, as relettered by section 1 of part K3 of chapter 57 of the laws of 2007, is relettered subdivision (j).

S 2. Section 17 of the social services law is amended by adding a new subdivision (i) to read as follows:

(I) HAVE THE AUTHORITY APPOINT A TEMPORARY OPERATOR IN ACCORDANCE WITH THIS SUBDIVISION:

(1) FOR THE PURPOSES OF THIS SUBDIVISION:

(I) "BUILDING" SHALL MEAN AN ENTIRE BUILDING OR A UNIT WITHIN THAT PROVIDES EMERGENCY SHELTER TO HOMELESS PERSONS.

(II) "COMMISSIONER" SHALL MEAN THE COMMISSIONER OF THE OFFICE OR HIS OR HER DESIGNEE.

(III) "DATA" SHALL MEAN WRITTEN DOCUMENTATION OR KNOWLEDGE OBTAINED IN THE COURSE OF AN INSPECTION, AUDITS, OR OTHER METHODS AUTHORIZED BY LAW.

(IV) "EMERGENCY SHELTER" MEANS ANY BUILDING WITH OVERNIGHT SLEEPING ACCOMMODATIONS, THE PRIMARY PURPOSE OF WHICH IS TO PROVIDE TEMPORARY SHELTER FOR THE HOMELESS IN GENERAL OR FOR SPECIFIC POPULATIONS OF THE HOMELESS, INCLUDING RESIDENTIAL PROGRAMS FOR VICTIMS OF DOMESTIC VIOLENCE AND RUNAWAY AND HOMELESS YOUTH PROGRAMS CERTIFIED BY THE OFFICE OF CHILDREN AND FAMILY SERVICES.

(V) "ESTABLISHED OPERATOR" SHALL MEAN A PROVIDER OF EMERGENCY SHELTER.

(VI) "SERIOUS FINANCIAL, HEALTH OR SAFETY DEFICIENCY" SHALL INCLUDE, BUT NOT BE LIMITED TO, MISSED MORTGAGE PAYMENTS, MISSED RENT PAYMENTS, A PATTERN OF UNTIMELY PAYMENT OF DEBTS, FAILURE TO PAY ITS EMPLOYEES OR VENDORS, INSUFFICIENT FUNDS TO MEET THE GENERAL OPERATING EXPENSES OF THE PROGRAM, OR A VIOLATION OF LAW, REGULATION, OR CODE WITH RESPECT TO A BUILDING THAT PROVIDES EMERGENCY SHELTER TO HOMELESS PERSONS, IN WHICH THERE ARE CONDITIONS THAT ARE DANGEROUS, HAZARDOUS, IMMINENTLY DETRIMENTAL TO LIFE OR HEALTH, OR OTHERWISE RENDER THE BUILDING NOT FIT FOR HUMAN HABITATION.

(VII) "TEMPORARY OPERATOR" SHALL MEAN ANY PROVIDER OF EMERGENCY SHELTER THAT:

(A) AGREES TO PROVIDE EMERGENCY SHELTER PURSUANT TO THIS CHAPTER ON A TEMPORARY BASIS IN THE BEST INTERESTS OF ITS HOMELESS INDIVIDUALS AND FAMILIES SERVED BY THE BUILDING;

(B) HAS A HISTORY OF COMPLIANCE WITH APPLICABLE LAWS, RULES, AND REGULATIONS AND A RECORD OF PROVIDING EMERGENCY SHELTER OF GOOD QUALITY, AS DETERMINED BY THE COMMISSIONER; AND

(C) PRIOR TO APPOINTMENT AS TEMPORARY OPERATOR, DEVELOPS A PLAN DETERMINED TO BE SATISFACTORY BY THE COMMISSIONER TO ADDRESS THE BUILDING'S DEFICIENCIES.

(2) (I) A TEMPORARY OPERATOR MAY ONLY BE APPOINTED AFTER THE EMERGENCY SHELTER HAS BEEN PROVIDED NOTICE OF ALLEGED VIOLATIONS AND THE ABILITY TO CURE SUCH VIOLATIONS. THE LOCAL SOCIAL SERVICES DISTRICT SHALL ALSO BE NOTIFIED OF THE ALLEGED VIOLATIONS PRIOR TO THE APPOINTMENT OF A TEMPORARY OPERATOR. IF THE EMERGENCY SHELTER FAILS TO CURE SUCH

VIOLATIONS IN A TIMELY MANNER, A TEMPORARY OPERATOR MAY BE APPOINTED WHERE: (A) DATA DEMONSTRATES THAT THE BUILDING IS EXHIBITING A SERIOUS FINANCIAL, HEALTH, OR SAFETY DEFICIENCY; (B) DATA DEMONSTRATES THAT THE ESTABLISHED OPERATOR IS UNABLE OR UNWILLING TO ENSURE THE PROPER OPERATION OF THE BUILDING; OR (C) DATA INDICATES THERE EXIST CONDITIONS THAT SERIOUSLY ENDANGER OR JEOPARDIZE EMERGENCY SHELTER RESIDENTS. IF THE COMMISSIONER DETERMINES TO APPOINT A TEMPORARY OPERATOR, THE COMMISSIONER SHALL NOTIFY THE ESTABLISHED OPERATOR AND THE LOCAL SOCIAL SERVICES DISTRICT OF HIS OR HER INTENTION TO APPOINT A TEMPORARY OPERATOR TO ASSUME SOLE RESPONSIBILITY FOR THE PROVIDER OF THE EMERGENCY SHELTER'S OPERATIONS FOR A LIMITED PERIOD OF TIME. THE APPOINTMENT OF A TEMPORARY OPERATOR SHALL BE EFFECTUATED PURSUANT TO THIS SECTION, AND SHALL BE IN ADDITION TO ANY OTHER REMEDIES PROVIDED BY LAW.

(II) THE ESTABLISHED OPERATOR MAY AT ANY TIME REQUEST THE COMMISSIONER TO APPOINT A TEMPORARY OPERATOR. UPON RECEIVING SUCH A REQUEST, THE COMMISSIONER MAY, IF HE OR SHE DETERMINES THAT SUCH AN ACTION IS NECESSARY, ENTER INTO AN AGREEMENT WITH THE ESTABLISHED OPERATOR FOR THE APPOINTMENT OF A TEMPORARY OPERATOR TO RESTORE OR MAINTAIN THE PROVISION OF QUALITY EMERGENCY SHELTER TO THE EMERGENCY SHELTER RESIDENTS UNTIL THE ESTABLISHED OPERATOR CAN RESUME OPERATIONS WITHIN THE DESIGNATED TIME PERIOD OR OTHER ACTION IS TAKEN TO SUSPEND, REVOKE, OR LIMIT THE AUTHORITY OF THE ESTABLISHED OPERATOR.

(3) (I) A TEMPORARY OPERATOR APPOINTED PURSUANT TO THIS SECTION SHALL USE HIS OR HER BEST EFFORTS TO IMPLEMENT THE PLAN DEEMED SATISFACTORY BY THE COMMISSIONER TO CORRECT OR ELIMINATE ANY DEFICIENCIES IN THE BUILDING AND TO PROMOTE THE QUALITY AND ACCESSIBILITY OF THE EMERGENCY SHELTER IN THE COMMUNITY SERVED BY THE PROVIDER OF EMERGENCY SHELTER.

(II) DURING THE TERM OF APPOINTMENT, THE TEMPORARY OPERATOR SHALL HAVE THE AUTHORITY TO DIRECT THE STAFF OF THE ESTABLISHED OPERATOR AS NECESSARY TO APPROPRIATELY PROVIDE EMERGENCY SHELTER FOR HOMELESS INDIVIDUALS AND FAMILIES. THE TEMPORARY OPERATOR SHALL, DURING THIS PERIOD, PROVIDE EMERGENCY SHELTER IN SUCH A MANNER AS TO PROMOTE SAFETY AND THE QUALITY AND ACCESSIBILITY OF EMERGENCY SHELTER IN THE COMMUNITY SERVED BY THE ESTABLISHED OPERATOR UNTIL EITHER THE ESTABLISHED OPERATOR CAN RESUME OPERATIONS OR UNTIL THE OFFICE REVOKES THE AUTHORITY OF THE EMERGENCY SHELTER TO OPERATE UNDER THIS CHAPTER.

(III) THE ESTABLISHED OPERATOR SHALL GRANT ACCESS TO THE TEMPORARY OPERATOR TO THE ESTABLISHED OPERATOR'S ACCOUNTS AND RECORDS IN ORDER TO ADDRESS ANY SERIOUS FINANCIAL, HEALTH OR SAFETY DEFICIENCY. THE TEMPORARY OPERATOR SHALL APPROVE ANY DECISION RELATED TO AN ESTABLISHED PROVIDER'S DAY TO DAY OPERATIONS OR THE ESTABLISHED PROVIDER'S ABILITY TO PROVIDE EMERGENCY SHELTER.

(IV) THE TEMPORARY OPERATOR SHALL NOT BE REQUIRED TO FILE ANY BOND. NO SECURITY INTEREST IN ANY REAL OR PERSONAL PROPERTY COMPRISING THE ESTABLISHED OPERATOR OR CONTAINED WITHIN THE ESTABLISHED OPERATOR OR IN ANY FIXTURE OF THE BUILDING, SHALL BE IMPAIRED OR DIMINISHED IN PRIORITY BY THE TEMPORARY OPERATOR. NEITHER THE TEMPORARY OPERATOR NOR THE OFFICE SHALL ENGAGE IN ANY ACTIVITY THAT CONSTITUTES A CONFISCATION OF PROPERTY.

(4) COSTS ASSOCIATED WITH THE TEMPORARY OPERATOR, INCLUDING COMPENSATION, SHALL FOLLOW THE FINANCING STRUCTURE ESTABLISHED IN ACCORDANCE WITH SECTION ONE HUNDRED FIFTY-THREE OF THIS CHAPTER, AS MODIFIED BY THE CURRENT AID TO LOCALITIES PROVISIONS FOR THE OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE WITHIN THE DEPARTMENT OF FAMILY ASSISTANCE. THE TEMPORARY OPERATOR SHALL BE LIABLE ONLY IN ITS CAPACITY AS TEMPORARY OPERATOR FOR INJURY TO PERSON AND PROPERTY BY REASON OF ITS OPERATION OF

SUCH BUILDING; NO LIABILITY SHALL INCUR IN THE TEMPORARY OPERATOR'S PERSONAL CAPACITY, EXCEPT FOR GROSS NEGLIGENCE AND INTENTIONAL ACTS.

(5) (I) THE INITIAL TERM OF THE APPOINTMENT OF THE TEMPORARY OPERATOR SHALL NOT EXCEED NINETY DAYS. AFTER NINETY DAYS, IF THE COMMISSIONER DETERMINES THAT TERMINATION OF THE TEMPORARY OPERATOR WOULD CAUSE SIGNIFICANT DETERIORATION OF THE QUALITY OF, OR ACCESS TO, EMERGENCY SHELTER IN THE COMMUNITY OR THAT REAPPOINTMENT IS NECESSARY TO CORRECT THE DEFICIENCIES THAT REQUIRED THE APPOINTMENT OF THE TEMPORARY OPERATOR, THE COMMISSIONER MAY AUTHORIZE AN ADDITIONAL NINETY-DAY TERM. HOWEVER, SUCH AUTHORIZATION SHALL INCLUDE THE COMMISSIONER'S REQUIREMENTS FOR CONCLUSION OF THE TEMPORARY OPERATORSHIP TO BE SATISFIED WITHIN THE ADDITIONAL TERM.

(II) WITHIN FOURTEEN DAYS PRIOR TO THE TERMINATION OF EACH TERM OF THE APPOINTMENT OF THE TEMPORARY OPERATOR, THE TEMPORARY OPERATOR SHALL SUBMIT TO THE COMMISSIONER, TO THE LOCAL SOCIAL SERVICES DISTRICT, AND TO THE ESTABLISHED OPERATOR A REPORT DESCRIBING:

(A) THE ACTIONS TAKEN DURING THE APPOINTMENT TO ADDRESS THE IDENTIFIED BUILDING DEFICIENCIES, THE RESUMPTION OF BUILDING OPERATIONS BY THE ESTABLISHED OPERATOR, OR THE REVOCATION OF AUTHORITY TO OPERATE AN EMERGENCY SHELTER;

(B) OBJECTIVES FOR THE CONTINUATION OF THE TEMPORARY OPERATORSHIP IF NECESSARY AND A SCHEDULE FOR SATISFACTION OF SUCH OBJECTIVES; AND

(C) IF APPLICABLE, THE RECOMMENDED ACTIONS FOR THE ONGOING PROVISION OF EMERGENCY SHELTER SUBSEQUENT TO THE TEMPORARY OPERATORSHIP.

(III) THE TERM OF THE INITIAL APPOINTMENT AND OF ANY SUBSEQUENT REAPPOINTMENT MAY BE TERMINATED PRIOR TO THE EXPIRATION OF THE DESIGNATED TERM, IF THE ESTABLISHED OPERATOR AND THE COMMISSIONER AGREE ON A PLAN OF CORRECTION AND THE IMPLEMENTATION OF SUCH PLAN.

(6) (I) THE COMMISSIONER SHALL, UPON MAKING A DETERMINATION OF AN INTENTION TO APPOINT A TEMPORARY OPERATOR PURSUANT TO SUBPARAGRAPH (I) OF PARAGRAPH TWO OF THIS SUBDIVISION, CAUSE THE ESTABLISHED OPERATOR AND THE LOCAL SOCIAL SERVICES DISTRICT TO BE NOTIFIED OF THE INTENTION BY REGISTERED OR CERTIFIED MAIL ADDRESSED TO THE PRINCIPAL OFFICE OF THE ESTABLISHED OPERATOR AND THE LOCAL SOCIAL SERVICES DISTRICT. SUCH NOTIFICATION SHALL INCLUDE A DETAILED DESCRIPTION OF THE FINDINGS UNDERLYING THE INTENTION TO APPOINT A TEMPORARY OPERATOR, AND THE DATE AND TIME OF A REQUIRED MEETING WITH THE COMMISSIONER WITHIN TEN BUSINESS DAYS OF THE RECEIPT OF SUCH NOTICE. AT SUCH MEETING, THE ESTABLISHED OPERATOR, AND THE COMMISSIONER SHALL HAVE THE OPPORTUNITY TO REVIEW AND DISCUSS ALL RELEVANT FINDINGS. AT SUCH MEETING, THE COMMISSIONER AND THE ESTABLISHED OPERATOR SHALL ATTEMPT TO DEVELOP A MUTUALLY SATISFACTORY PLAN OF CORRECTION AND SCHEDULE FOR IMPLEMENTATION. IF A MUTUALLY SATISFACTORY PLAN OF CORRECTION AND SCHEDULE FOR IMPLEMENTATION IS DEVELOPED, THE COMMISSIONER SHALL NOTIFY THE ESTABLISHED OPERATOR THAT THE COMMISSIONER WILL ABSTAIN FROM APPOINTING A TEMPORARY OPERATOR CONTINGENT UPON THE ESTABLISHED OPERATOR REMEDIATING THE IDENTIFIED DEFICIENCIES WITHIN THE AGREED UPON TIMEFRAME.

(II) THE COMMISSIONER SHALL, UPON MAKING A DETERMINATION OF AN INTENTION TO APPOINT A TEMPORARY OPERATOR PURSUANT TO SUBPARAGRAPH (I) OF PARAGRAPH TWO OF THIS SUBDIVISION, CAUSE THE TEMPORARY PRESIDENT OF THE SENATE, AND THE SPEAKER OF THE ASSEMBLY TO RECEIVE APPROPRIATE AND TIMELY NOTIFICATION OF THE INTENTION TO APPOINT A TEMPORARY OPERATOR. SUCH NOTIFICATION SHALL INCLUDE A DESCRIPTION OF THE FINDINGS UNDERLYING THE INTENTION TO APPOINT A TEMPORARY OPERATOR, THE IDENTIFICATION OF THE NEW OPERATOR WHEN PRACTICABLE, AND THE DATE OF EXPECTED TRANSFER OF OPER-

ATIONS. SUCH NOTICE SHALL BE MADE AS SOON AS PRACTICABLE UNDER THE CIRCUMSTANCES.

(III) THE COMMISSIONER, AT ANY TIME HE OR SHE DEEMS NECESSARY AND TO THE EXTENT PRACTICABLE, SHALL CONSULT AND MAY INVOLVE THE LOCAL SOCIAL SERVICES DISTRICT.

(IV) SHOULD THE COMMISSIONER AND THE ESTABLISHED OPERATOR BE UNABLE TO ESTABLISH A PLAN OF CORRECTION PURSUANT TO SUBPARAGRAPH (I) OF THIS PARAGRAPH, OR SHOULD THE ESTABLISHED OPERATOR FAIL TO RESPOND TO THE COMMISSIONER'S INITIAL NOTIFICATION, THERE SHALL BE AN ADMINISTRATIVE HEARING ON THE COMMISSIONER'S DETERMINATION TO APPOINT A TEMPORARY OPERATOR TO BEGIN NO LATER THAN THIRTY DAYS FROM THE DATE OF THE NOTICE TO THE ESTABLISHED OPERATOR. ANY SUCH HEARING SHALL BE STRICTLY LIMITED TO THE ISSUE OF WHETHER THE DETERMINATION OF THE COMMISSIONER TO APPOINT A TEMPORARY OPERATOR IS SUPPORTED BY SUBSTANTIAL EVIDENCE. A COPY OF THE DECISION SHALL BE SENT TO THE ESTABLISHED OPERATOR AND THE LOCAL SOCIAL SERVICES DISTRICT.

(V) IF THE DECISION TO APPOINT A TEMPORARY OPERATOR IS UPHELD SUCH TEMPORARY OPERATOR SHALL BE APPOINTED AS SOON AS IS PRACTICABLE AND SHALL PROVIDE EMERGENCY SHELTER PURSUANT TO THE PROVISIONS OF THIS SECTION.

(7) NOTWITHSTANDING THE APPOINTMENT OF A TEMPORARY OPERATOR, THE ESTABLISHED OPERATOR SHALL REMAIN OBLIGATED FOR THE CONTINUED PROVISION OF EMERGENCY SHELTER. NO PROVISION CONTAINED IN THIS SECTION SHALL BE DEEMED TO RELIEVE THE ESTABLISHED OPERATOR OR ANY OTHER PERSON OF ANY CIVIL OR CRIMINAL LIABILITY INCURRED, OR ANY DUTY IMPOSED BY LAW, BY REASON OF ACTS OR OMISSIONS OF THE ESTABLISHED OPERATOR OR ANY OTHER PERSON PRIOR TO THE APPOINTMENT OF ANY TEMPORARY OPERATOR OF THE BUILDING HEREUNDER; NOR SHALL ANYTHING CONTAINED IN THIS SECTION BE CONSTRUED TO SUSPEND DURING THE TERM OF THE APPOINTMENT OF THE TEMPORARY OPERATOR OF THE BUILDING ANY OBLIGATION OF THE ESTABLISHED OPERATOR OR ANY OTHER PERSON FOR THE MAINTENANCE AND REPAIR OF THE BUILDING, PROVISION OF UTILITY SERVICES, PAYMENT OF TAXES OR OTHER OPERATING AND MAINTENANCE EXPENSES OF THE BUILDING, NOR OF THE ESTABLISHED OPERATOR OR ANY OTHER PERSON FOR THE PAYMENT OF MORTGAGES OR LIENS.

S 3. Nothing in section two of this act shall be deemed in any way to limit the authority of the commissioner of the office of temporary and disability assistance or the commissioner of the office of children and family services or his or her designee to take additional actions with respect to a building that provides emergency shelter, in which there are conditions that are dangerous, hazardous, imminently detrimental to life or health, or otherwise render the building not fit for human habitation.

S 4. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2016, provided further that this act shall expire and be deemed repealed March 31, 2019.

## PART X

Section 1. Subdivision 1 of section 131-n of the social services law, as amended by chapter 373 of the laws of 2003, paragraph (c) as amended by section 5 of part J of chapter 58 of the laws of 2014, is amended to read as follows:

1. The following resources shall be exempt and disregarded in calculating the amount of benefits of any household under any public assistance program: (a) cash and liquid or nonliquid resources up to two thou-

sand dollars, or three thousand dollars in the case of households in which any member is sixty years of age or older, (b) an amount up to four thousand six hundred fifty dollars in a separate bank account established by an individual while currently in receipt of assistance for the sole purpose of enabling the individual to purchase a first or replacement vehicle for the recipient to seek, obtain or maintain employment, so long as the funds are not used for any other purpose, (c) an amount up to one thousand four hundred dollars in a separate bank account established by an individual while currently in receipt of assistance for the purpose of paying tuition at a two-year or four-year accredited post-secondary educational institution, so long as the funds are not used for any other purpose, (d) the home which is the usual residence of the household, (e) [one automobile, up to four thousand six hundred fifty dollars fair market value, provided, however, that if the automobile is needed for the applicant or recipient to seek or retain employment or travel to and from work activities as defined in section three hundred thirty-six of this chapter, the automobile exemption shall be increased to nine thousand three hundred dollars,] ONE AUTOMOBILE, UP TO TEN THOUSAND DOLLARS FAIR MARKET VALUE, THROUGH MARCH THIRTY-FIRST, TWO THOUSAND SEVENTEEN; ONE AUTOMOBILE, UP TO ELEVEN THOUSAND DOLLARS FAIR MARKET VALUE, FROM APRIL FIRST, TWO THOUSAND SEVENTEEN THROUGH MARCH THIRTY-FIRST, TWO THOUSAND EIGHTEEN; AND ONE AUTOMOBILE, UP TO TWELVE THOUSAND DOLLARS FAIR MARKET VALUE, BEGINNING APRIL FIRST, TWO THOUSAND EIGHTEEN AND THEREAFTER, or such other higher dollar value as the local social services district may elect to adopt, (f) one burial plot per household member as defined in department regulations, (g) bona fide funeral agreements up to a total of one thousand five hundred dollars in equity value per household member, (h) funds in an individual development account established in accordance with subdivision five of section three hundred fifty-eight of this chapter and section four hundred three of the social security act and (i) for a period of six months, real property which the household is making a good faith effort to sell, in accordance with department regulations and tangible personal property necessary for business or for employment purposes in accordance with department regulations. If federal law or regulations require the exemption or disregard of additional income and resources in determining need for family assistance, or medical assistance not exempted or disregarded pursuant to any other provision of this chapter, the department may, by regulations subject to the approval of the director of the budget, require social services officials to exempt or disregard such income and resources. Refunds resulting from earned income tax credits shall be disregarded in public assistance programs.

S 2. This act shall take effect on the forty-fifth day after it shall have become a law; provided that the amendments to subdivision 1 of section 131-n of the social services law made by section one of this act shall not affect the expiration and repeal of such section and shall expire and be deemed repealed therewith.

PART Y

Section 1. Section 332-b of the social services law is amended by adding a new subdivision 4-a to read as follows:

4-A. IF THE PRACTITIONER TO WHOM THE INDIVIDUAL IS REFERRED PURSUANT TO SUBDIVISION FOUR OR PARAGRAPH (B) OF SUBDIVISION TWO OF THIS SECTION ISSUES AN OPINION THAT DIFFERS FROM THE APPLICANT'S TREATING HEALTH CARE PRACTITIONER, THE PRACTITIONER SHALL PROVIDE A WRITTEN DETERMINATION

THAT SPECIFIES WHY THE PRACTITIONER DISAGREES WITH THE APPLICANT'S TREATING HEALTH CARE PRACTITIONER'S DISABILITY DETERMINATION AND PRESENT EVIDENCE THAT SUPPORTS THE OPINION.

S 2. This act shall take effect on the ninetieth day after it shall have become a law.

PART Z

Section 1. Paragraph 1 of subdivision d of section 19-a of the retirement and social security law, as amended by section 2 of part BB of chapter 57 of the laws of 2013, is amended to read as follows:

(1) For any given fiscal year for which an employer's average actuarial contribution rate exceeds the system graded contribution rate, the employer shall pay to the retirement system an amount equal to the employer's annual bill for such year or, in lieu of paying the entire annual bill, the employer may pay an amount equal to the employer's annual bill less all or a portion of the employer's amount eligible for amortization for the fiscal year. If in accordance with this paragraph the employer's payment to the retirement system is less than the entire amount of the employer's annual bill, then the difference between the employer's annual bill, and the amount actually paid by the employer to the retirement system exclusive of any amount from the employer contribution reserve fund applied to reduce the employer's payment, shall be the amount amortized for the fiscal year. The amount amortized for the fiscal year shall be paid to the retirement system in equal annual installments over a ten-year period, with interest on the unpaid balance at a rate determined by the comptroller which approximates a market rate of return on taxable fixed rate securities with similar terms issued by comparable issuers, and with the first installment due in the immediately succeeding fiscal year. PROVIDED HOWEVER THAT, NOTWITHSTANDING ANY PROVISION OF LAW TO THE CONTRARY AND AT THE SOLE DISCRETION OF THE DIRECTOR OF THE DIVISION OF THE BUDGET, THE STATE AS AN AMORTIZING EMPLOYER MAY PREPAY TO THE RETIREMENT SYSTEM THE TOTAL AMOUNT OF PRINCIPAL DUE FOR ANY SUCH ANNUAL INSTALLMENT OR INSTALLMENTS FOR A GIVEN FISCAL YEAR PRIOR TO THE EXPIRATION OF THE TEN-YEAR AMORTIZATION PERIOD. IN THE EVENT THE STATE ELECTS TO MAKE SUCH PREPAYMENT, THE DIRECTOR OF THE DIVISION OF BUDGET MUST IDENTIFY THE FISCAL YEAR OR YEARS FOR WHICH THE TOTAL PRINCIPAL AMOUNT DUE FOR THE ANNUAL INSTALLMENT IS BEING PREPAID. IN ANY FISCAL YEAR FOR WHICH THE DIRECTOR OF THE DIVISION OF THE BUDGET IDENTIFIES SUCH PREPAYMENT IS BEING MADE, THE STATE (I) SHALL NOT BE REQUIRED TO MAKE A PAYMENT OF PRINCIPAL TO THE RETIREMENT SYSTEM FOR SUCH FISCAL YEAR, AND (II) SHALL PAY TO THE RETIREMENT SYSTEM ANNUAL INTEREST ON THE REMAINING PRINCIPAL BALANCE AT THE RATE ORIGINALLY SET BY THE COMPTROLLER WHEN THE STATE FIRST ELECTED TO AMORTIZE IN ACCORDANCE WITH THIS PARAGRAPH. NOTHING CONTAINED HEREIN SHALL PERMIT THE STATE TO EXTEND THE AMORTIZATION PERIOD ORIGINALLY ESTABLISHED IN ACCORDANCE WITH THIS PARAGRAPH BEYOND THE ORIGINAL TEN-YEAR AMORTIZATION PERIOD.

S 2. Paragraph 1 of subdivision d of section 319-a of the retirement and social security law, as amended by section 3 of part BB of chapter 57 of the laws of 2013, is amended to read as follows:

(1) For any given fiscal year for which an employer's average actuarial contribution rate exceeds the employer graded contribution rate, the employer shall pay to the retirement system an amount equal to the employer's annual bill for such year or, in lieu of paying the entire annual bill, the employer may pay an amount equal to the employer's

annual bill less all or a portion of the employer's amount eligible for amortization for the fiscal year. If in accordance with this paragraph the employer's payment to the retirement system is less than the entire amount of the employer's annual bill, then the difference between the employer's annual bill, and the amount actually paid by the employer to the retirement system exclusive of any amount from the employer contribution reserve fund applied to reduce the employer's payment, shall be the amount amortized for the fiscal year. The amount amortized for the fiscal year shall be paid to the retirement system in equal annual installments over a ten-year period, with interest on the unpaid balance at a rate determined by the comptroller which approximates a market rate of return on taxable fixed rate securities with similar terms issued by comparable issuers, and with the first installment due in the immediately succeeding fiscal year. PROVIDED HOWEVER THAT, NOTWITHSTANDING ANY PROVISION OF LAW TO THE CONTRARY AND AT THE SOLE DISCRETION OF THE DIRECTOR OF THE DIVISION OF THE BUDGET, THE STATE AS AN AMORTIZING EMPLOYER MAY PREPAY TO THE RETIREMENT SYSTEM THE TOTAL AMOUNT OF PRINCIPAL DUE FOR ANY SUCH ANNUAL INSTALLMENT OR INSTALLMENTS FOR A GIVEN FISCAL YEAR PRIOR TO THE EXPIRATION OF THE TEN-YEAR AMORTIZATION PERIOD. IN THE EVENT THE STATE ELECTS TO MAKE SUCH PREPAYMENT, THE DIRECTOR OF THE DIVISION OF BUDGET MUST IDENTIFY THE FISCAL YEAR OR YEARS FOR WHICH THE TOTAL PRINCIPAL AMOUNT DUE FOR THE ANNUAL INSTALLMENT IS BEING PREPAID. IN ANY FISCAL YEAR FOR WHICH THE DIRECTOR OF THE DIVISION OF THE BUDGET IDENTIFIES SUCH PREPAYMENT IS BEING MADE, THE STATE (I) SHALL NOT BE REQUIRED TO MAKE A PAYMENT OF PRINCIPAL TO THE RETIREMENT SYSTEM FOR SUCH FISCAL YEAR, AND (II) SHALL PAY TO THE RETIREMENT SYSTEM ANNUAL INTEREST ON THE REMAINING PRINCIPAL BALANCE AT THE RATE ORIGINALLY SET BY THE COMPTROLLER WHEN THE STATE FIRST ELECTED TO AMORTIZE IN ACCORDANCE WITH THIS PARAGRAPH. NOTHING CONTAINED HEREIN SHALL PERMIT THE STATE TO EXTEND THE AMORTIZATION PERIOD ORIGINALLY ESTABLISHED IN ACCORDANCE WITH THIS PARAGRAPH BEYOND THE ORIGINAL TEN-YEAR AMORTIZATION PERIOD.

S 3. This act shall take effect April 1, 2016.

## PART AA

Section 1. Section 4 of chapter 495 of the laws of 2004, amending the insurance law and the public health law relating to the New York state health insurance continuation assistance demonstration project, as amended by section 1 of part GG of chapter 58 of the laws of 2015, is amended to read as follows:

S 4. This act shall take effect on the sixtieth day after it shall have become a law; provided, however, that this act shall remain in effect until July 1, [2016] 2017 when upon such date the provisions of this act shall expire and be deemed repealed; provided, further, that a displaced worker shall be eligible for continuation assistance retroactive to July 1, 2004.

S 2. This act shall take effect immediately.

## PART BB

Section 1. Legislative intent. The legislature declares that the purpose of this act is to clearly provide in statute for insurers to offer and for homeowners, condominium owners, cooperative apartment owners, and renters to obtain a financial incentive if they complete a course of instruction on how to make their residence more resilient to a

natural disaster, reduce the potential loss of life or property damage that could result from a natural disaster, reduce the risk of fire, theft, burglary, personal injury or property damage, and raise their awareness of natural disaster preparedness by offering property/casualty insurance premium reductions.

S 2. The section heading of section 2346 of the insurance law, as amended by chapter 637 of the laws of 1993, is amended and a new subsection 5 is added to read as follows:

Reduction in rates of fire insurance [or], homeowners insurance OR PROPERTY/CASUALTY premiums for residential property.

5. (A) DEFINITIONS. FOR THE PURPOSES OF THIS SUBSECTION, THE FOLLOWING TERMS SHALL HAVE THE FOLLOWING MEANINGS:

(1) "COMPLETION CERTIFICATE" MEANS A DOCUMENT WHICH CANNOT BE ALTERED AND WHICH IS PROVIDED TO A PERSON WHO SUCCESSFULLY COMPLETES A HOMEOWNER NATURAL DISASTER PREPAREDNESS, HOME SAFETY AND LOSS PREVENTION COURSE.

(2) "NATURAL DISASTER" MEANS THE OCCURRENCE OR IMMINENT THREAT OF WIDESPREAD CATASTROPHIC OR SEVERE DAMAGE, INJURY, OR LOSS OF LIFE OR PROPERTY RESULTING FROM ANY NATURAL CAUSE INCLUDING, BUT NOT LIMITED TO, FIRE, FLOOD, EARTHQUAKE, HURRICANE, TORNADO, HIGH WATER, LANDSLIDE, MUDSLIDE, WIND, STORM, WAVE ACTION, ICE STORM, EPIDEMIC, AIR CONTAMINATION, BLIGHT, DROUGHT, INFESTATION, EXPLOSION, WATER CONTAMINATION, BRIDGE FAILURE, OR BRIDGE COLLAPSE.

(3) "HOMEOWNER NATURAL DISASTER PREPAREDNESS, HOME SAFETY AND LOSS PREVENTION COURSE" MEANS A NATURAL DISASTER PREPAREDNESS, HOME SAFETY AND LOSS PREVENTION COURSE THAT HAS BEEN SUBMITTED TO THE SUPERINTENDENT FOR THEIR INFORMATION AND REVIEW BY AN APPLICANT. SUCH COURSE MAY PROVIDE USEFUL INFORMATION TO PARTICIPANTS ON ITEMS INCLUDING, BUT NOT LIMITED TO: COURSES OF ACTION THAT CAN BE TAKEN BEFORE, DURING AND AFTER THE OCCURRENCE OF A NATURAL DISASTER, STRATEGIES TO REDUCE RISK EXPOSURE TO INSURED RESIDENTIAL PROPERTY OWNERS AND RENTERS, AND INFORMATION ABOUT THE INSTALLATION OF EQUIPMENT, DEVICES OR OTHER CAPITAL IMPROVEMENTS TO REAL PROPERTY WHICH CAN HELP TO ELIMINATE OR MITIGATE DAMAGE TO REAL OR PERSONAL PROPERTY, PERSONAL INJURY OR THE LOSS OF LIFE CAUSED BY A NATURAL DISASTER OR OTHER INSURABLE EVENT OR OCCURRENCE OF A FIRE, THEFT, BURGLARY, PERSONAL INJURY OR PROPERTY DAMAGE.

(4) "APPLICANT" MEANS AN INSURER, OR ANY OTHER PERSON, AGENCY OR ORGANIZATION WHICH SUBMITS A PROPOSED HOMEOWNER NATURAL DISASTER PREPAREDNESS, HOME SAFETY AND LOSS PREVENTION COURSE TO THE SUPERINTENDENT FOR THEIR INFORMATION AND REVIEW, AND WHO OR WHICH IS PREPARED AND ABLE TO OFFER SUCH COURSE TO INSUREDS UPON THE APPROVAL THEREOF.

(B) THE SUPERINTENDENT MAY PROVIDE FOR AN ACTUARIALLY APPROPRIATE REDUCTION FOR A PERIOD OF THREE YEARS IN RATES OF HOMEOWNER'S INSURANCE AND PROPERTY/CASUALTY INSURANCE PREMIUMS APPLICABLE TO RESIDENTIAL REAL PROPERTY FOR EACH TRIENNIAL COMPLETION OF A HOMEOWNER NATURAL DISASTER PREPAREDNESS, HOME SAFETY AND LOSS PREVENTION COURSE BY THE INSURED OCCUPANT OF SUCH RESIDENTIAL REAL PROPERTY. IN ADDITION, THE SUPERINTENDENT MAY ALSO PROVIDE FOR ACTUARIALLY APPROPRIATE REDUCTIONS IN SUCH RATES FOR THE INSTALLATION OF EQUIPMENT, DEVICES OR OTHER CAPITAL IMPROVEMENTS TO REAL PROPERTY WHICH CAN HELP TO ELIMINATE OR MITIGATE NATURAL DISASTER DAMAGE, IMPROVE HOME SAFETY OR PREVENT OTHER LOSSES.

(C) AN INSURER, UPON APPROVAL OF THE SUPERINTENDENT, MAY UPON SUBMISSION OF A COMPLETION CERTIFICATE BY AN INSURED, PROVIDE AN ACTUARIALLY APPROPRIATE REDUCTION, FOR A PERIOD OF THREE YEARS, OF THE PREMIUM FOR SUCH INSURED'S HOMEOWNER'S INSURANCE OR PROPERTY/CASUALTY INSURANCE ON THE RESIDENTIAL REAL PROPERTY WHICH IS THE INSURED'S PLACE OF RESIDENCE.

(D) THE SUPERINTENDENT MAY ESTABLISH, BY RULE OR OTHERWISE, STANDARDS OR GUIDELINES TO BE USED BY THE SUPERINTENDENT WHEN REVIEWING THE PROPOSED HOMEOWNER NATURAL DISASTER PREPAREDNESS, HOME SAFETY AND LOSS PREVENTION COURSES.

S 3. This act shall take effect on the first of January next succeeding the date on which it shall have become a law; provided, however, that effective immediately, any actions necessary to be taken for the implementation of the provisions of this act on its effective date are authorized and directed to be completed on or before such effective date.

PART CC

Section 1. Section 9-w of the banking law, as added by section 1 of part F of chapter 56 of the laws of 2015, is amended to read as follows:

S 9-w. Standard financial aid award letter. The superintendent of financial services in consultation with the president of the higher education services corporation shall develop a standard financial aid award letter which shall clearly delineate (a) the estimated cost of attendance, including but not limited to, the cost of tuition and fees, room and board, books, and transportation. Such standard letter shall provide the estimated cost of attendance for the current academic year as well as estimates for each academic year that the student would need to attend to earn a degree at such institution with a disclaimer that the cost of attendance for years other than the current academic year are estimates and may be subject to change, (b) all financial aid offered from the federal government, the state, and the institution with an explanation as to which components will require repayment, (c) any expected student and/or family contribution, (d) campus-specific graduation, median borrowing, and loan default rates, and (e) any other information as determined by the superintendent in consultation with the president. Such standard letter shall include a glossary of standard terms and definitions used on such standard letter. The superintendent shall publish and make available such standard letter by December thirty-first, two thousand fifteen and thereafter. Each college, vocational institution, and any other institution that offers an approved program as defined in section six hundred one of the education law shall utilize the standard letter issued by the department of financial services in responding to all UNDERGRADUATE financial aid applicants for the two thousand sixteen--two thousand seventeen academic year and thereafter. The superintendent shall promulgate regulations implementing this section.

S 2. This act shall take effect immediately.

PART DD

Section 1. Subdivision 11 of section 6305 of the education law, as amended by section 1 of part W of chapter 56 of the laws of 2014, is amended to read as follows:

11. The state university of New York and the city university of New York shall, pursuant to a study and plan, develop a methodology for calculating chargeback rates to ensure equity between the local sponsor contribution per student and the chargeback rate per student charged to other counties, and the implementation of such methodology will be phased in over five years beginning in the two thousand [sixteen--two thousand seventeen] EIGHTEEN--TWO THOUSAND NINETEEN academic year. A

report on the plan shall be submitted to the chair of the senate and assembly higher education committees, the chairs of the senate finance committee, the chair of the assembly ways and means committee and the director of the budget no later than June first, two thousand fifteen.

S 2. This act shall take effect immediately.

PART EE

Section 1. Section 4 of part U of chapter 55 of the laws of 2014, amending the real property tax law relating to the tax abatement and exemption for rent regulated and rent controlled property occupied by senior citizens, is amended to read as follows:

S 4. This act shall take effect July 1, 2014, and sections one and two of this act shall expire and be deemed repealed [2 years after the effective date thereof] JUNE 30, 2020; provided that the amendment to section 467-b of the real property tax law made by section one of this act shall not affect the expiration of such section and shall be deemed to expire therewith.

S 2. Section 3 of part U of chapter 55 of the laws of 2014, amending the real property tax law relating to the tax abatement and exemption for rent regulated and rent controlled property occupied by senior citizens, is amended to read as follows:

S 3. The state shall reimburse the city of New York for the difference between the amount of real property tax revenue abated for the period beginning July 1, 2014 and ending June 30, 2016 pursuant to the income threshold established by sections one and two of this act and the amount of real property tax revenue that would have been abated for the period beginning July 1, 2014 and ending June 30, 2016 pursuant to the income thresholds that were in effect immediately prior to the income threshold increases established by sections one and two of this act, PROVIDED, HOWEVER, THE STATE'S LIABILITY AND AMOUNT OF REIMBURSEMENT PURSUANT TO THIS ACT SHALL NOT EXCEED ONE MILLION TWO HUNDRED THOUSAND DOLLARS. Prior to any payment, the city shall provide attestation to the director of the New York state division of the budget and the state comptroller as to the actual amount of real property tax revenue abated pursuant to the income thresholds established by sections one and two of this act for the city fiscal years beginning July 1, 2014 and July 1, 2015 and the actual amount of real property tax revenue that would have been abated pursuant to the income thresholds that were in effect immediately prior to the income threshold increases established by sections one and two of this act for the city fiscal years beginning July 1, 2014 and July 1, 2015. The information contained within such attestation may be subject to the audit and verification by the state comptroller.

S 3. Section 4 of chapter 129 of the laws of 2014, amending the real property tax law relating to the tax abatement and exemption for rent regulated and rent controlled property occupied by persons with disabilities, is amended to read as follows:

S 4. This act shall take effect July 1, 2014 provided, however, that:

(a) the amendments to paragraph b of subdivision 3 of section 467-b of the real property tax law made by section one of this act shall be subject to the expiration and reversion of such subdivision pursuant to section 17 of chapter 576 of the laws of 1974, as amended, when upon such date the provisions of section two of this act shall take effect; and

(b) nothing contained in this act shall be construed so as to extend the provisions of this act beyond [July 1, 2016] JUNE 30, 2020, when

upon such date this act shall expire and the provisions contained in this act shall be deemed repealed.

S 4. This act shall take effect immediately.

PART FF

Section 1. Subject to the provisions of this act, the town of Riverhead, county of Suffolk, (hereinafter the "town") is hereby authorized to refund bonds previously issued or refunded between 2000-2008 pursuant to section 64-e of the town law for the acquisition of land or permanent rights on land. The refunding bonds may be sold at public or private sale in accordance with sections 90.00 or 90.10 of the local finance law, provided, however, that the town shall be exempt from compliance with (a) subdivisions 1 and 4 of paragraph a and subdivision 3 of paragraph f of section 90.00 of the local finance law relating to limiting the length of time for which refunding bonds can be issued and budgetary appropriation requirements for payments due on original bond issuance, and (b) subparagraph (a) of subdivision 2 of paragraph b, subdivisions 4 and 5 of paragraph e, and paragraph g of section 90.10 of the local finance law relating to a required showing of savings for the issuance of refunding bonds and limiting the length of time refunding bonds can be issued for. If the bonds to be refunded are to be redeemed or paid on the same date as the refunding bonds are issued, the town shall not be required to comply with the provisions of section 90.10 of the local finance law relating to the escrow of the proceeds of the sale of the refunding bonds.

S 2. The refunding bonds authorized to be issued pursuant to this act shall not be issued unless the governing board of the town adopts a resolution which shall be subject to a permissive referendum pursuant to article 7 of the town law. Except for those provisions from which the town is exempt pursuant to section one of this act, such resolution shall contain the information required by section 90.00 or 90.10 of the local finance law, and

(a) the financial plan for the proposed refunding must show the sources and amounts of all moneys required to accomplish such refunding; and

(b) the period or periods of probable usefulness for bonds provided that refunding bonds issued by the town shall not be limited to the period of probable usefulness at the time of the issuance of the bonds to be refunded. A statement of period or periods of probable usefulness may include an extension of such period of time as authorized by this act.

S 3. Notwithstanding the thirty year period of probable usefulness contained in subdivision 21 of paragraph a of section 11.00 of the local finance law, the period of probable usefulness for the acquisition of land or permanent rights on land and the financing of such acquisition pursuant to section 64-e of the town law prior to the effective date of this act shall be fifty years provided that the resolution is adopted in compliance with this act, and provided further that such fifty year term shall only apply to bonds referenced in section one of this act.

S 4. No further indebtedness by the town shall be authorized for the acquisition of land or permanent rights on land pursuant to section 64-e of the town law so long as any repayment obligations exist for refunding bonds issued pursuant to the provisions of this act.

S 5. This act shall take effect immediately.

PART GG

Section 1. Section 8 of the volunteer firefighters' benefit law, as amended by chapter 574 of the laws of 1998, is amended to read as follows:

S 8. Permanent total disability benefits. In the case of total disability adjudged to be permanent the volunteer firefighter shall be paid four hundred dollars for each week during the continuance thereof. Permanent total disability, within the meaning of this section, shall exist only if the earning capacity of the volunteer firefighter has been lost permanently and totally as the result of the injury. The loss of both hands, or both arms, or both feet, or both legs, or both eyes, or any two thereof, shall, in the absence of conclusive proof to the contrary, constitute permanent total disability, but in all other cases permanent total disability shall be determined in accordance with the facts. Notwithstanding any other provisions of this chapter, an injured volunteer firefighter disabled due to the loss or total loss of use of both eyes, or both hands, or both arms, or both feet, or both legs, or any two thereof shall not suffer any diminution of such weekly benefit by engaging in business or employment provided his or her weekly earnings or wages, when combined with his or her weekly benefit shall not be in excess of [six] EIGHT hundred dollars; and further provided that the application of this section shall not result in reduction of benefits which an injured volunteer firefighter who is disabled due to the loss or total loss of use of both eyes, or both hands, or both arms, or both feet, or both legs, or any two thereof would otherwise be entitled to under any other provisions of this article.

S 2. This act shall take effect July 1, 2016.

PART HH

Section 1. Paragraph (f) of subdivision 2 of section 14-l of the transportation law, as amended by section 1 of part V of chapter 58 of the laws of 2013, is amended to read as follows:

(f) No grant or loan to any eligible applicant shall exceed the sum of one million FIVE HUNDRED THOUSAND dollars, and no part of any such grant or loan shall be used for salaries or for services regularly provided by the applicant for administrative costs in connection with such grant or loan.

S 2. This act shall take effect immediately.

PART II

Section 1. Part C of chapter 58 of the laws of 2005 authorizing reimbursements for expenditures made by or on behalf of social services districts for medical assistance for needy persons and administration thereof is amended by adding a new section 6-a to read as follows:

S 6-A. 1. NOTWITHSTANDING ANY PROVISION OF LAW TO THE CONTRARY, THE COMMISSIONER OF HEALTH IS AUTHORIZED TO ESTABLISH A STATEWIDE MEDICAID INTEGRITY AND EFFICIENCY INITIATIVE FOR THE PURPOSE OF ACHIEVING NEW AUDIT RECOVERIES, EFFICIENCIES IN THE ADMINISTRATION OF THE MEDICAL ASSISTANCE PROGRAM AND OTHER COST AVOIDANCE MEASURES THROUGH COLLABORATION WITH SOCIAL SERVICES DISTRICTS THROUGHOUT THE STATE. THE COMMISSIONER MAY ESTABLISH A TARGET AMOUNT OF SUCH RECOVERIES AND EFFICIENCIES FOR DISTRICTS THAT ELECT TO PARTICIPATE IN THE INITIATIVE.

2. ON OR AFTER APRIL 1 OF EACH YEAR, SOCIAL SERVICES DISTRICTS THAT ELECT TO PARTICIPATE SHALL SUBMIT A PLAN FOR ACHIEVING AUDIT RECOVERIES AND EFFICIENCIES IN THE ADMINISTRATION OF THE MEDICAL ASSISTANCE PROGRAM

TO THE DEPARTMENT OF HEALTH FOR REVIEW AND APPROVAL PRIOR TO IMPLEMENTATION. DISTRICTS ARE ENCOURAGED TO SOLICIT LOCAL STAKEHOLDER INPUT IN FORMULATING SUCH PLANS.

3. AUDIT RECOVERIES AND EFFICIENCIES IN THE ADMINISTRATION OF THE MEDICAL ASSISTANCE PROGRAM ACHIEVED UNDER A PLAN APPROVED PURSUANT TO THIS SECTION MUST BE VALIDATED BY THE DEPARTMENT OF HEALTH IN CONSULTATION WITH THE OFFICE OF THE MEDICAID INSPECTOR GENERAL, AND MUST RESULT FROM DISTRICT ACTIVITIES SPECIFIED IN THE PLAN, AND MUST NOT REFLECT THE IMPACTS OF FEDERAL ENHANCEMENTS OR CURRENT OR FUTURE LEGAL SETTLEMENTS UNRELATED TO ACTIVITIES UNDER THE PLAN. EFFICIENCIES DERIVED FROM ACTIONS THAT ARE TAKEN TO MAXIMIZE OR ENHANCE PREEXISTING LOCAL COST CONTAINMENT INITIATIVES MAY BE INCLUDED AMONG THE CALCULATION OF TARGETS OUTLINED IN THE PLAN, SO LONG AS SUCH EFFICIENCIES WERE NOT PREVIOUSLY ASSUMED.

S 2. This act shall take effect immediately and shall expire and be deemed repealed two years after it shall have become a law.

## PART JJ

Section 1. Subdivision 1 of section 92 of part H of chapter 59 of the laws of 2011, amending the public health law and other laws relating to known and projected department of health state fund Medicaid expenditures, as amended by section 8 of part B of chapter 57 of the laws of 2015, is amended to read as follows:

1. For state fiscal years 2011-12 through 2016-17, the director of the budget, in consultation with the commissioner of health referenced as "commissioner" for purposes of this section, shall assess on a monthly basis, as reflected in monthly reports pursuant to subdivision five of this section known and projected department of health state funds medicaid expenditures by category of service and by geographic regions, as defined by the commissioner, and if the director of the budget determines that such expenditures are expected to cause medicaid disbursements for such period to exceed the projected department of health medicaid state funds disbursements in the enacted budget financial plan pursuant to subdivision 3 of section 23 of the state finance law, the commissioner of health, in consultation with the director of the budget, shall develop a medicaid savings allocation plan to limit such spending to the aggregate limit level specified in the enacted budget financial plan, provided, however, such projections may be adjusted by the director of the budget to account for any changes in the New York state federal medical assistance percentage amount established pursuant to the federal social security act, changes in provider revenues, reductions to local social services district medical assistance administration, MINIMUM WAGE INCREASES, and beginning April 1, 2012 the operational costs of the New York state medical indemnity fund and state costs or savings from the basic health plan. Such projections may be adjusted by the director of the budget to account for increased or expedited department of health state funds medicaid expenditures as a result of a natural or other type of disaster, including a governmental declaration of emergency.

S 2. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2016.

## PART KK

Section 1. Subdivision d of section 14-150 of the administrative code of the city of New York, as added by chapter 565 of the laws of 2015, is amended to read as follows:

d. The New York city police department shall submit to the city council, THE GOVERNOR, THE TEMPORARY PRESIDENT OF THE STATE SENATE AND THE SPEAKER OF THE STATE ASSEMBLY annually a report detailing the total number of criminal complaints and arrests, categorized by class of crime, for violent felony offenses as defined in section 70.02 of the penal law, assault and related offenses as defined in article one hundred twenty of the penal law, sex offenses as defined in article one hundred thirty of the penal law, disorderly conduct as defined in section 240.20 of the penal law, harassment as defined in section 240.25 and 240.26 of the penal law, aggravated harassment as defined in section 240.30 and 240.31 of the penal law, and offenses against public sensibilities as defined in article two hundred forty-five of the penal law, where the conduct occurs on subway lines and bus routes operated by the New York city transit authority or the Staten Island rapid transit operating authority, specifying where such criminal conduct has occurred by police precinct, including specific subway line, subway transit division, and bus route operated by the New York city transit authority or the Staten Island rapid transit operating authority. Such report shall contain a separate tabulation for employees of the authority, passengers and other non-employees. SUCH REPORT SHALL SPECIFY WHICH BUS ROUTES HAD THE GREATEST NUMBER OF CRIMINAL COMPLAINTS AND ARRESTS. Such statistics shall be tabulated on a monthly basis and on an annual basis and shall be maintained and transmitted in an electronic format to the department of records and information services, or its successor agency, and be made available to the public on or through the department of records and information services' website, or its successor's website. Such statistics shall be first made available on such website ninety days after the effective date of this subdivision and shall be updated on at least a monthly basis thereafter.

S 2. This act shall take effect immediately.

## PART LL

Section 1. The state finance law is amended by adding a new section 99-y to read as follows:

S 99-Y. HEALTH REPUBLIC INSURANCE OF NEW YORK FUND. 1. THERE IS HEREBY ESTABLISHED IN THE JOINT CUSTODY OF THE STATE COMPTROLLER AND THE SUPERINTENDENT OF THE DEPARTMENT OF FINANCIAL SERVICES A SPECIAL FUND TO BE KNOWN AS THE "HEALTH REPUBLIC INSURANCE OF NEW YORK FUND".

2. (A) SUCH FUND SHALL CONSIST OF TRANSFERS AS AUTHORIZED BY THE DIRECTOR OF THE BUDGET, IN HIS OR HER SOLE DISCRETION, BETWEEN APRIL FIRST, TWO THOUSAND SIXTEEN AND MARCH THIRTY-FIRST, TWO THOUSAND NINETEEN, FROM AMOUNTS COLLECTED AS A RESULT OF A JUDGEMENT, STIPULATION, DECREE, AGREEMENT TO SETTLE, ASSURANCE OF DISCONTINUANCE, OR OTHER LEGAL INSTRUMENT RESOLVING ANY CLAIM OR CAUSE OF ACTION, WHETHER FILED OR UNFILED, ACTUAL OR POTENTIAL, AND WHETHER ARISING UNDER COMMON LAW, EQUITY, OR ANY PROVISION OF LAW, AND ALL OTHER MONIES APPROPRIATED, CREDITED, OR TRANSFERRED THERETO FROM ANY OTHER FUND OR SOURCE PURSUANT TO LAW.

(B) PARAGRAPH (A) OF THIS SUBDIVISION SHALL NOT APPLY TO: (I) MONEYS TO BE DISTRIBUTED TO THE FEDERAL GOVERNMENT, TO A LOCAL GOVERNMENT, OR TO ANY HOLDER OF A BOND OR OTHER DEBT INSTRUMENT ISSUED BY THE STATE, ANY PUBLIC AUTHORITY, OR ANY PUBLIC BENEFIT CORPORATION; (II) MONEYS TO

BE DISTRIBUTED SOLELY OR EXCLUSIVELY AS A PAYMENT OF DAMAGES OR RESTITUTION TO INDIVIDUALS OR ENTITIES THAT WERE SPECIFICALLY INJURED OR HARMED BY THE DEFENDANT'S OR SETTLING PARTY'S CONDUCT AND THAT ARE IDENTIFIED IN, OR CAN BE IDENTIFIED BY THE TERMS OF, THE RELEVANT JUDGMENT, AGREEMENT TO SETTLE, ASSURANCE OF DISCONTINUANCE, OR RELEVANT INSTRUMENT RESOLVING THE CLAIM OR CAUSE OF ACTION; (III) MONEYS RECOVERED OR OBTAINED BY A STATE AGENCY OR A STATE OFFICIAL OR EMPLOYEE ACTING IN THEIR OFFICIAL CAPACITY WHERE APPLICATION OF PARAGRAPH (A) OF THIS SUBDIVISION IS PROHIBITED BY FEDERAL LAW, RULE, OR REGULATION, OR WOULD RESULT IN THE REDUCTION OR LOSS OF FEDERAL FUNDS OR ELIGIBILITY FOR FEDERAL BENEFITS PURSUANT TO FEDERAL LAW, RULE, OR REGULATION; (IV) MONEYS RECOVERED OR OBTAINED BY OR ON BEHALF OF A PUBLIC AUTHORITY, A PUBLIC BENEFIT CORPORATION, THE DEPARTMENT OF TAXATION AND FINANCE, THE WORKERS' COMPENSATION BOARD, THE NEW YORK STATE HIGHER EDUCATION SERVICES CORPORATION, THE TOBACCO SETTLEMENT FINANCING CORPORATION, A STATE OR LOCAL RETIREMENT SYSTEM, AN EMPLOYEE HEALTH BENEFIT PROGRAM ADMINISTERED BY THE NEW YORK STATE DEPARTMENT OF CIVIL SERVICE, THE TITLE IV-D CHILD SUPPORT FUND, THE LOTTERY PRIZE FUND, THE ABANDONED PROPERTY FUND, OR AN ENDOWMENT OF THE STATE UNIVERSITY OF NEW YORK OR ANY UNIT THEREOF OR ANY STATE AGENCY, PROVIDED THAT ALL OF THE MONEYS RECEIVED OR RECOVERED ARE IMMEDIATELY TRANSFERRED TO THE RELEVANT PUBLIC AUTHORITY, PUBLIC BENEFIT CORPORATION, DEPARTMENT, FUND, PROGRAM, OR ENDOWMENT; (V) MONEYS TO BE REFUNDED TO AN INDIVIDUAL OR ENTITY AS (1) AN OVERPAYMENT OF A TAX, FINE, PENALTY, FEE, INSURANCE PREMIUM, LOAN PAYMENT, CHARGE OR SURCHARGE; (2) A RETURN OF SEIZED ASSETS; OR (3) A PAYMENT MADE IN ERROR; AND (VI) MONEYS TO BE USED TO PREVENT, ABATE, RESTORE, MITIGATE, OR CONTROL ANY IDENTIFIABLE INSTANCE OF PRIOR OR ONGOING WATER, LAND OR AIR POLLUTION.

3. MONIES SHALL BE PAID OUT OF THIS FUND AT THE DISCRETION OF THE SUPERINTENDENT OF THE DEPARTMENT OF FINANCIAL SERVICES ONLY PURSUANT TO APPROPRIATION AND THE TERMS TO BE SET FORTH IN A FUTURE CHAPTER OF LAW.

4. MONIES SHALL BE PAID OUT OF THIS FUND ONLY AFTER THE DISTRIBUTION OF ALL ASSETS IN CONNECTION WITH A LIQUIDATION PROCEEDING OF HEALTH REPUBLIC INSURANCE OF NEW YORK FILED PURSUANT TO ARTICLE SEVENTY-FOUR OF THE INSURANCE LAW HAS BEEN COMPLETED.

5. MONIES SHALL BE PAID OUT OF THIS FUND ON THE AUDIT AND WARRANT OF THE STATE COMPTROLLER ON VOUCHERS CERTIFIED OR APPROVED BY THE SUPERINTENDENT OF THE DEPARTMENT OF FINANCIAL SERVICES.

S 2. This act shall take effect immediately.

## PART MM

Section 1. Notwithstanding any law to the contrary, the responsibilities, duties and functions, pursuant to subdivision 2 of section 70 of the civil service law, of the intelligence and analysis unit of the office of counterterrorism within the division of homeland security and emergency services shall be transferred to the division of state police.

S 2. Paragraphs (f) and (g) of subdivision 2 of section 709 of the executive law, as amended by section 14 of part B of chapter 56 of the laws of 2010, are amended to read as follows:

(f) coordinate state resources for the collection and analysis of information relating to [terrorist threats and terrorist activities and other] natural and man-made disasters throughout the state subject to any applicable laws, rules, or regulations;

(g) coordinate and facilitate information sharing among local, state, and federal [law enforcement] agencies to ensure appropriate intelli-

gence to assist in the early identification of and response to [potential terrorist activities and other] natural and man-made disasters, subject to any applicable laws, rules, or regulations governing the release, disclosure or sharing of any such information;

S 3. Section 709-a of the executive law, as added by section 15-a of part B of chapter 56 of the laws of 2010, is amended to read as follows:

S 709-a. Office of counterterrorism. The office of counterterrorism shall develop and analyze the state's policies, protocols and strategies relating to the prevention and detection of terrorist acts and terrorist threats. The office shall also be responsible for [the collection, analysis and sharing of information relating to terrorist threats and terrorist activities throughout the state;] coordinating strategies, protocols and first responder equipment needs to detect a biological, chemical or radiological terrorist act or threat; working with private entities and local, state and federal agencies to conduct assessments of the vulnerability of critical infrastructure to terrorist attack; and consulting with appropriate state and local governments and private entities to facilitate and foster cooperation to better prepare the state to prevent and detect threats and acts of terrorism.

S 3-a. Section 223 of the executive law, as amended by chapter 428 of the laws of 1999, is amended to read as follows:

S 223. Duties and powers of the superintendent of state police and of members of the state police. 1. It shall be the duty of the superintendent of the state police and of members of the state police to prevent and detect crime and apprehend criminals. They shall also be subject to the call of the governor and are empowered to co-operate with any other department of the state or with local authorities. THEY SHALL ALSO COLLECT AND ANALYZE INFORMATION RELATING TO PREVENTION AND DETECTION OF TERRORIST THREATS AND TERRORIST ACTIVITIES THROUGHOUT THE STATE AND SHARE ALL SUCH INFORMATION SUBJECT TO PARAGRAPH (G) OF SUBDIVISION TWO OF SECTION SEVEN HUNDRED NINE OF THIS CHAPTER AMONG THE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES, AND LOCAL, STATE, AND FEDERAL LAW ENFORCEMENT AGENCIES TO ENSURE THE COORDINATION OF APPROPRIATE INTELLIGENCE TO ASSIST IN THE EARLY IDENTIFICATION OF AND RESPONSE TO POTENTIAL TERRORIST THREATS AND TERRORIST ACTIVITIES. They shall have power to arrest, without a warrant, any person committing or attempting to commit within their presence or view a breach of the peace or other violation of law, to serve and execute warrants of arrest or search issued by proper authority and to exercise all other powers of police officers of the state of New York. Any such warrants issued by any magistrate of the state may be executed by them in any part of the state according to the tenor thereof without indorsement. But they shall not exercise their powers within the limits of any city to suppress rioting and disorder except by direction of the governor or upon the request of the mayor of the city with the approval of the governor. Any member of the rank of sergeant or above may take pre-arraignment bail from any defendant in the amounts and under the circumstances and conditions that police may take bail.

2. The superintendent may, by written order, designate a police officer, as defined in paragraph (b), (c) or (d) of subdivision thirty-four of section 1.20 of the criminal procedure law, to assist members of the state police in order to more effectively address the detection of crime and apprehension of criminals within the state and its localities. Police officers so designated, while actively working in conjunction with members of the state police either directly or as part of a specific task force, shall be paid by and remain employees of their particular

county, city, town or village, but shall for purposes of the criminal procedure law, have their geographic area of employment deemed to be New York state.

S 3-b. Section 223 of the executive law, as amended by chapter 843 of the laws of 1980, is amended to read as follows:

S 223. Duties and powers of the superintendent of state police and of members of the state police. It shall be the duty of the superintendent of the state police and of members of the state police to prevent and detect crime and apprehend criminals. They shall also be subject to the call of the governor and are empowered to co-operate with any other department of the state or with local authorities. THEY SHALL ALSO COLLECT AND ANALYZE INFORMATION RELATING TO PREVENTION AND DETECTION OF TERRORIST THREATS AND TERRORIST ACTIVITIES THROUGHOUT THE STATE AND SHARE ALL SUCH INFORMATION SUBJECT TO PARAGRAPH (G) OF SUBDIVISION TWO OF SECTION SEVEN HUNDRED NINE OF THIS CHAPTER AMONG THE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES AND LOCAL, STATE, AND FEDERAL LAW ENFORCEMENT AGENCIES TO ENSURE THE COORDINATION OF APPROPRIATE INTELLIGENCE TO ASSIST IN THE EARLY IDENTIFICATION OF AND RESPONSE TO POTENTIAL TERRORIST THREATS AND TERRORIST ACTIVITIES. They shall have power to arrest, without a warrant, any person committing or attempting to commit within their presence or view a breach of the peace or other violation of law, to serve and execute warrants of arrest or search issued by proper authority and to exercise all other powers of police officers of the state of New York. Any such warrants issued by any magistrate of the state may be executed by them in any part of the state according to the tenor thereof without indorsement. But they shall not exercise their powers within the limits of any city to suppress rioting and disorder except by direction of the governor or upon the request of the mayor of the city with the approval of the governor. Any member of the rank of sergeant or above may take pre-arraignment bail from any defendant in the amounts and under the circumstances and conditions that police may take bail.

S 4. 1. Transfer of records. Upon the transfer of functions, pursuant to section one of this act, the division of homeland security and emergency services shall deliver to the division of state police, all pertinent books, papers, records and property.

2. Existing rights and remedies preserved. No existing right or remedy of any character shall be lost, impaired or affected by reason of this act.

3. Pending actions and proceedings. No action or proceeding pending at the time when this act shall take effect, brought by or against the division of homeland security and emergency services relating to the function, power or duty transferred to or devolved upon the division of state police shall be affected by this act, but the same may be prosecuted or defended in the name of the division of state police and upon the application to the court, the division of state police shall be substituted as a party.

4. Completion of unfinished business. Any business or other matter undertaken or commenced by the division of homeland security and emergency services pertaining to or connected with the functions, powers, obligations and duties transferred and assigned to the division of state police, pending on the effective date of this act, may be conducted and completed by the division of state police in the same manner and under the same terms and conditions and with the same effect as if conducted and completed by the division of homeland security and emergency services.

S 5. This act shall take effect immediately; provided, however, that the amendments to section 223 of the executive law made by section three-a of this act shall be subject to the expiration and reversion of such section pursuant to section 3 of chapter 428 of the laws of 1999, as amended, when upon such date the provisions of section three-b of this act shall take effect.

PART NN

Section 1. This act commits the state of New York (state) and the city of New York (city) to fund, over a multi-year period, $10,828,000,000 in capital costs related to projects contained in the Metropolitan Transportation Authority (MTA) 2015-2019 capital program (capital program). The state share of $8,336,000,000 shall consist of $1,000,000,000 in appropriations first enacted in the 2015-2016 state budget and additional funds sufficient for Metropolitan Transportation Authority (MTA) to pay $7,336,000,000 of capital costs as provided herein. The city share of $2,492,000,000 shall consist of $657,000,000 to be provided by the city from 2015 through 2019, and additional funds sufficient for MTA to pay $1,835,000,000 of capital costs for the capital program. The $7,336,000,000 of additional funds to be provided by the state may be used by the MTA to pay direct capital costs and/or the state may fund such $7,336,000,000 of capital costs through financing mechanisms undertaken by the MTA. Unless extraordinary circumstances justify otherwise, it is intended that the additional funds committed by the state and city shall be provided concurrently, and in proportion to the respective shares of each, in accordance with the funding needs of the capital program.

S 2. (a) The additional funds provided by the state pursuant to section one of this act shall be scheduled and made available to pay for the costs of the capital program after MTA capital resources planned for the capital program, not including additional city and state funds, have been exhausted, or when MTA capital resources planned for the capital program are not available. It is anticipated that state funds shall be required by, and provided to, the MTA in an amount to support $1,500,000,000 of capital costs in the first year in which planned MTA capital resources are exhausted; $2,600,000,000 in the second year; $1,840,000,000 in the third year and $1,396,000,000 in the fourth year or thereafter.

(b) Such funds may be provided to the MTA through direct payments from the state and/or financing mechanisms undertaken by the MTA utilizing aid paid by the state on a schedule sufficient to support the capital costs outlined in this act. The director of the budget (director) shall annually determine the level of funding required to meet the state's commitment and recommend such amounts for inclusion in the executive budget. In making such determination, the director shall consider the availability of MTA capital resources planned for the capital program, the current progress and timing of the MTA capital program, the financing mechanisms employed by the MTA, if any, and any other pertinent factors.

(c) State funding amounts, whether direct or in support of a financing mechanism undertaken by the MTA, shall be subject to appropriation within applicable annual state budgets; provided, however, that in the event the state does not appropriate the full amount of the funding required pursuant to this act in any year, such action shall not reduce the commitment of the state to fund the full state share specified in

section one of this act, with the state fulfilling its aggregate commitment in this act no later than state fiscal year 2025-2026 or by the completion of the capital program. In the event that the MTA has exhausted all currently available sources of funding, the MTA may, with the approval of the director, issue anticipation notes or other obligations secured solely by the additional funds specified in subdivision (a) of this section and shall provide for capitalized interest thereon.

(d) No funds dedicated for operating assistance of the MTA shall be used to reduce or supplant the commitment of the state to provide $7,336,000,000 pursuant to section one of this act.

S 3. In order to annually determine the adequacy and pace of the level of state funding in support of the MTA's capital program, and to gauge the availability of MTA capital resources planned for the capital program, the director may request, and the MTA shall provide, periodic reports on the MTA's capital programs and financial activities in a form and on a schedule prescribed by the director.

S 4. Subdivision 12 of section 1269 of the public authorities law, as amended by section 1 of part E of chapter 58 of the laws of 2012, is amended to read as follows:

12. The aggregate principal amount of bonds, notes or other obligations issued after the first day of January, nineteen hundred ninety-three by the authority, the Triborough bridge and tunnel authority and the New York city transit authority to fund projects contained in capital program plans approved pursuant to section twelve hundred sixty-nine-b of this title for the period nineteen hundred ninety-two through two thousand [fourteen] NINETEEN shall not exceed [thirty-seven] FIFTY-FIVE billion [two hundred eleven] FOUR HUNDRED NINETY-SEVEN million dollars [prior to January one, two thousand thirteen; shall not exceed thirty-nine billion five hundred forty-four million prior to January one, two thousand fourteen; and shall not exceed forty-one billion eight hundred seventy-seven million dollars thereafter]. Such aggregate principal amount of bonds, notes or other obligations or the expenditure thereof shall not be subject to any limitation contained in any other provision of law on the principal amount of bonds, notes or other obligations or the expenditure thereof applicable to the authority, the Triborough bridge and tunnel authority or the New York city transit authority. The aggregate limitation established by this subdivision shall not include (i) obligations issued to refund, redeem or otherwise repay, including by purchase or tender, obligations theretofore issued either by the issuer of such refunding obligations or by the authority, the New York city transit authority or the Triborough bridge and tunnel authority, (ii) obligations issued to fund any debt service or other reserve funds for such obligations, (iii) obligations issued or incurred to fund the costs of issuance, the payment of amounts required under bond and note facilities, federal or other governmental loans, security or credit arrangements or other agreements related thereto and the payment of other financing, ORIGINAL ISSUE PREMIUMS and related costs associated with such obligations, (iv) an amount equal to any original issue discount from the principal amount of such obligations or to fund capitalized interest, (v) obligations incurred pursuant to section twelve hundred seven-m of this article, (vi) obligations incurred to fund the acquisition of certain buses for the New York city transit authority as identified in a capital program plan approved pursuant to chapter fifty-three of the laws of nineteen hundred ninety-two, (vii) obligations incurred in connection with the leasing, selling or transferring of equipment, and (viii) bond anticipation notes or other obli-

gations payable solely from the proceeds of other bonds, notes or other obligations which would be included in the aggregate principal amount specified in the first sentence of this subdivision, whether or not additionally secured by revenues of the authority, or any of its subsidiary corporations, New York city transit authority, or any of its subsidiary corporations, or Triborough bridge and tunnel authority.

S 5. This act commits the state to obligate at least $25,150,000,000 in funding for the department of transportation (DOT) capital plan over a multi-year period. This commitment shall consist of $3,763,341,000 in obligations for fiscal year 2016, at least $17,402,562,000 in obligations over the course of the remaining four years of the fiscal years 2016-2020 DOT capital plan, and at least $3,985,042,000 in obligations in fiscal year 2021. All such obligations shall be subject to annual appropriation and approval by the director of the budget.

S 6. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2016.

PART OO

Section 1. Subdivision 7 of section 1209 of the public authorities law, as amended by chapter 334 of the laws of 2001, is amended to read as follows:

7. (a) Except as otherwise provided in this section, all purchase contracts for supplies, materials or equipment involving an estimated expenditure in excess of [fifteen] ONE HUNDRED thousand dollars and all contracts for public work involving an estimated expenditure in excess of [twenty-five] ONE HUNDRED thousand dollars shall be awarded by the authority to the lowest responsible bidder after obtaining sealed bids in the manner hereinafter set forth. The aforesaid shall not apply to contracts for personal, architectural, engineering or other professional services. The authority may reject all bids and obtain new bids in the manner provided by this section when it is deemed in the public interest to do so or, in cases where two or more responsible bidders submit identical bids which are the lowest bids, award the contract to any of such bidders or obtain new bids from such bidders. Nothing herein shall obligate the authority to seek new bids after the rejection of bids or after cancellation of an invitation to bid. Nothing in this section shall prohibit the evaluation of bids on the basis of costs or savings including life cycle costs of the item to be purchased, discounts, and inspection services so long as the invitation to bid reasonably sets forth the criteria to be used in evaluating such costs or savings. Life cycle costs may include but shall not be limited to costs or savings associated with installation, energy use, maintenance, operation and salvage or disposal.

(b) Section twenty-eight hundred seventy-nine of this chapter shall apply to the authority's acquisition of goods or services of any kind, in the actual or estimated amount of fifteen thousand dollars or more, provided that (I) a contract for [personal] services in the actual or estimated amount of less than [twenty] ONE HUNDRED thousand dollars shall not require approval by the board of the authority regardless of the length of the period over which the services are rendered, and provided further that a contract for [personal] services in the actual or estimated amount of [twenty] ONE HUNDRED thousand dollars or more shall require approval by the board of the authority regardless of the length of the period over which the services are rendered UNLESS SUCH A CONTRACT IS AWARDED TO THE LOWEST RESPONSIBLE BIDDER AFTER OBTAINING

SEALED BIDS AND (II) THE BOARD OF THE AUTHORITY MAY BY RESOLUTION ADOPT GUIDELINES THAT AUTHORIZE THE AWARD OF CONTRACTS TO SMALL BUSINESS CONCERNS, TO SERVICE DISABLED VETERAN OWNED BUSINESSES CERTIFIED PURSUANT TO ARTICLE SEVENTEEN-B OF THE EXECUTIVE LAW, OR MINORITY OR WOMEN-OWNED BUSINESS ENTERPRISES CERTIFIED PURSUANT TO ARTICLE FIFTEEN-A OF THE EXECUTIVE LAW, OR PURCHASES OF GOODS OR TECHNOLOGY THAT ARE RECYCLED OR REMANUFACTURED, IN AN AMOUNT NOT TO EXCEED FOUR HUNDRED THOUSAND DOLLARS WITHOUT A FORMAL COMPETITIVE PROCESS AND WITHOUT FURTHER BOARD APPROVAL. THE BOARD OF THE AUTHORITY SHALL ADOPT GUIDELINES WHICH SHALL BE MADE PUBLICLY AVAILABLE FOR THE AWARDING OF SUCH CONTRACT WITHOUT A FORMAL COMPETITIVE PROCESS.

S 2. Intentionally omitted.

S 3. Subparagraph (i) of paragraph f and subparagraph (i) of paragraph g of subdivision 9 of section 1209 of the public authorities law, subparagraph (i) of paragraph f as added by chapter 929 of the laws of 1986, and subparagraph (i) of paragraph g as amended by chapter 725 of the laws of 1993, are amended to read as follows:

(i) [The] EXCEPT FOR A CONTRACT WITH A VALUE OF ONE HUNDRED MILLION DOLLARS OR LESS THAT IS AWARDED PURSUANT TO THIS PARAGRAPH TO THE PROPOSER WHOSE PROPOSAL IS THE LOWEST COST, THE authority may award a contract pursuant to this paragraph only after a resolution approved by a two-thirds vote of its members then in office at a public meeting of the authority with such resolution (A) disclosing the other proposers and the substance of their proposals, (B) summarizing the negotiation process including the opportunities, if any, available to proposers to present and modify their proposals, and (C) setting forth the criteria upon which the selection was made PROVIDED HOWEVER THAT FOR PURPOSES OF THIS SUBPARAGRAPH THE BOARD MAY, AT ITS DISCRETION, REQUIRE SUCH A RESOLUTION BE APPROVED FOR CONTRACTS WITH A VALUE OF ONE HUNDRED MILLION DOLLARS OR LESS.

(i) [The] EXCEPT FOR A CONTRACT WITH A VALUE OF ONE HUNDRED MILLION DOLLARS OR LESS THAT IS AWARDED PURSUANT TO THIS PARAGRAPH TO THE PROPOSER WHOSE PROPOSAL IS THE LOWEST COST, THE authority may award a contract pursuant to this paragraph only after a resolution approved by a vote of not less than two-thirds of its members then in office at a public meeting of the authority with such resolution (A) disclosing the other proposers and the substance of their proposals, (B) summarizing the negotiation process including the opportunities, if any, available to proposers to present and modify their proposals, and (C) setting forth the criteria upon which the selection was made PROVIDED HOWEVER THAT FOR PURPOSES OF THIS SUBPARAGRAPH THE BOARD MAY, AT ITS DISCRETION, REQUIRE SUCH A RESOLUTION BE APPROVED FOR CONTRACTS WITH A VALUE OF ONE HUNDRED MILLION DOLLARS OR LESS.

S 4. Subdivision 13 of section 1209 of the public authorities law is renumbered subdivision 14 and a new subdivision 13 is added to read as follows:

13. NOTWITHSTANDING ANY OTHER PROVISIONS IN THIS SECTION, THE AUTHORITY SHALL BE ALLOWED TO USE AN ELECTRONIC BIDDING SYSTEM FOR THE PURCHASE OF GOODS, MATERIALS, AND COMMODITIES THAT MAY INFORM BIDDERS WHETHER THEIR BID IS THE CURRENT LOW BID, AND ALLOW BIDDERS TO SUBMIT NEW BIDS BEFORE THE DATE AND TIME ASSIGNED FOR THE OPENING OF BIDS. SUCH PROCEDURE SHALL NOT CONSTITUTE DISCLOSURE OF BIDS IN VIOLATION OF SECTION TWENTY-EIGHT HUNDRED SEVENTY-EIGHT OF THIS CHAPTER.

S 5. Subdivision 7 of section 1265 of the public authorities law, as added by chapter 324 of the laws of 1965, is amended to read as follows:

7. To acquire, hold and dispose of real or personal property in the exercise of its powers[;], INCLUDING, THE POWER TO DISPOSE OF PERSONAL PROPERTY WITH A VALUE OF FIVE HUNDRED THOUSAND DOLLARS OR LESS BY PUBLIC AUCTION IN ACCORDANCE WITH GUIDELINES ADOPTED BY THE AUTHORITY PURSUANT TO TITLE FIVE-A OF ARTICLE NINE OF THIS CHAPTER. THE BOARD SHALL ADOPT GUIDELINES THAT SHALL PROVIDE FOR ADVERTISING AND SUCH OTHER SAFEGUARDS AS THE AUTHORITY MAY DEEM APPROPRIATE IN THE PUBLIC INTEREST.

S 6. Subdivision 3 of section 1204 of the public authorities law, as amended by chapter 980 of the laws of 1958, is amended to read as follows:

3. To acquire, hold, use and dispose of equipment, devices and appurtenances, and other property for its corporate purposes, INCLUDING, THE POWER TO DISPOSE OF PERSONAL PROPERTY WITH A VALUE OF FIVE HUNDRED THOUSAND DOLLARS OR LESS BY PUBLIC AUCTION IN ACCORDANCE WITH GUIDELINES ADOPTED BY THE METROPOLITAN TRANSPORTATION AUTHORITY PURSUANT TO SECTION TWELVE HUNDRED SIXTY-FIVE OF THIS ARTICLE AND TITLE FIVE-A OF ARTICLE NINE OF THIS CHAPTER.

S 7. Subdivision 3 of section 553 of the public authorities law is amended to read as follows:

3. To acquire, hold and dispose of personal property for its corporate purposes[;], INCLUDING, THE POWER TO DISPOSE OF PERSONAL PROPERTY WITH A VALUE OF FIVE HUNDRED THOUSAND DOLLARS OR LESS BY PUBLIC AUCTION IN ACCORDANCE WITH GUIDELINES ADOPTED BY THE AUTHORITY PURSUANT TO TITLE FIVE-A OF ARTICLE NINE OF THIS CHAPTER. THE BOARD SHALL ADOPT GUIDELINES THAT SHALL PROVIDE FOR ADVERTISING AND SUCH OTHER SAFEGUARDS AS THE AUTHORITY MAY DEEM APPROPRIATE IN THE PUBLIC INTEREST.

S 8. Paragraphs (a) and (b) of subdivision 2 of section 1265-a of the public authorities law, as amended by chapter 334 of the laws of 2001, are amended to read as follows:

(a) Except as otherwise provided in this section, all purchase contracts for supplies, materials or equipment involving an estimated expenditure in excess of [fifteen] ONE HUNDRED thousand dollars and all contracts for public work involving an estimated expenditure in excess of [twenty-five] ONE HUNDRED thousand dollars shall be awarded by the authority to the lowest responsible bidder after obtaining sealed bids in the manner hereinafter set forth. For purposes hereof, contracts for public work shall exclude contracts for personal, engineering and architectural, or professional services. The authority may reject all bids and obtain new bids in the manner provided by this section when it is deemed in the public interest to do so or, in cases where two or more responsible bidders submit identical bids which are the lowest bids, award the contract to any of such bidders or obtain new bids from such bidders. Nothing herein shall obligate the authority to seek new bids after the rejection of bids or after cancellation of an invitation to bid. Nothing in this section shall prohibit the evaluation of bids on the basis of costs or savings including life cycle costs of the item to be purchased, discounts, and inspection services so long as the invitation to bid reasonably sets forth the criteria to be used in evaluating such costs or savings. Life cycle costs may include but shall not be limited to costs or savings associated with installation, energy use, maintenance, operation and salvage or disposal.

(b) Section twenty-eight hundred seventy-nine of this chapter shall apply to the authority's acquisition of goods or services of any kind, in the actual or estimated amount of fifteen thousand dollars or more, provided (I) that a contract for [personal] services in the actual or estimated amount of less than [twenty] ONE HUNDRED thousand dollars

shall not require approval by the board of the authority regardless of the length of the period over which the services are rendered, and provided further that a contract for [personal] services in the actual or estimated amount of [twenty] ONE HUNDRED thousand dollars or more shall require approval by the board of the authority regardless of the length of the period over which the services are rendered UNLESS SUCH A CONTRACT IS AWARDED TO THE LOWEST RESPONSIBLE BIDDER AFTER OBTAINING SEALED BIDS, AND (II) THE BOARD OF THE AUTHORITY MAY BY RESOLUTION ADOPT GUIDELINES THAT AUTHORIZE THE AWARD OF CONTRACTS TO SMALL BUSINESS CONCERNS, TO SERVICE DISABLED VETERAN OWNED BUSINESSES CERTIFIED PURSUANT TO ARTICLE SEVENTEEN-B OF THE EXECUTIVE LAW, OR MINORITY OR WOMEN-OWNED BUSINESS ENTERPRISES CERTIFIED PURSUANT TO ARTICLE FIFTEEN-A OF THE EXECUTIVE LAW, OR PURCHASES OF GOODS OR TECHNOLOGY THAT ARE RECYCLED OR REMANUFACTURED, IN AN AMOUNT NOT TO EXCEED FOUR HUNDRED THOUSAND DOLLARS WITHOUT A FORMAL COMPETITIVE PROCESS AND WITHOUT FURTHER BOARD APPROVAL. THE BOARD OF THE AUTHORITY SHALL ADOPT GUIDELINES WHICH SHALL BE MADE PUBLICLY AVAILABLE FOR THE AWARDING OF SUCH CONTRACT WITHOUT A FORMAL COMPETITIVE PROCESS.

S 9. Subparagraph (i) of paragraph f and subparagraph (i) of paragraph g of subdivision 4 of section 1265-a of the public authorities law, subparagraph (i) of paragraph f as added by chapter 929 of the laws of 1986, and subparagraph (i) of paragraph g as amended by chapter 256 of the laws of 1998, are amended to read as follows:

(i) [The] EXCEPT FOR A CONTRACT WITH A VALUE OF ONE HUNDRED MILLION DOLLARS OR LESS THAT IS AWARDED PURSUANT TO THIS PARAGRAPH TO THE PROPOSER WHOSE PROPOSAL IS THE LOWEST COST, THE authority may award a contract pursuant to this paragraph only after a resolution approved by a two-thirds vote of its members then in office at a public meeting of the authority with such resolution (A) disclosing the other proposers and the substance of their proposals, (B) summarizing the negotiation process including the opportunities, if any, available to proposers to present and modify their proposals, and (C) setting forth the criteria upon which the selection was made PROVIDED HOWEVER THAT FOR PURPOSES OF THIS SUBPARAGRAPH THE BOARD MAY, AT ITS DISCRETION, REQUIRE SUCH A RESOLUTION BE APPROVED FOR CONTRACTS WITH A VALUE OF ONE HUNDRED MILLION DOLLARS OR LESS.

(i) [The] EXCEPT FOR A CONTRACT WITH A VALUE OF ONE HUNDRED MILLION DOLLARS OR LESS THAT IS AWARDED PURSUANT TO THIS PARAGRAPH TO THE PROPOSER WHOSE PROPOSAL IS THE LOWEST COST, THE authority may award a contract pursuant to this paragraph only after a resolution approved by a vote of not less than a two-thirds vote of its members then in office at a public meeting of the authority with such resolution (A) disclosing the other proposers and the substance of their proposals, (B) summarizing the negotiation process including the opportunities, if any, available to proposers to present and modify their proposals, and (C) setting forth the criteria upon which the selection was made PROVIDED HOWEVER THAT FOR PURPOSES OF THIS SUBPARAGRAPH THE BOARD MAY, AT ITS DISCRETION, REQUIRE SUCH A RESOLUTION BE APPROVED FOR CONTRACTS WITH A VALUE OF ONE HUNDRED MILLION DOLLARS OR LESS.

S 10. Intentionally omitted.

S 11. Subdivision 8 of section 1265-a of the public authorities law is renumbered subdivision 9 and a new subdivision 8 is added to read as follows:

8. NOTWITHSTANDING ANY OTHER PROVISIONS IN THIS SECTION, THE AUTHORITY SHALL BE ALLOWED TO USE AN ELECTRONIC BIDDING SYSTEM FOR THE PURCHASE OF GOODS, MATERIALS, AND COMMODITIES THAT MAY INFORM BIDDERS WHETHER THEIR

BID IS THE CURRENT LOW BID, AND ALLOW BIDDERS TO SUBMIT NEW BIDS BEFORE THE DATE AND TIME ASSIGNED FOR THE OPENING OF BIDS. SUCH PROCEDURE SHALL NOT CONSTITUTE DISCLOSURE OF BIDS IN VIOLATION OF SECTION TWENTY-EIGHT HUNDRED SEVENTY-EIGHT OF THIS CHAPTER.

S 12. Section 553 of the public authorities law is amended by adding a new subdivision 22 to read as follows:

22. SECTION TWENTY-EIGHT HUNDRED SEVENTY-NINE OF THIS CHAPTER SHALL APPLY TO THE AUTHORITY'S ACQUISITION OF GOODS OR SERVICES OF ANY KIND, IN THE ACTUAL OR ESTIMATED AMOUNT OF FIFTEEN THOUSAND DOLLARS OR MORE, PROVIDED THAT (I) A CONTRACT FOR SERVICES IN THE ACTUAL OR ESTIMATED AMOUNT OF LESS THAN ONE HUNDRED THOUSAND DOLLARS SHALL NOT REQUIRE APPROVAL BY THE BOARD OF THE AUTHORITY REGARDLESS OF THE LENGTH OF THE PERIOD OVER WHICH THE SERVICES ARE RENDERED, AND PROVIDED FURTHER THAT A CONTRACT FOR SERVICES IN THE ACTUAL OR ESTIMATED AMOUNT OF ONE HUNDRED THOUSAND DOLLARS OR MORE SHALL REQUIRE APPROVAL BY THE BOARD OF THE AUTHORITY REGARDLESS OF THE LENGTH OF THE PERIOD OVER WHICH THE SERVICES ARE RENDERED UNLESS SUCH A CONTRACT IS AWARDED TO THE LOWEST RESPONSIBLE BIDDER AFTER OBTAINING SEALED BIDS AND (II) THE BOARD OF THE AUTHORITY MAY BY RESOLUTION ADOPT GUIDELINES THAT AUTHORIZE THE AWARD OF CONTRACTS TO SMALL BUSINESS CONCERNS, TO SERVICE DISABLED VETERAN OWNED BUSINESSES CERTIFIED PURSUANT TO ARTICLE SEVENTEEN-B OF THE EXECUTIVE LAW, OR MINORITY OR WOMEN-OWNED BUSINESS ENTERPRISES CERTIFIED PURSUANT TO ARTICLE FIFTEEN-A OF THE EXECUTIVE LAW, OR PURCHASES OF GOODS OR TECHNOLOGY THAT ARE RECYCLED OR REMANUFACTURED, IN AN AMOUNT NOT TO EXCEED FOUR HUNDRED THOUSAND DOLLARS WITHOUT A FORMAL COMPETITIVE PROCESS AND WITHOUT FURTHER BOARD APPROVAL. THE BOARD OF THE AUTHORITY SHALL ADOPT GUIDELINES WHICH SHALL BE MADE PUBLICLY AVAILABLE FOR THE AWARDING OF SUCH CONTRACT WITHOUT A FORMAL COMPETITIVE PROCESS.

S 13. Intentionally omitted.

S 14. Intentionally omitted.

S 15. This act shall take effect immediately, and shall expire and be deemed repealed April 1, 2021.

## PART PP

Section 1. Section 1261 of the public authorities law is amended by adding a new subdivision 18-a to read as follows:

18-A. "TRANSPORTATION PURPOSE" SHALL MEAN A PURPOSE THAT DIRECTLY OR INDIRECTLY SUPPORTS ALL OR ANY OF THE MISSIONS OR PURPOSES OF THE AUTHORITY, ANY OF ITS SUBSIDIARIES, NEW YORK CITY TRANSIT AUTHORITY OR ITS SUBSIDIARY, INCLUDING THE REALIZATION OF REVENUES AVAILABLE FOR THE COSTS AND EXPENSES OF ALL OR ANY TRANSPORTATION FACILITIES.

S 2. Subdivision 1 of section 119-r of the general municipal law, as added by chapter 717 of the laws of 1967, is amended to read as follows:

1. To assure the provision of mass transportation services to the public at adequate levels and at reasonable cost, every city, town, village or county not wholly contained within a city, shall have power to adopt local laws to authorize:

a. The acquisition, construction, reconstruction, improvement, equipment, maintenance, FINANCING SUBJECT TO THE PROVISIONS OF PARAGRAPH F OF THIS SUBDIVISION, or operation of one or more mass transportation projects. Such municipal corporation shall have power to occupy or use any of the streets, roads, highways, avenues, parks or public places of such municipal corporation therefor and to agree upon and contract for the terms and conditions thereof.

b. The making of a contract or contracts for the acquisition by purchase of all or any part of the property, plant and equipment of an existing mass transportation facility actually used and useful for the convenience of the public.

c. The making of a contract or contracts with any person, firm or corporation, including a public authority, for the equipment, maintenance or operation of a mass transportation facility owned, acquired, constructed, reconstructed or improved by it.

d. The making of a contract or contracts for a fair and reasonable consideration for mass transportation services to be rendered to the public by a privately-owned or operated mass transportation facility. Such power shall include but not be limited to the power to appropriate funds for payment of such consideration, and to provide that all or part of such consideration shall be in the form of capital equipment to be furnished to and used and maintained by such privately-owned or operated mass transportation facility.

e. The making of unconditional grants of money or property to a public authority providing mass transportation services to all or part of such municipal corporation in order to assist such public authority in meeting its capital or operating expenses, provided such money does not consist of borrowed funds and such property has not been acquired by the use of borrowed funds. Such purpose is hereby declared to be county, city, town or village purposes, respectively. The provisions of this paragraph are intended as enabling legislation only and shall not be interpreted as implying that absent their enactment a municipal corporation would lack the power to authorize any such grant; but they shall not be interpreted as an authorization to public authorities generally to accept such grants. The acceptance of any such grant by a public authority shall not operate to make such authority an agency of the municipal corporation making the grant.

F. THE MAKING OF A CONTRACT WITH THE METROPOLITAN TRANSPORTATION AUTHORITY, BY ITSELF OR WITH ONE OR MORE OTHER MUNICIPAL CORPORATIONS TO ASSIST THE AUTHORITY IN MEETING ITS CAPITAL OR OPERATING EXPENSES IN PROVIDING MASS TRANSPORTATION SERVICES OF BENEFIT TO ALL OR PART OF SUCH MUNICIPAL CORPORATION, INCLUDING UNDERTAKING A MASS TRANSPORTATION CAPITAL PROJECT IN OR NEAR THE MUNICIPAL CORPORATION. SUCH A MUNICIPAL CORPORATION MAY, ACCORDING TO THE TERMS OF THE CONTRACT WITH THE AUTHORITY, ESTABLISH, LEVY AND COLLECT TAXES, ASSESSMENTS, AND/OR CHARGES AND MAY CONDITIONALLY OR UNCONDITIONALLY GRANT OR PLEDGE A PORTION OF ITS REVENUES ALLOCATED ACCORDING TO SUBDIVISION E OF THIS SECTION. SUCH MUNICIPAL CORPORATION MAY DESIGNATE MASS TRANSPORTATION CAPITAL PROJECT DISTRICTS THAT A MUNICIPAL CORPORATION FINDS, AFTER CONDUCTING A PUBLIC HEARING, WILL BENEFIT FROM AN IDENTIFIED MASS TRANSPORTATION CAPITAL PROJECT. UPON DESIGNATING SUCH A DISTRICT, THE MUNICIPAL CORPORATION MAY ALLOCATE A PORTION OF ITS REVENUES FROM THE DISTRICT ACCORDING TO TERMS IT DESIGNS OR HAS AGREED TO BY CONTRACT. THE MUNICIPAL CORPORATION MAY, IN ALLOCATING AND COLLECTING REVENUES FROM THE DISTRICT, MAKE USE OF ONE OR MORE METHODS TO CAPTURE THE VALUE CREATED BY A MASS TRANSPORTATION CAPITAL PROJECT, INCLUDING, BUT NOT LIMITED TO:

(I) TAX INCREMENT FINANCING, MEANING THE ALLOCATION OF AN INCREMENT OF PROPERTY TAX REVENUES IN EXCESS OF THE AMOUNT LEVIED AT THE TIME PRIOR TO PLANNING OF A MASS TRANSPORTATION CAPITAL PROJECT;

(II) A SPECIAL TRANSPORTATION ASSESSMENT IMPOSED UPON BENEFITED REAL PROPERTY IN PROPORTION TO THE BENEFIT RECEIVED BY SUCH PROPERTY FROM A MASS TRANSPORTATION CAPITAL PROJECT, WHICH SHALL NOT CONSTITUTE A TAX;

(III) LAND VALUE TAXATION, MEANING THE ALLOCATION OF AN INCREMENT OF TAX REVENUES GAINED FROM LEVYING TAXES ON THE ASSESSED VALUE OF TAXABLE LAND AT A HIGHER RATE THAN THE IMPROVEMENTS, AS DEFINED IN SUBDIVISION TWELVE OF SECTION ONE HUNDRED TWO OF THE REAL PROPERTY TAX LAW; AND

(IV) SOME COMBINATION OF THE ABOVE OR OTHER METHODS OF GAINING REVENUES THAT THE MUNICIPAL CORPORATION IS EMPOWERED TO USE, PROVIDED THAT THE TOTAL AMOUNT OF ALL TAXES, ASSESSMENTS, FEES, CHARGES, OR RATES LEVIED ON EACH PARCEL OR LOT UNDER THIS SECTION SHALL BE LIMITED TO A PROPORTIONATE AMOUNT AS NEAR AS POSSIBLE TO THE ACTUAL BENEFIT WHICH EACH LOT OR PARCEL WILL DERIVE FROM THE MASS TRANSPORTATION CAPITAL PROJECT; AND

(V) FOR PURPOSES OF THIS PARAGRAPH THE TERM MUNICIPAL CORPORATION SHALL INCLUDE ONLY THOSE CITIES, TOWNS, VILLAGES AND COUNTIES DESCRIBED IN SECTION TWELVE HUNDRED SIXTY-TWO OF THE PUBLIC AUTHORITIES LAW.

S 3. This act shall take effect immediately; provided that the amendments to subdivision 1 of section 119-r of the general municipal law made by section two of this act shall expire and be deemed repealed April 1, 2021, and provided further that such repeal shall not affect the validity or duration of any contract entered into before that date pursuant to paragraph f of such subdivision.

## PART QQ

Section 1. Section 2 of part EE of chapter 60 of the laws of 2011, amending the New York state urban development corporation act relating to the new markets tax credits, is amended to read as follows:

S 2. This act shall take effect immediately and shall expire and be deemed repealed [5] 10 years after such effective date.

S 2. This act shall take effect immediately.

## PART RR

Section 1. The public authorities law is amended by adding a new section 1678-a to read as follows:

S 1678-A. NEW YORK STATE DESIGN AND CONSTRUCTION CORPORATION ACT. 1. PURPOSES OF ACT. THE PURPOSES OF THE NEW YORK STATE DESIGN AND CONSTRUCTION CORPORATION ACT ARE TO ESTABLISH THE NEW YORK STATE DESIGN AND CONSTRUCTION CORPORATION TO PROVIDE (A) ADDITIONAL PROJECT MANAGEMENT EXPERTISE, MONITORING AND OVERSIGHT ON PUBLIC WORKS PROJECTS EACH HAVING A TOTAL OR AGGREGATE CONSTRUCTION VALUE IN EXCESS OF FIFTY MILLION DOLLARS UNDERTAKEN BY STATE AGENCIES, STATE DEPARTMENTS SUBJECT TO THE PROVISIONS OF THIS SECTION, AND STATE AUTHORITIES INCLUDING ONE CREATED BY CHAPTER ONE HUNDRED FIFTY-FOUR OF THE LAWS OF NINETEEN HUNDRED TWENTY-ONE AND ONE CREATED BY CHAPTER EIGHT HUNDRED TWENTY-FOUR OF THE LAWS OF NINETEEN HUNDRED THIRTY-THREE HEREIN AFTER REFERRED TO AS "STATE ENTITY"; AND (B) A MEANS TO IMPLEMENT AND RECOMMEND IMPROVEMENTS AND OTHER PROJECT CHANGES ON SUCH PROPOSED PUBLIC WORKS PROJECTS IN EXCESS OF FIFTY MILLION DOLLARS IN TOTAL OR AGGREGATE VALUE, IN A MORE TIMELY FASHION, TO ENSURE THAT SUCH PROJECTS CAN BE ACCOMPLISHED, TO THE EXTENT PRACTICABLE, ON TIME, WITHIN BUDGET AND AT AN ACCEPTABLE OVERALL QUALITY AND COST TO THE STATE OF NEW YORK.

2. NEW YORK STATE DESIGN AND CONSTRUCTION CORPORATION. (A) THERE IS HEREBY ESTABLISHED THE NEW YORK STATE DESIGN AND CONSTRUCTION CORPORATION AS A SUBSIDIARY CORPORATION OF THE DORMITORY AUTHORITY.

(B) THE DORMITORY AUTHORITY MAY PROVIDE OR LEASE TO SUCH SUBSIDIARY CORPORATION ANY REAL, PERSONAL OR MIXED PROPERTY AS SHALL BE REQUIRED IN

ORDER TO CARRY OUT THE PURPOSES OF THIS ACT. THE AUTHORITY MAY ASSIGN ANY SUCH EMPLOYEES TO WORK FOR THE CORPORATION AS SHALL BE REQUIRED IN ORDER TO CARRY OUT THE PURPOSES OF THIS SECTION AND ALL SUCH EMPLOYEES SHALL RETAIN THEIR RESPECTIVE CIVIL SERVICE CLASSIFICATIONS, SENIORITY, STATUS, AND RIGHTS PURSUANT TO THEIR COLLECTIVE BARGAINING UNITS AND/OR COLLECTIVE BARGAINING AGREEMENTS, AS APPLICABLE. NOTWITHSTANDING ANY PROVISION OF LAW TO THE CONTRARY, THE TERM "EMPLOYEE" AS SET FORTH IN THIS SECTION SHALL MEAN A DORMITORY AUTHORITY EMPLOYEE ASSIGNED, IN WHOLE, OR IN PART, TO WORK FOR THE CORPORATION.

(C) SUCH CORPORATION SHALL BE A BODY CORPORATE AND POLITIC CONSTITUTING A PUBLIC BENEFIT CORPORATION, AND SHALL HAVE ALL OF THE PRIVILEGES, IMMUNITIES, TAX EXEMPTIONS AND OTHER EXEMPTIONS OF THE DORMITORY AUTHORITY TO THE EXTENT THE SAME ARE NOT INCONSISTENT WITH THIS SECTION.

(D) THE BOARD OF THE CORPORATION SHALL CONSIST OF THREE MEMBERS AS DESIGNATED BY THE GOVERNOR, AND THE GOVERNOR SHALL DESIGNATE THE CHAIR FROM AMONG THE MEMBERS OF THE CORPORATION'S BOARD. THE MEMBERS OF THE CORPORATION'S BOARD SHALL SERVE UNTIL SUCH TIME AS HIS OR HER SUCCESSOR IS APPOINTED BY THE GOVERNOR.

(E) A QUORUM SHALL CONSIST OF A MAJORITY OF THE MEMBERS OF THE BOARD. A QUORUM SHALL BE REQUIRED FOR THE BOARD TO CONDUCT BUSINESS, AND APPROVAL OF ANY MATTER PROPERLY BEFORE THE BOARD SHALL REQUIRE THE AFFIRMATIVE VOTE OF THE MAJORITY OF THE BOARD. MEETINGS OF THE CORPORATION SHALL BE CALLED BY THE CHAIR, OR BY A MAJORITY OF THE MEMBERS APPOINTED. MEETINGS SHALL BE HELD AT LEAST BI-ANNUALLY.

(F) NOTHING IN THIS SUBDIVISION SHALL BE CONSTRUED TO IMPOSE ANY LIABILITIES, OBLIGATIONS OR RESPONSIBILITIES OF SUCH CORPORATION UPON THE DORMITORY AUTHORITY, AND THE AUTHORITY SHALL HAVE NO LIABILITY OR RESPONSIBILITY THEREFOR UNLESS THE AUTHORITY EXPRESSLY AGREES BY RESOLUTION OF THE AUTHORITY BOARD TO ASSUME THE SAME.

(G) THE PROVISIONS OF SECTION SIXTEEN HUNDRED NINETY-ONE OF THIS TITLE SHALL IN ALL RESPECTS APPLY TO MEMBERS OF THE CORPORATION AND ANY OFFICER, EMPLOYEE OR AGENT OF THE DORMITORY AUTHORITY TRANSFERRED OR ASSIGNED TO THE CORPORATION, WHILE ACTING WITHIN THE SCOPE OF HIS, HER OR ITS AUTHORITY.

(H) ALL OF THE PROVISIONS OF SECTIONS SEVENTEEN AND NINETEEN OF THE PUBLIC OFFICERS LAW SHALL APPLY TO THE MEMBERS, DIRECTORS, OFFICERS AND EMPLOYEES OF THE CORPORATION.

(I) THE CORPORATION CREATED PURSUANT TO THIS SECTION SHALL BE SUBJECT TO ANY OTHER PROVISIONS OF THIS CHAPTER PERTAINING TO SUBSIDIARIES OF PUBLIC AUTHORITIES TO THE EXTENT THAT SUCH PROVISIONS ARE NOT INCONSISTENT WITH THE PROVISIONS OF THIS SECTION.

3. CORPORATION REVIEW AND OVERSIGHT OF CERTAIN PUBLIC WORKS CONTRACTS. FOR PUBLIC WORKS PROJECTS HAVING A TOTAL OR AGGREGATE CONSTRUCTION VALUE IN EXCESS OF FIFTY MILLION DOLLARS, HEREINAFTER REFERRED TO AS "COVERED PROJECTS", AND FOR ANY AND ALL CONTRACTS RELATING TO SUCH COVERED PROJECTS WHICH ARE ADVERTISED FOR BID OR PROPOSAL OR OTHERWISE PROCURED AND/OR ENTERED INTO ON OR AFTER JANUARY FIRST, TWO THOUSAND SIXTEEN:

(A) ANY STATE ENTITY PROPOSING A COVERED PROJECT SHALL PROVIDE WRITTEN NOTICE TO THE CORPORATION OF SUCH PROPOSAL, TO INCLUDE WITHOUT LIMITATION, THE ESTIMATED VALUE OF THE COVERED PROJECT AND A SUMMARY OF THE SCOPE AND DURATION OF SUCH COVERED PROJECT. PROJECTS SHALL NOT BE DIVIDED OR SEGMENTED FOR THE PURPOSES OF AVOIDING COMPLIANCE WITH THE PROVISIONS OF THIS ACT. FOR PURPOSES OF THIS SECTION, "COVERED PROJECT" SHALL NOT INCLUDE CAPITAL PROJECTS OF THE OFFICE OF STATE COMPTROLLER, OFFICE OF THE ATTORNEY GENERAL OR EDUCATION DEPARTMENT OF THE STATE OF NEW YORK.

(B) THE CORPORATION SHALL HAVE THE AUTHORITY TO, AND MAY, IN ITS SOLE DISCRETION, REVIEW, MONITOR, AND OVERSEE, IN WHOLE OR IN PART, SUCH COVERED PROJECT, AND MAKE RECOMMENDATIONS REGARDING NECESSARY CORRECTIVE OR OTHER ACTION TO ANY STATE ENTITY IN CONNECTION WITH SUCH COVERED PROJECT PROVIDED THAT THE CORPORATION, IN ITS SOLE DISCRETION, DEEMS SUCH COVERED PROJECT TO BE AT RISK OF BEING DELAYED, NOT BEING COMPLETED WITHIN BUDGET, OR NOT COMPLETED AT AN ACCEPTABLE LEVEL OF QUALITY.

(C) FOR THE PURPOSES OF THIS SECTION, THE TERM "PROJECT" SHALL MEAN ANY WORK ASSOCIATED WITH THE PLANNING, ACQUISITION, DESIGN, ENGINEERING, ENVIRONMENTAL ANALYSIS, CONSTRUCTION, RECONSTRUCTION, RESTORATION, REHABILITATION, ESTABLISHMENT, IMPROVEMENT, RENOVATION, EXTENSION, REPAIR, REVITALIZATION, MANAGEMENT AND DEVELOPMENT OF A CAPITAL ASSET AS DEFINED IN SECTION TWO OF THE STATE FINANCE LAW.

(D) THE STATE ENTITY UNDERTAKING SUCH COVERED PROJECT SHALL COOPERATE IN GOOD FAITH WITH THE CORPORATION, AND PROVIDE REASONABLE ACCESS TO ALL PERSONNEL, BOOKS, RECORDS, PLANS, SPECIFICATIONS, DATA AND OTHER INFORMATION AS MAY BE NECESSARY FOR THE CORPORATION TO PERFORM ITS DUTIES. THE CORPORATION SHALL LIMIT ITS REQUEST FOR ACCESS TO SUCH INFORMATION THAT IS REASONABLY NECESSARY, AS DETERMINED BY THE CORPORATION TO PERFORM ITS DUTIES.

(E) IN THE EVENT THE CORPORATION DETERMINES THAT CORRECTIVE OR OTHER ACTION IS NECESSARY FOR SUCH COVERED PROJECT, THEN THE CORPORATION SHALL PROVIDE THE STATE ENTITY WITH WRITTEN NOTICE OF WHAT CORRECTIVE OR OTHER ACTIONS THE CORPORATION RECOMMENDS AS NECESSARY TO ACCOMPLISH THE PROJECT, TO THE EXTENT PRACTICABLE, ON TIME, WITHIN BUDGET AND AT AN ACCEPTABLE OVERALL COST TO THE STATE OF NEW YORK. SUCH CORRECTIVE OR OTHER ACTION MAY INCLUDE, BUT NOT BE LIMITED TO:

(I) MODIFICATION OF SUCH PLANS, SCHEDULES, SPECIFICATIONS, DESIGNS AND ESTIMATES OF COSTS FOR THE CONSTRUCTION OF THE PROJECT AND EQUIPMENT OF FACILITIES;

(II) DETAILED ANALYSIS OF THE PROJECT SCHEDULE SO AS TO CURE DELAYS THAT MAY HAVE OCCURRED OR PREVENT FUTURE DELAY;

(III) DETAILED ANALYSIS OF PROJECT BUDGET;

(IV) DETAILED ANALYSIS OF CHANGE ORDERS AND/OR PAYMENTS TO PRIME CONTRACTORS, SUBCONTRACTORS AND OTHER PARTIES;

(V) DETAILED ANALYSIS OF RECORDS OF CONSTRUCTION OBSERVATIONS, INSPECTIONS AND DEFICIENCIES;

(VI) EXERCISE OF APPLICABLE RIGHTS AND/OR REMEDIES WITH RESPECT TO CONTRACTS, CONTRACTORS, SUBCONTRACTORS OR OTHER CONSULTANTS;

(VII) PROCUREMENT OF INDEPENDENT AUDITORS, PROJECT MANAGERS, LEGAL COUNSEL, OR OTHER PROFESSIONALS FOR THE BENEFIT OF THE PROJECT;

(VIII) REGULAR REPORTING OF PROJECT STATUS AND MILESTONES TO THE CORPORATION;

(IX) ACTIVE PROJECT MANAGEMENT REVIEW AND OVERSIGHT UTILIZING ADDITIONAL RESOURCES PROVIDED BY THE CORPORATION; AND

(X) PERIODIC PROJECT REVIEW AND AUDIT BY THE CORPORATION ON A SUITABLE TIME INTERVAL DETERMINED BY THE CORPORATION.

THE STATE ENTITY UNDERTAKING THE PROJECT SHALL HAVE A PERIOD OF THIRTY DAYS, OR SHORTER IF THE CORPORATION DETERMINES THAT A SHORTER PERIOD IS REQUIRED BY THE CIRCUMSTANCES OR LONGER IF THE CORPORATION CONSENTS, FROM RECEIPT OF WRITTEN NOTICE OF RECOMMENDED CORRECTIVE ACTION FROM THE CORPORATION, TO NOTIFY THE CORPORATION IN WRITING OF ITS ACCEPTANCE OR REJECTION OF THE CORRECTIVE OR OTHER ACTION. IN THE EVENT THAT THE STATE ENTITY REJECTS ANY CORRECTIVE OR OTHER ACTION, IN WHOLE OR IN PART, IT SHALL PROVIDE SIMULTANEOUS WRITTEN NOTICE TO THE CORPORATION ACCOMPANIED BY A REASONED EXPLANATION IN SUPPORT OF ITS REJECTION. SUCH REJECTION

SHALL BE REPORTED TO THE SECRETARY TO THE GOVERNOR AND THE DIRECTOR OF THE DIVISION OF BUDGET WITHIN FIFTEEN DAYS OF ITS RECEIPT BY THE CORPORATION.

(F) ANY STATE ENTITY PROPOSING A COVERED PROJECT SHALL INCLUDE A SUMMARY OF THE PROVISIONS OF THIS SECTION IN ALL SUCH PROPOSAL AND/OR BID DOCUMENTS FOR SUCH PROJECTS.

4. GENERAL POWERS AND DUTIES OF THE CORPORATION. (A) THE CORPORATION SHALL HAVE THE POWER TO:

(I) SUE AND BE SUED;

(II) HAVE A SEAL AND ALTER THE SAME AT PLEASURE;

(III) MAKE AND ALTER BY-LAWS FOR ITS ORGANIZATION AND INTERNAL MANAGEMENT AND MAKE RULES AND REGULATIONS GOVERNING SAME;

(IV) APPOINT SUCH OFFICERS AND EMPLOYEES FROM THE OFFICERS AND EMPLOYEES OF THE AUTHORITY, AS IT MAY REQUIRE FOR THE PERFORMANCE OF ITS DUTIES AND FIX AND DETERMINE THEIR QUALIFICATIONS, DUTIES, AND COMPENSATION, AND RETAIN OR EMPLOY COUNSEL, AUDITORS, PRIVATE FINANCIAL CONSULTANTS, PROFESSIONAL ENGINEERS OR OTHER TECHNICAL CONSULTANTS AND OTHER SERVICES ON A CONTRACT BASIS OR OTHERWISE, FOR THE RENDERING OF PROFESSIONAL, BUSINESS OR TECHNICAL SERVICES AND ADVICE;

(V) MAKE AND EXECUTE CONTRACTS AND ALL OTHER INSTRUMENTS NECESSARY OR CONVENIENT FOR THE EXERCISE OF ITS POWERS AND FUNCTIONS UNDER THIS SECTION;

(VI) ENGAGE THE SERVICES OF PRIVATE CONSULTANTS ON A CONTRACT BASIS FOR RENDERING PROFESSIONAL AND TECHNICAL ASSISTANCE ADVICE RELATING TO COVERED PROJECTS;

(VII) PROCURE INSURANCE AGAINST ANY LOSS IN CONNECTION WITH ITS ACTIVITIES, PROPERTIES AND OTHER ASSETS, IN SUCH AMOUNT AND FROM SUCH INSURANCE AS IT DEEMS DESIRABLE; AND

(VIII) INVEST ANY FUNDS OF THE CORPORATION, OR ANY OTHER MONIES UNDER ITS CUSTODY AND CONTROL NOT REQUIRED FOR IMMEDIATE USE OR DISBURSEMENT, AT THE DISCRETION OF THE CORPORATION, IN OBLIGATIONS OF THE STATE OR THE UNITED STATES GOVERNMENT OR OBLIGATIONS THE PRINCIPAL AND INTEREST OF WHICH ARE OBLIGATIONS IN WHICH THE COMPTROLLER OF THE STATE IS AUTHORIZED TO INVEST PURSUANT TO SECTION NINETY-EIGHT OF THE STATE FINANCE LAW.

(B) THE CORPORATION MAY DO ANY AND ALL THINGS NECESSARY OR CONVENIENT TO CARRY OUT AND EXERCISE THE POWERS GIVEN AND GRANTED BY THIS SECTION.

(C) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, TO THE CONTRARY, ALL STATE ENTITIES AND THEIR OFFICERS SHALL COOPERATE WITH THE CORPORATION IN GOOD FAITH AND MAY IMPLEMENT THE RECOMMENDATIONS OF THE CORPORATION.

S 2. This act shall take effect immediately and shall expire and be deemed repealed July 1, 2022; provided, however, that the repeal of this act shall not impair or otherwise affect any of the outstanding obligations, responsibilities, functions, rights or liabilities of the corporation, unless adequate provisions have been made for the payment or exercise thereof.

## PART SS

Section 1. Section 200 of the workers' compensation law, as added by chapter 600 of the laws of 1949, is amended to read as follows:

S 200. Short title. This article shall be known and may be cited as the "disability benefits law AND THE PAID FAMILY LEAVE BENEFITS LAW."

S 2. Subdivision 14 of section 201 of the workers' compensation law, as added by chapter 600 of the laws of 1949 and as renumbered by chapter

438 of the laws of 1964, is amended and nine new subdivisions 15, 16, 17, 18, 19, 20, 21, 22 and 23 are added to read as follows:

14. "A day of disability" means any day on which the employee was prevented from performing work because of disability, INCLUDING ANY DAY WHICH THE EMPLOYEE USES FOR FAMILY LEAVE, and for which [he] THE EMPLOYEE has not received his OR HER regular remuneration.

15. "FAMILY LEAVE" SHALL MEAN ANY LEAVE TAKEN BY AN EMPLOYEE FROM WORK: (A) TO PARTICIPATE IN PROVIDING CARE, INCLUDING PHYSICAL OR PSYCHOLOGICAL CARE, FOR A FAMILY MEMBER OF THE EMPLOYEE MADE NECESSARY BY A SERIOUS HEALTH CONDITION OF THE FAMILY MEMBER; OR (B) TO BOND WITH THE EMPLOYEE'S CHILD DURING THE FIRST TWELVE MONTHS AFTER THE CHILD'S BIRTH, OR THE FIRST TWELVE MONTHS AFTER THE PLACEMENT OF THE CHILD FOR ADOPTION OR FOSTER CARE WITH THE EMPLOYEE; OR (C) BECAUSE OF ANY QUALIFYING EXIGENCY AS INTERPRETED UNDER THE FAMILY AND MEDICAL LEAVE ACT, 29 U.S.C.S S 2612(A)(1)(E) AND 29 C.F.R. S.825.126(A)(1)-(8), ARISING OUT OF THE FACT THAT THE SPOUSE, DOMESTIC PARTNER, CHILD, OR PARENT OF THE EMPLOYEE IS ON ACTIVE DUTY (OR HAS BEEN NOTIFIED OF AN IMPENDING CALL OR ORDER TO ACTIVE DUTY) IN THE ARMED FORCES OF THE UNITED STATES.

16. "CHILD" MEANS A BIOLOGICAL, ADOPTED, OR FOSTER SON OR DAUGHTER, A STEPSON OR STEPDAUGHTER, A LEGAL WARD, A SON OR DAUGHTER OF A DOMESTIC PARTNER, OR THE PERSON TO WHOM THE EMPLOYEE STANDS IN LOCO PARENTIS.

17. "DOMESTIC PARTNER" HAS THE SAME MEANING AS SET FORTH IN SECTION FOUR OF THIS CHAPTER.

18. "SERIOUS HEALTH CONDITION" MEANS AN ILLNESS, INJURY, IMPAIRMENT, OR PHYSICAL OR MENTAL CONDITION THAT INVOLVES INPATIENT CARE IN A HOSPITAL, HOSPICE, OR RESIDENTIAL HEALTH CARE FACILITY, CONTINUING TREATMENT OR CONTINUING SUPERVISION BY A HEALTH CARE PROVIDER. CONTINUING SUPERVISION BY A HEALTH CARE PROVIDER INCLUDES A PERIOD OF INCAPACITY WHICH IS PERMANENT OR LONG TERM DUE TO A CONDITION FOR WHICH TREATMENT MAY NOT BE EFFECTIVE WHERE THE FAMILY MEMBER IS UNDER THE CONTINUING SUPERVISION OF, BUT NEED NOT BE RECEIVING ACTIVE TREATMENT BY, A HEALTH CARE PROVIDER.

19. "PARENT" MEANS A BIOLOGICAL, FOSTER, OR ADOPTIVE PARENT, A PARENT-IN-LAW, A STEPPARENT, A LEGAL GUARDIAN, OR OTHER PERSON WHO STOOD IN LOCO PARENTIS TO THE EMPLOYEE WHEN THE EMPLOYEE WAS A CHILD.

20. "FAMILY MEMBER" MEANS A CHILD, PARENT, GRANDPARENT, GRANDCHILD, SPOUSE, OR DOMESTIC PARTNER AS DEFINED IN THIS SECTION.

21. "GRANDCHILD" MEANS A CHILD OF THE EMPLOYEE'S CHILD.

22. "HEALTH CARE PROVIDER" SHALL MEAN FOR THE PURPOSE OF FAMILY LEAVE, A PERSON LICENSED UNDER ARTICLE ONE HUNDRED THIRTY-ONE, ONE HUNDRED THIRTY-ONE-B, ONE HUNDRED THIRTY-TWO, ONE HUNDRED THIRTY-THREE, ONE HUNDRED THIRTY-SIX, ONE HUNDRED THIRTY-NINE, ONE HUNDRED FORTY-ONE, ONE HUNDRED FORTY-THREE, ONE HUNDRED FORTY-FOUR, ONE HUNDRED FIFTY-THREE, ONE HUNDRED FIFTY-FOUR, ONE HUNDRED FIFTY-SIX OR ONE HUNDRED FIFTY-NINE OF THE EDUCATION LAW OR A PERSON LICENSED UNDER THE PUBLIC HEALTH LAW, ARTICLE ONE HUNDRED FORTY OF THE EDUCATION LAW OR ARTICLE ONE HUNDRED SIXTY-THREE OF THE EDUCATION LAW.

23. "GRANDPARENT" MEANS A PARENT OF THE EMPLOYEE'S PARENT.

S 3. Section 203 of the workers' compensation law, as amended by chapter 436 of the laws of 1986, is amended to read as follows:

S 203. Employees eligible for benefits under section two hundred four OF THIS ARTICLE. Employees in employment of a covered employer for four or more consecutive weeks and employees in employment during the work period usual to and available during such four or more consecutive weeks in any trade or business in which they are regularly employed and in which hiring from day to day of such employees is the usual employment

practice shall be eligible for disability benefits as provided in section two hundred four OF THIS ARTICLE. EMPLOYEES IN EMPLOYMENT OF A COVERED EMPLOYER FOR TWENTY-SIX OR MORE CONSECUTIVE WEEKS AND EMPLOYEES IN EMPLOYMENT DURING THE WORK PERIOD USUAL TO AND AVAILABLE DURING SUCH TWENTY-SIX OR MORE CONSECUTIVE WEEKS IN ANY TRADE OR BUSINESS IN WHICH THEY ARE REGULARLY EMPLOYED AND IN WHICH HIRING FROM DAY TO DAY OF SUCH EMPLOYEES IS THE USUAL EMPLOYMENT PRACTICE SHALL BE ELIGIBLE FOR FAMILY LEAVE BENEFITS AS PROVIDED IN SECTION TWO HUNDRED FOUR OF THIS ARTICLE. EVERY SUCH EMPLOYEE SHALL CONTINUE TO BE ELIGIBLE FOR FAMILY LEAVE BENEFITS ONLY DURING EMPLOYMENT WITH A COVERED EMPLOYER. Every such employee shall continue to be eligible FOR DISABILITY BENEFITS during such employment and for a period of four weeks after such employment terminates regardless of whether the employee performs any work for remuneration or profit in non-covered employment. If during such four week period the employee performs any work for remuneration or profit for another covered employer the employee shall become eligible for DISABILITY benefits immediately with respect to that employment. In addition every such employee who HAS PREVIOUSLY COMPLETED FOUR OR MORE CONSECUTIVE WEEKS IN EMPLOYMENT WITH THE COVERED EMPLOYER FOR PURPOSES OF DISABILITY BENEFITS, OR TWENTY-SIX OR MORE CONSECUTIVE WEEKS IN EMPLOYMENT WITH THE COVERED EMPLOYER FOR PURPOSES OF PAID FAMILY LEAVE, AND returns to work with the same employer after an agreed and specified unpaid leave of absence or vacation without pay shall become eligible for benefits immediately with respect to such employment. An employee who during a period in which he or she is eligible to receive benefits under subdivision two of section two hundred seven OF THIS ARTICLE returns to employment with a covered employer and an employee who is currently receiving unemployment insurance benefits or benefits under section two hundred seven OF THIS ARTICLE and who returns to employment with a covered employer shall become eligible for DISABILITY benefits immediately with respect to such employment. An employee regularly in the employment of a single employer on a work schedule less than the employer's normal work week shall become eligible for DISABILITY LEAVE benefits on the twenty-fifth day of such regular employment AND FOR PURPOSES OF PAID FAMILY LEAVE AN EMPLOYER SHALL BECOME ELIGIBLE FOR BENEFITS ON THE ONE HUNDRED SEVENTY-FIFTH DAY OF SUCH REGULAR EMPLOYMENT. An employee who [becomes disabled while] IS eligible for DISABILITY AND FAMILY LEAVE benefits in the employment of a covered employer shall not be deemed, for the purposes of this article, to have such employment terminated during any period he or she is eligible to receive benefits under section two hundred four OF THIS ARTICLE with respect to such employment.

S 4. The workers' compensation law is amended by adding three new sections 203-a, 203-b and 203-c to read as follows:

S 203-A. RETALIATORY ACTION PROHIBITED FOR FAMILY LEAVE. 1. THE PROVISIONS OF SECTION ONE HUNDRED TWENTY OF THIS CHAPTER AND SECTION TWO HUNDRED FORTY-ONE OF THIS ARTICLE SHALL BE APPLICABLE TO FAMILY LEAVE.

2. NOTHING IN THIS SECTION SHALL BE DEEMED TO DIMINISH THE RIGHTS, PRIVILEGES, OR REMEDIES OF ANY EMPLOYEE UNDER ANY COLLECTIVE BARGAINING AGREEMENT OR EMPLOYMENT CONTRACT.

S 203-B. REINSTATEMENT FOLLOWING FAMILY LEAVE. ANY ELIGIBLE EMPLOYEE OF A COVERED EMPLOYER WHO TAKES LEAVE UNDER THIS ARTICLE SHALL BE ENTITLED, ON RETURN FROM SUCH LEAVE, TO BE RESTORED BY THE EMPLOYER TO THE POSITION OF EMPLOYMENT HELD BY THE EMPLOYEE WHEN THE LEAVE COMMENCED, OR TO BE RESTORED TO A COMPARABLE POSITION WITH COMPARABLE EMPLOYMENT BENEFITS, PAY AND OTHER TERMS AND CONDITIONS OF EMPLOYMENT. THE TAKING OF FAMILY LEAVE SHALL NOT RESULT IN THE LOSS OF ANY EMPLOYMENT BENEFIT

ACCRUED PRIOR TO THE DATE ON WHICH THE LEAVE COMMENCED. NOTHING IN THIS SECTION SHALL BE CONSTRUED TO ENTITLE ANY RESTORED EMPLOYEE TO THE ACCRUAL OF ANY SENIORITY OR EMPLOYMENT BENEFITS DURING ANY PERIOD OF LEAVE, OR ANY RIGHT, BENEFIT OR POSITION TO WHICH THE EMPLOYEE WOULD HAVE BEEN ENTITLED HAD THE EMPLOYEE NOT TAKEN THE LEAVE.

S 203-C HEALTH INSURANCE DURING FAMILY LEAVE. IN ACCORDANCE WITH THE FAMILY AND MEDICAL LEAVE ACT (29 U.S.C. SS 2601-2654), DURING ANY PERIOD OF FAMILY LEAVE THE EMPLOYER SHALL MAINTAIN ANY EXISTING HEALTH BENEFITS OF THE EMPLOYEE IN FORCE FOR THE DURATION OF SUCH LEAVE AS IF THE EMPLOYEE HAD CONTINUED TO WORK FROM THE DATE HE OR SHE COMMENCED FAMILY LEAVE UNTIL THE DATE HE OR SHE RETURNS TO EMPLOYMENT.

S 5. Section 204 of the workers' compensation law, as added by chapter 600 of the laws of 1949, subdivision 2 as amended by chapter 38 of the laws of 1989, is amended to read as follows:

S 204. Disability AND FAMILY LEAVE during employment. 1. Disability benefits shall be payable to an eligible employee for disabilities [commencing after June thirtieth, nineteen hundred fifty], beginning with the eighth [consecutive] day of disability and thereafter during the continuance of disability, subject to the limitations as to maximum and minimum amounts and duration and other conditions and limitations in this section and in sections two hundred five and two hundred six OF THIS ARTICLE. FAMILY LEAVE BENEFITS SHALL BE PAYABLE TO AN ELIGIBLE EMPLOYEE FOR THE FIRST FULL DAY WHEN FAMILY LEAVE IS REQUIRED AND THEREAFTER DURING THE CONTINUANCE OF THE NEED FOR FAMILY LEAVE, SUBJECT TO THE LIMITATIONS AS TO MAXIMUM AND MINIMUM AMOUNTS AND DURATION AND OTHER CONDITIONS AND LIMITATIONS IN THIS SECTION AND IN SECTIONS TWO HUNDRED FIVE AND TWO HUNDRED SIX OF THIS ARTICLE. Successive periods of disability OR FAMILY LEAVE caused by the same or related injury or sickness shall be deemed a single period of disability OR FAMILY LEAVE only if separated by less than three months.

2. (A) THE WEEKLY BENEFIT FOR FAMILY LEAVE THAT OCCURS (I) ON OR AFTER JANUARY FIRST, TWO THOUSAND EIGHTEEN SHALL NOT EXCEED EIGHT WEEKS DURING ANY FIFTY-TWO WEEK CALENDAR PERIOD AND SHALL BE FIFTY PERCENT OF THE EMPLOYEE'S AVERAGE WEEKLY WAGE BUT SHALL NOT EXCEED FIFTY PERCENT OF THE STATE AVERAGE WEEKLY WAGE, (II) ON OR AFTER JANUARY FIRST, TWO THOUSAND NINETEEN SHALL NOT EXCEED TEN WEEKS DURING ANY FIFTY-TWO WEEK CALENDAR PERIOD AND SHALL BE FIFTY-FIVE PERCENT OF THE EMPLOYEE'S AVERAGE WEEKLY WAGE BUT SHALL NOT EXCEED FIFTY-FIVE PERCENT OF THE STATE AVERAGE WEEKLY WAGE, (III) ON OR AFTER JANUARY FIRST, TWO THOUSAND TWENTY SHALL NOT EXCEED TEN WEEKS DURING ANY FIFTY-TWO WEEK CALENDAR PERIOD AND SHALL BE SIXTY PERCENT OF THE EMPLOYEE'S AVERAGE WEEKLY WAGE BUT SHALL NOT EXCEED SIXTY PERCENT OF THE STATE AVERAGE WEEKLY WAGE, AND (IV) ON OR AFTER JANUARY FIRST OF EACH SUCCEEDING YEAR, SHALL NOT EXCEED TWELVE WEEKS DURING ANY FIFTY-TWO WEEK CALENDAR PERIOD AND SHALL BE SIXTY-SEVEN PERCENT OF THE EMPLOYEE'S AVERAGE WEEKLY WAGE BUT SHALL NOT EXCEED SIXTY-SEVEN PERCENT OF THE NEW YORK STATE AVERAGE WEEKLY WAGE IN EFFECT. THE SUPERINTENDENT OF FINANCIAL SERVICES SHALL HAVE DISCRETION TO DELAY THE INCREASES IN THE FAMILY LEAVE BENEFIT LEVEL PROVIDED IN SUBPARAGRAPHS (II), (III), AND (IV) OF THIS PARAGRAPH BY ONE OR MORE CALENDAR YEARS. IN DETERMINING WHETHER TO DELAY THE INCREASE IN THE FAMILY LEAVE BENEFIT FOR ANY YEAR, THE SUPERINTENDENT OF FINANCIAL SERVICES SHALL CONSIDER: (1) THE CURRENT COST TO EMPLOYEES OF THE FAMILY LEAVE BENEFIT AND ANY EXPECTED CHANGE IN THE COST AFTER THE BENEFIT INCREASE; (2) THE CURRENT NUMBER OF INSURERS ISSUING INSURANCE POLICIES WITH A FAMILY LEAVE BENEFIT AND ANY EXPECTED CHANGE IN THE NUMBER OF INSURERS ISSUING SUCH POLICIES AFTER THE BENEFIT INCREASE; (3) THE IMPACT OF THE BENEFIT

INCREASE ON EMPLOYERS' BUSINESS AND THE OVERALL STABILITY OF THE PROGRAM TO THE EXTENT THAT INFORMATION IS READILY AVAILABLE; (4) THE IMPACT OF THE BENEFIT INCREASE ON THE FINANCIAL STABILITY OF THE DISABILITY AND FAMILY LEAVE INSURANCE MARKET AND CARRIERS; AND (5) ANY ADDITIONAL FACTORS THAT THE SUPERINTENDENT OF FINANCIAL SERVICES DEEMS RELEVANT. IF THE SUPERINTENDENT OF FINANCIAL SERVICES DELAYS THE INCREASE IN THE FAMILY LEAVE BENEFIT LEVEL FOR ONE OR MORE CALENDAR YEARS, THE FAMILY LEAVE BENEFIT LEVEL THAT SHALL TAKE EFFECT IMMEDIATELY FOLLOWING THE DELAY SHALL BE THE SAME BENEFIT LEVEL THAT WOULD HAVE TAKEN EFFECT BUT FOR THE DELAY. THE WEEKLY BENEFITS FOR FAMILY LEAVE THAT OCCURS ON OR AFTER JANUARY FIRST, TWO THOUSAND EIGHTEEN SHALL NOT BE LESS THAN ONE HUNDRED DOLLARS PER WEEK EXCEPT THAT IF THE EMPLOYEE'S WAGES AT THE TIME OF FAMILY LEAVE ARE LESS THAN ONE HUNDRED DOLLARS PER WEEK, THE EMPLOYEE SHALL RECEIVE HIS OR HER FULL WAGES. BENEFITS MAY BE PAYABLE TO EMPLOYEES FOR PAID FAMILY LEAVE TAKEN INTERMITTENTLY OR FOR LESS THAN A FULL WORK WEEK IN INCREMENTS OF ONE FULL DAY OR ONE FIFTH OF THE WEEKLY BENEFIT.

(B) The weekly benefit which the disabled employee is entitled to receive for disability commencing on or after May first, nineteen hundred eighty-nine shall be one-half of the employee's weekly wage, but in no case shall such benefit exceed one hundred seventy dollars; except that if the employee's average weekly wage is less than twenty dollars, the benefit shall be such average weekly wage. The weekly benefit which the disabled employee is entitled to receive for disability commencing on or after July first, nineteen hundred eighty-four shall be one-half of the employee's weekly wage, but in no case shall such benefit exceed one hundred forty-five dollars; except that if the employee's average weekly wage is less than twenty dollars, the benefit shall be such average weekly wage. The weekly benefit which the disabled employee is entitled to receive for disability commencing on or after July first, nineteen hundred eighty-three and prior to July first, nineteen hundred eighty-four shall be one-half of the employee's average weekly wage, but in no case shall such benefit exceed one hundred thirty-five dollars nor be less than twenty dollars; except that if the employee's average weekly wage is less than twenty dollars the benefit shall be such average weekly wage. The weekly benefit which the disabled employee is entitled to receive for disability commencing on or after July first, nineteen hundred seventy-four, and prior to July first, nineteen hundred eighty-three, shall be one-half of the employee's average weekly wage, but in no case shall such benefit exceed ninety-five dollars nor be less than twenty dollars; except that if the employee's average weekly wage is less than twenty dollars, the benefit shall be such average weekly wage. The weekly benefit which the disabled employee is entitled to receive for disability commencing on or after July first, nineteen hundred seventy and prior to July first, nineteen hundred seventy-four shall be one-half of the employee's average weekly wage, but in no case shall such benefit exceed seventy-five dollars nor be less than twenty dollars; except that if the employee's average weekly wage is less than twenty dollars the benefit shall be such average weekly wage. For any period of disability less than a full week, the benefits payable shall be calculated by dividing the weekly benefit by the number of the employee's normal work days per week and multiplying the quotient by the number of normal work days in such period of disability. The weekly benefit for a disabled employee who is concurrently eligible for benefits in the employment of more than one covered employer shall, within the maximum and minimum herein provided, be one-half of the total of the

employee's average weekly wages received from all such covered employers, and shall be allocated in the proportion of their respective average weekly wage payments.

S 6. Section 205 of the workers' compensation law, as added by chapter 600 of the laws of 1949, subdivision 1 as amended by chapter 651 of the laws of 1958, subdivision 2 as amended by chapter 270 of the laws of 1990, subdivision 5 as amended by chapter 288 of the laws of 1970, and subdivisions 3, 4, 5, 6, 7 and 8 as renumbered by chapter 352 of the laws of 1981, is amended to read as follows:

S 205. Disabilities, FAMILY LEAVE and [disability] periods for which benefits are not payable. 1. No employee shall be entitled to DISABILITY benefits under this article:

[1.] (A) For more than twenty-six weeks MINUS ANY DAYS TAKEN FOR FAMILY LEAVE DURING ANY FIFTY-TWO CONSECUTIVE CALENDAR WEEKS during a period of fifty-two consecutive calendar weeks or during any one period of disability, OR FOR MORE THAN TWENTY-SIX WEEKS;

[2.] (B) for any period of disability during which an employee is not under the care of a duly licensed physician or with respect to disability resulting from a condition of the foot which may lawfully be treated by a duly registered and licensed podiatrist of the state of New York or with respect to a disability resulting from a condition which may lawfully be treated by a duly registered and licensed chiropractor of the state of New York or with respect to a disability resulting from a condition which may lawfully be treated by a duly licensed dentist of the state of New York or with respect to a disability resulting from a condition which may lawfully be treated by a duly registered and licensed psychologist of the state of New York or with respect to a disability resulting from a condition which may lawfully be treated by a duly certified nurse midwife, for any period of such disability during which an employee is neither under the care of a physician nor a podiatrist, nor a chiropractor, nor a dentist, nor a psychologist, nor a certified nurse midwife; and for any period of disability during which an employee who adheres to the faith or teachings of any church or denomination and who in accordance with its creed, tenets or principles depends for healing upon prayer through spiritual means alone in the practice of religion, is not under the care of a practitioner duly accredited by the church or denomination, and provided such employee shall submit to all physical examinations as required by this chapter.

2. NO EMPLOYEE SHALL BE ENTITLED TO FAMILY LEAVE BENEFITS UNDER THIS ARTICLE:

(A) FOR MORE THAN TWELVE WEEKS, OR THE MAXIMUM DURATION PERMITTED AS SET FORTH IN PARAGRAPH (A) OF SUBDIVISION TWO OF SECTION TWO HUNDRED FOUR OF THIS ARTICLE, DURING A PERIOD OF FIFTY-TWO CONSECUTIVE CALENDAR WEEKS, OR FOR ANY PERIOD IN WHICH THE FAMILY LEAVE COMBINED WITH THE DISABILITY BENEFITS PREVIOUSLY PAID EXCEEDS TWENTY-SIX WEEKS DURING THE SAME FIFTY-TWO CONSECUTIVE CALENDAR WEEKS;

(B) FOR ANY PERIOD OF FAMILY LEAVE WHEREIN THE NOTICE AND MEDICAL CERTIFICATION AS PRESCRIBED BY THE CHAIR HAS NOT BEEN FILED. AT THE DISCRETION OF THE CHAIR OR CHAIR'S DESIGNEE PURSUANT TO SECTION TWO HUNDRED TWENTY-ONE OF THIS ARTICLE, THE FAMILY MEMBER WHO IS THE RECIPIENT OF CARE MAY BE REQUIRED TO SUBMIT TO A PHYSICAL EXAMINATION BY A QUALIFIED HEALTH CARE PROVIDER. SUCH EXAMINATION SHALL BE PAID FOR BY THE CARRIER; AND

(C) AS A CONDITION OF AN EMPLOYEE'S INITIAL RECEIPT OF FAMILY LEAVE BENEFITS DURING ANY FIFTY-TWO CONSECUTIVE CALENDAR WEEKS IN WHICH AN EMPLOYEE IS ELIGIBLE FOR THESE BENEFITS, AN EMPLOYER MAY OFFER AN

EMPLOYEE WHO HAS ACCRUED BUT UNUSED VACATION TIME OR PERSONAL LEAVE AVAILABLE AT THE TIME OF USE OF AVAILABLE FAMILY LEAVE TO CHOOSE WHETHER TO CHARGE ALL OR PART OF THE FAMILY LEAVE TIME TO ACCRUED BUT UNUSED VACATION OR PERSONAL LEAVE, AND RECEIVE FULL SALARY, OR TO NOT CHARGE TIME TO ACCRUED BUT UNUSED VACATION OR PERSONAL LEAVE, AND RECEIVE THE BENEFIT AS SET FORTH IN SECTION TWO HUNDRED FOUR OF THIS ARTICLE. AN EMPLOYER THAT PAYS FULL SALARY DURING A PERIOD OF FAMILY LEAVE MAY REQUEST REIMBURSEMENT IN ACCORDANCE WITH SECTION TWO HUNDRED THIRTY-SEVEN OF THIS ARTICLE. WITH THE ELECTION OF EITHER OPTION, THE EMPLOYEE SHALL RECEIVE THE FULL PROTECTION OF THE REINSTATEMENT PROVISION SET FORTH IN SECTION TWO HUNDRED THREE-B OF THIS ARTICLE, AND SHALL CONCURRENTLY USE AVAILABLE FAMILY MEDICAL LEAVE ACT AND PAID FAMILY LEAVE CREDITS. IN NO EVENT CAN AN EMPLOYEE UTILIZE FAMILY LEAVE BEYOND TWELVE WEEKS, OR THE MAXIMUM DURATION PERMITTED AS SET FORTH IN PARAGRAPH (A) OF SUBDIVISION TWO OF SECTION TWO HUNDRED FOUR OF THIS ARTICLE, PER ANY FIFTY-TWO WEEK PERIOD SET FORTH IN THIS ARTICLE. THIS PARAGRAPH MAY NOT BE CONSTRUED IN A MANNER THAT RELIEVES AN EMPLOYER OF ANY DUTY OF COLLECTIVE BARGAINING THE EMPLOYER MAY HAVE WITH RESPECT TO THE SUBJECT MATTER OF THIS PARAGRAPH.

3. NO EMPLOYEE SHALL BE ENTITLED TO DISABILITY OR FAMILY LEAVE BENEFITS UNDER THIS ARTICLE:

(A) for any disability occasioned by the wilful intention of the employee to bring about injury to or the sickness of himself or another, or resulting from any injury or sickness sustained in the perpetration by the employee of an illegal act;

[4.] (B) for any day of disability OR FAMILY LEAVE during which the employee performed work for remuneration or profit;

[5.] (C) for any day of disability OR FAMILY LEAVE for which the employee is entitled to receive from his OR HER employer, or from a fund to which the employer has contributed, remuneration or maintenance in an amount equal to or greater than that to which he OR SHE would be entitled under this article; but any voluntary contribution or aid which an employer may make to an employee or any supplementary benefit paid to an employee pursuant to the provisions of a collective bargaining agreement or from a trust fund to which contributions are made pursuant to the provisions of a collective bargaining agreement shall not be considered as continued remuneration or maintenance for this purpose;

[6.] (D) for any period in respect to which such employee is subject to suspension or disqualification of the accumulation of unemployment insurance benefit rights, or would be subject if he OR SHE were eligible for such benefit rights, except for ineligibility resulting from the employee's disability;

[7.] (E) for any disability due to any act of war, declared or undeclared[, if such act shall occur after June thirtieth, nineteen hundred fifty];

[8.] (F) for any disability OR FAMILY LEAVE commencing before the employee becomes eligible to benefits [hereunder or commencing prior to July first, nineteen hundred fifty, but this shall not preclude benefits for recurrence after July first, nineteen hundred fifty, of a disability commencing prior thereto] UNDER THIS SECTION.

4. AN EMPLOYEE MAY NOT COLLECT BENEFITS CONCURRENTLY UNDER BOTH SUBDIVISIONS ONE AND TWO OF THIS SECTION.

5. IN ANY CASE IN WHICH THE NECESSITY FOR FAMILY LEAVE IS FORESEEABLE BASED ON AN EXPECTED BIRTH OR PLACEMENT, THE EMPLOYEE SHALL PROVIDE THE EMPLOYER WITH NOT LESS THAN THIRTY DAYS NOTICE BEFORE THE DATE THE LEAVE IS TO BEGIN, OF THE EMPLOYEE'S INTENTION TO TAKE FAMILY LEAVE UNDER THIS

ARTICLE, EXCEPT THAT IF THE DATE OF THE BIRTH OR PLACEMENT REQUIRES LEAVE TO BEGIN IN LESS THAN THIRTY DAYS, THE EMPLOYEE SHALL PROVIDE SUCH NOTICE AS IS PRACTICABLE. IN ANY CASE IN WHICH THE NECESSITY FOR FAMILY LEAVE IS FORESEEABLE BASED ON PLANNED MEDICAL TREATMENT, THE EMPLOYEE SHALL PROVIDE THE EMPLOYER WITH NOT LESS THAN THIRTY DAYS NOTICE, BEFORE THE DATE THE LEAVE IS TO BEGIN, OF THE EMPLOYEES INTENTION TO TAKE FAMILY LEAVE UNDER THIS ARTICLE, EXCEPT THAT IF THE DATE OF THE TREATMENT REQUIRES LEAVE TO BEGIN IN LESS THAN THIRTY DAYS, THE EMPLOYEE SHALL PROVIDE SUCH NOTICE AS IS PRACTICABLE.

S 7. Section 206 of the workers' compensation law, as amended by chapter 699 of the laws of 1956, paragraph (a) of subdivision 1 as separately amended by chapters 699 and 929 of the laws of 1956 and subdivision 2 as amended by chapter 24 of the laws of 1988, is amended to read as follows:

S 206. Non-duplication of benefits. 1. No DISABILITY benefits shall be payable under section two hundred four or two hundred seven OF THIS ARTICLE:

(a) in a weekly benefit amount which, together with any amount that the employee receives or is entitled to receive for the same period or any part thereof as a permanent disability benefit or annuity under any governmental system or program, except under a veteran's disability program, or under any permanent disability policy or program of an employer for whom he OR SHE has performed services, would, if apportioned to weekly periods, exceed his OR HER weekly benefit amount [hereunder] UNDER THIS SECTION, provided however, that there shall be no offset against the benefits set forth in this article if the claim for disability benefits is based on a disability other than the permanent disability for which the aforesaid permanent disability benefit or annuity was granted;

(b) with respect to any week for which payments are received under the unemployment insurance law or similar law of this state or of any other state or of the United States;

(c) subject to the provisions of subdivision two of this section, for any period with respect to which benefits, compensation or other allowances (other than [workmen's] WORKERS' compensation benefits for a permanent partial disability occurring prior to the disability for which benefits are claimed hereunder) are paid or payable under this chapter, the volunteer [firemen's] FIREFIGHTERS' benefit law, or any other [workmen's] WORKERS' compensation act, occupational disease act or similar law, or under any employers' liability act or similar law; under any other temporary disability or cash sickness benefits act or similar law; under section six hundred eighty-eight, title forty-six, United States code; under the federal employers' liability act; or under the maritime doctrine of maintenance, wages and cure.

2. If an employee who is eligible for DISABILITY benefits under section two hundred three or two hundred seven OF THIS ARTICLE is disabled and has claimed or subsequently claims workers' compensation benefits under this chapter or benefits under the volunteer firefighters' benefit law or the volunteer ambulance workers' benefit law, and such claim is controverted on the ground that the employee's disability was not caused by an accident that arose out of and in the course of his employment or by an occupational disease, or by an injury in line of duty as a volunteer firefighter or volunteer ambulance worker, the employee shall be entitled in the first instance to receive benefits under this article for his OR HER disability. If benefits have been paid under this article in respect to a disability alleged to have arisen out

of and in the course of the employment or by reason of an occupational disease, or in line of duty as a volunteer firefighter or a volunteer ambulance worker, the employer or carrier or the [chairman] CHAIR making such payment may, at any time before award of workers' compensation benefits, or volunteer firefighters' benefits or volunteer ambulance workers' benefits, is made, file with the board a claim for reimbursement out of the proceeds of such award to the employee for the period for which disability benefits were paid to the employee under this article, and shall have a lien against the award for reimbursement, notwithstanding the provisions of section thirty-three of this chapter or section twenty-three of the volunteer firefighters' benefit law or section twenty-three of the volunteer ambulance workers' benefit law provided the insurance carrier liable for payment of the award receives, before such award is made, a copy of the claim for reimbursement from the employer, carrier or [chairman] CHAIR who paid disability benefits, or provided the board's decision and award directs such reimbursement therefrom.

3. NO FAMILY LEAVE BENEFITS SHALL BE PAYABLE UNDER SECTION TWO HUNDRED FOUR OF THIS ARTICLE:

(A) DURING PERIODS WHEN THE EMPLOYEE IS RECEIVING TOTAL DISABILITY PAYMENTS PURSUANT TO A CLAIM FOR WORKERS' COMPENSATION, VOLUNTEER FIREFIGHTERS' BENEFITS OR VOLUNTEER AMBULANCE WORKERS' BENEFITS, EXCEPT THAT WHEN THE EMPLOYEE IS RECEIVING PAYMENTS FOR PARTIAL DISABILITY OR REDUCED EARNINGS UNDER SUCH LAWS, THE FAMILY LEAVE BENEFIT, WHEN COMBINED WITH THE BENEFITS UNDER SUCH LAWS SHALL NOT EXCEED THE AVERAGE WEEKLY WAGE IN THE EMPLOYMENT FOR WHICH FAMILY LEAVE BENEFITS ARE SOUGHT;

(B) TO AN EMPLOYEE WHO IS NOT EMPLOYED OR IS ON ADMINISTRATIVE LEAVE FROM HIS OR HER EMPLOYMENT;

(C) TO AN EMPLOYEE DURING PERIODS WHERE THE EMPLOYEE IS COLLECTING SICK PAY OR PAID TIME OFF FROM THE EMPLOYER; AND

(D) FOR ANY DAY IN WHICH CLAIMANT WORKS AT LEAST PART OF THAT DAY FOR REMUNERATION OR PROFIT FOR THE COVERED EMPLOYER OR FOR ANY OTHER EMPLOYER WHILE WORKING FOR REMUNERATION OR PROFIT, FOR HIM OR HERSELF, OR ANOTHER PERSON OR ENTITY, DURING THE SAME OR SUBSTANTIALLY SIMILAR WORKING HOURS AS THOSE OF THE COVERED EMPLOYER FROM WHICH FAMILY LEAVE BENEFITS ARE CLAIMED, EXCEPT THAT OCCASIONAL SCHEDULING ADJUSTMENTS WITH RESPECT TO SECONDARY EMPLOYMENTS SHALL NOT PREVENT RECEIPT OF FAMILY LEAVE BENEFITS.

4. UNLESS OTHERWISE EXPRESSLY PERMITTED BY THE EMPLOYER, BENEFITS AVAILABLE UNDER 29 U.S. CODE CHAPTER 28 (THE FAMILY AND MEDICAL LEAVE ACT) MUST BE USED CONCURRENTLY WITH FAMILY LEAVE BENEFITS. FOR A SUBSEQUENT UNRELATED DISABILITY, AN EMPLOYEE MAY SEEK BENEFITS UP TO THE MAXIMUM NUMBER OF AVAILABLE WEEKS PERMITTED IN THIS ARTICLE.

5. A COVERED EMPLOYER IS NOT REQUIRED TO PERMIT MORE THAN ONE EMPLOYEE TO USE THE SAME PERIOD OF FAMILY LEAVE TO CARE FOR THE SAME FAMILY MEMBER.

S 8. Section 207 of the workers' compensation law is amended by adding a new subdivision 5 to read as follows:

5. THE FOREGOING PROVISIONS OF THIS SECTION SHALL NOT APPLY TO FAMILY LEAVE BENEFITS, AS FAMILY LEAVE BENEFITS ARE NOT AVAILABLE TO EMPLOYEES THAT ARE NOT EMPLOYED AT THE TIME FAMILY LEAVE IS REQUESTED BY FILING THE NOTICE AND MEDICAL CERTIFICATION REQUIRED BY THE CHAIR.

S 9. Section 208 of the workers' compensation law, as added by chapter 600 of the laws of 1949, subdivision 1 as amended by chapter 314 of the laws of 2010, is amended to read as follows:

S 208. Payment of disability AND FAMILY LEAVE benefits. 1. Benefits provided under this article shall be paid periodically and promptly and, except as to a contested period of disability OR FAMILY LEAVE, without any decision by the board, OR DESIGNEE OF THE CHAIR PURSUANT TO SECTION TWO HUNDRED TWENTY-ONE OF THIS ARTICLE. The first payment of benefits shall be due on the fourteenth day of disability OR FAMILY LEAVE and benefits for that period shall be paid directly to the employee within four business days thereafter or within four business days after the filing of required proof of claim, whichever is the later. IF THE EMPLOYER OR CARRIER REJECTS AN INITIAL CLAIM FOR FAMILY LEAVE BENEFITS, THE EMPLOYER OR CARRIER MUST NOTIFY THE EMPLOYEE IN A MANNER PRESCRIBED BY THE CHAIR WITHIN EIGHTEEN DAYS OF FILING OF THE PROOF OF CLAIM. FAILURE TO TIMELY REJECT SHALL CONSTITUTE A WAIVER OF OBJECTION TO THE FAMILY LEAVE CLAIM. Thereafter benefits shall be due and payable bi-weekly in like manner. The [chairman] CHAIR OR CHAIR'S DESIGNEE, PURSUANT TO SECTION TWO HUNDRED TWENTY-ONE OF THIS ARTICLE, may determine that benefits may be paid monthly or semi-monthly if wages were so paid, and may authorize deviation from the foregoing requirements to facilitate prompt payment of benefits. Any inquiry which requires the employee's response in order to continue benefits uninterrupted or unmodified shall provide a reasonable time period in which to respond and include a clear and prominent statement of the deadline for responding and consequences of failing to respond.

2. The [chairman] CHAIR AND SUPERINTENDENT OF FINANCIAL SERVICES may, whenever such information is deemed necessary, require any carrier to file in form prescribed by the [chairman] CHAIR a report or reports as to any claim or claims, including (but without limitation) dates of commencement and termination of benefit payments and amount of benefits paid under this article. The [chairman] CHAIR AND SUPERINTENDENT OF FINANCIAL SERVICES may also require annually information in respect to the aggregate of benefits paid, the number of claims allowed and disallowed, the average benefits and duration of benefit periods, the amount of payrolls covered and such other information as the [chairman] CHAIR may deem necessary for the purposes of administering this article. If the carrier is providing benefits in respect to more than one employer, the [chairman] CHAIR AND SUPERINTENDENT OF FINANCIAL SERVICES may require that such information be shown separately as to those employers who are providing only benefits that are substantially the same as the benefits required in this article. THE CHAIR AND SUPERINTENDENT OF FINANCIAL SERVICES MAY PRESCRIBE THE FORMAT OF SUCH REPORT AND MAY PROMULGATE REGULATIONS TO EFFECTUATE THIS ARTICLE.

S 10. Section 209 of the workers' compensation law, as added by chapter 600 of the laws of 1949, subdivision 3 as amended by chapter 415 of the laws of 1983 and subdivision 4 as amended by chapter 134 of the laws of 1952, is amended to read as follows:

S 209. Contribution of employees for disability AND FAMILY LEAVE benefits. 1. Every employee in the employment of a covered employer shall[, on and after January first, nineteen hundred fifty,] contribute to the cost of providing disability AND AFTER JANUARY FIRST, TWO THOUSAND EIGHTEEN, FAMILY LEAVE benefits under this article, to the extent and in the manner herein provided.

2. The special contribution of each such employee to the accumulation of funds to provide benefits for disabled unemployed shall be as provided in subdivision one of section two hundred fourteen OF THIS ARTICLE.

3. (A) DISABILITY BENEFITS. The contribution of each such employee to the cost of disability benefits provided by this article shall be one-half of one per centum of the employee's wages paid to him OR HER on and after July first, nineteen hundred fifty, but not in excess of sixty cents per week.

(B) FAMILY LEAVE BENEFITS. ON JUNE FIRST, TWO THOUSAND SEVENTEEN AND ANNUALLY THEREAFTER ON SEPTEMBER FIRST, THE SUPERINTENDENT OF FINANCIAL SERVICES SHALL SET THE MAXIMUM EMPLOYEE CONTRIBUTION, USING SOUND ACTUARIAL PRINCIPLES AND THE REPORTS PROVIDED IN SECTION TWO HUNDRED EIGHT OF THIS ARTICLE. NO EMPLOYER SHALL BE REQUIRED TO FUND ANY PORTION OF THE FAMILY LEAVE BENEFIT.

4. Notwithstanding any other provision of law, the employer is authorized to collect from his OR HER employees, except as otherwise provided in any plan or agreement under the provisions of subdivisions four or five of section two hundred eleven OF THIS ARTICLE, the contribution provided under subdivisions two and three OF THIS SECTION, through payroll deductions. If the employer shall not make deduction for any payroll period he OR SHE may thereafter, but not later than one month after payment of wages, collect such contribution through payroll deduction.

5. In collecting employee contributions through payroll deductions, the employer shall act as the agent of his OR HER employees and shall use the contributions only to provide disability AND FAMILY LEAVE benefits as required by this article. IN NO EVENT MAY THE EMPLOYEE'S ANNUAL CONTRIBUTION FOR FAMILY LEAVE EXCEED HIS OR HER PER CAPITA SHARE OF THE ACTUAL ANNUAL PREMIUM CHARGED FOR THE SAME YEAR AND MUST BE DETERMINED CONSISTENT WITH THE PRINCIPLE THAT EMPLOYEES SHOULD PAY THE TOTAL COSTS OF FAMILY LEAVE PREMIUM. IN NO EVENT MAY THE EMPLOYEE'S WEEKLY CONTRIBUTION FOR DISABILITY PREMIUM EXCEED ONE-HALF OF ONE PER CENTUM OF THE EMPLOYEE'S WAGES PAID TO HIM OR HER, BUT NOT IN EXCESS OF SIXTY CENTS PER WEEK. After June thirtieth, nineteen hundred fifty, if the employer is not providing, or to the extent that he OR SHE is not then providing, for the payment of disability benefits to his OR HER employees by insuring with the state fund or with another insurance carrier, he OR SHE shall keep the contributions of his OR HER employees as trust funds separate and apart from all other funds of the employer. The payment of such contributions by the employer to a carrier providing for the payment of such benefits shall discharge the employer from responsibility with respect to such contributions.

S 11. Section 210 of the workers' compensation law, as added by chapter 600 of the laws of 1949, is amended to read as follows:

S 210. Employer contributions. 1. Every covered employer shall, on and after January first, nineteen hundred fifty, contribute the cost of providing disability benefits in excess of the contributions collected from his OR HER employees, to the extent and in the manner provided in this article.

2. The special contribution of each covered employer to the accumulation of funds to provide benefits for disabled unemployed shall be as provided in subdivision one of section two hundred fourteen OF THIS ARTICLE.

3. The contribution of every covered employer to the cost of providing disability benefits after June thirtieth, nineteen hundred fifty, shall be the excess of such cost over the amount of the contributions of his OR HER employees.

4. No profit shall be derived by any employer or association of employers or of employees from providing payment of disability AND FAMI-

LY LEAVE benefits under this article. All funds representing contributions of employers and employees, and increments thereon, held by employers or associations of employers or of employees authorized or permitted to pay benefits under the provisions of this article, and by trustees paying benefits under plans or agreements meeting the requirements of section two hundred eleven OF THIS ARTICLE, shall be trust funds and shall be expended only to provide for the payment of benefits to employees and for the costs of administering this article and for the support of the fund established under section two hundred fourteen OF THIS ARTICLE.

S 12. The opening paragraph and subdivisions 3, 4 and 5 of section 211 of the workers' compensation law, the opening paragraph as added by chapter 600 of the laws of 1949, subdivision 3 as amended by chapter 207 of the laws of 1992, and subdivisions 4 and 5 as amended by chapter 197 of the laws of 1960, are amended, and two new subdivisions 7 and 8 are added to read as follows:

A covered employer shall, with his OR HER own contributions and the contributions of his employees, provide disability AND AFTER JANUARY FIRST, TWO THOUSAND EIGHTEEN, FAMILY LEAVE benefits to his OR HER employees in one or more of the following ways:

3. by furnishing satisfactory proof to the chair of the employers financial ability to pay such benefits, in which case the chair shall require the deposit of such securities as the chair may deem necessary [of the kind prescribed in subdivisions one, two, three, four and five and paragraph a of subdivision seven of section two hundred thirty-five of the banking law or the deposit of cash or the filing of irrevocable letters of credit issued by a qualified banking institution as defined by rules promulgated by the chair or the filing of the bond of a surety company authorized to do business in this state, conditioned on the payment by the employer of its obligations under this article and in form approved by the chair, or the posting and filing of a combination of such securities, cash, irrevocable letters of credit and surety bonds in an amount to be determined by the chair, to secure his or her liability to pay the compensation provided in this chapter. The amount of deposit or of the penal sum of the bond shall be determined by the chair and shall not be less than one-half the estimated contributions of the employees of the employer for the ensuing year or one-half of the contributions of the employees which would have been paid by the employees during the preceding year, whichever is the greater, or if such amount is more than fifty thousand dollars an amount not less than fifty thousand dollars. The chair shall have authority to deny an application to provide benefits pursuant to this subdivision or to revoke approval at any time for good cause shown. In the case of an employer who maintains a deposit of securities, irrevocable letters of credit or cash in accordance with subdivision three of section fifty of this chapter, the chair may reduce the amount of the deposit or of the penal sum of the bond, provided the securities, irrevocable letters of credit or cash deposited by or for such employer under subdivision three of section fifty of this chapter are, by agreement satisfactory to the chair, made available for the payment of unpaid benefits under this article with respect to obligations incurred for disabilities commencing prior to the effective date of such revocation] CONSISTENT WITH THE PROVISIONS OF SUBDIVISION THREE OF SECTION FIFTY OF THIS CHAPTER. An association of employers or employees authorized to pay benefits under this article or the trustee or trustees paying benefits under a plan or agreement authorized under subdivisions four and five of this section, may with

the approval of the chair furnish such proof and otherwise comply with the provisions of this section to provide disability AND FAMILY LEAVE benefits to employees under such plan or agreement.

4. by a plan in existence on the effective date of this article. If on the effective date of this article the employees of a covered employer or any class or classes of such employees are entitled to receive disability AND FAMILY LEAVE benefits under a plan or agreement which remains in effect on July first, nineteen hundred fifty, the employer, subject to the requirements of this section, shall be relieved of responsibility for making provision for benefit payments required under this article until the earliest date, determined by the [chairman] CHAIR for the purposes of this article, upon which the employer shall have the right to discontinue the provisions thereof or to discontinue his contributions towards the cost. Any such plan or agreement may be extended, with or without modification, by agreement or collective bargaining between an employer or employers or association of employers and an association of employees, in which event the period for which the employer is relieved of such responsibility shall include such period of extension. Any other plan or agreement in existence on the effective date of this article which the employer may, by his OR HER sole act, terminate at any time, or with respect to which he OR SHE is not obligated to continue for any period to make contributions, may be accepted by the [chairman] CHAIR as satisfying the obligation to provide for the payment of benefits under this article if such plan or agreement provides benefits at least as favorable as the disability AND FAMILY LEAVE benefits provided by this article and does not require contributions of any employee or of any class or classes of employees in excess of the statutory amount provided in SUBDIVISION THREE OF section two hundred nine OF THIS ARTICLE, subdivision three, except by agreement and provided the contribution is reasonably related to the value of the benefits as determined by the CHAIR [chairman]. The [chairman] CHAIR may require that the employer shall enter into an agreement in writing with the [chairman] CHAIR that he OR SHE will pay the assessments set forth in sections two hundred fourteen and two hundred twenty-eight and that until he OR SHE shall have filed written notice with the CHAIR [chairman] of his OR HER election to terminate such plan or agreement or to discontinue making necessary contributions to its cost, he OR SHE will continue to provide for the payment of the disability AND FAMILY LEAVE benefits under such plan or agreement.

During any period in which any plan or agreement or extension thereof authorized under this subdivision provides for payment of benefits under this article, the responsibility of the employer and the obligations and benefits of the employees shall be as provided in said plan or agreement rather than as provided under this article, other than the benefits provided in section two hundred seven, and provided the employer or carrier has agreed to pay the assessments described in sections two hundred fourteen and two hundred twenty-eight.

Any such plan or agreement may be extended with or without modification, provided the benefits under such plan or agreement, as extended or modified, shall be found by the [chairman] CHAIR to be at least as favorable as the benefits provided by this article.

5. by a new plan or agreement. After the effective date of this article, a new plan or agreement with a carrier may be accepted by the CHAIR [chairman] as satisfying the obligation to provide for the payment of benefits under this article if such plan or agreement shall provide benefits at least as favorable as the disability AND FAMILY LEAVE bene-

fits provided by this article and does not require contributions of any employee or of any class or classes of employees in excess of the statutory amount provided in section two hundred nine, subdivision three, except by agreement and provided the contribution is reasonably related to the value of the benefits as determined by the [chairman] CHAIR. Any such plan or agreement shall continue until written notice filed with the [chairman] CHAIR of intention to terminate such plan or agreement, and any modification of such plan or agreement shall be subject to the written approval of the [chairman] CHAIR.

During any period in which any plan or agreement or extension thereof authorized under this subdivision provides for payment of benefits under this article, the responsibility of the employer and the obligations and benefits of the employees shall be as provided in said plan or agreement rather than as provided under this article, other than the benefits provided in section two hundred seven, and provided the employer or carrier has agreed to pay the assessments described in sections two hundred fourteen and two hundred twenty-eight.

7. PREMIUMS FOR POLICIES PROVIDING DISABILITY OR FAMILY LEAVE BENEFITS IN ACCORDANCE WITH THIS ARTICLE SHALL BE CALCULATED IN ACCORDANCE WITH APPLICABLE PROVISIONS OF THE INSURANCE LAW, INCLUDING SUBSECTION (N) OF SECTION FOUR THOUSAND TWO HUNDRED AND THIRTY-FIVE OF SUCH LAW.

8. AN EMPLOYER PROVIDING DISABILITY BENEFITS COVERAGE PURSUANT TO SUBDIVISION THREE OF THIS SECTION MAY OBTAIN COVERAGE FOR FAMILY LEAVE BENEFITS SEPARATELY PURSUANT TO SUBDIVISION ONE OR SUBDIVISION TWO OF THIS SECTION.

S 13. Subdivisions 1, 2, 4 and 5 of section 212 of the workers' compensation law, subdivision 1 as amended by chapter 740 of the laws of 1960, subdivision 2 as amended by chapter 120 of the laws of 1969, subdivision 4 as amended by chapter 205 of the laws of 1993, and subdivision 5 as added by chapter 593 of the laws of 1992, are amended to read as follows:

1. Any employer not required by this article to provide for the payment of disability OR FAMILY LEAVE benefits to his employees, or to any class or classes thereof, may become a covered employer or bring within the provisions of this article such employees or class or classes thereof by voluntarily electing to provide for payment of such benefits in one or more of the ways set forth in section two hundred eleven OF THIS ARTICLE; but such election shall be subject to the approval of the [chairman] CHAIR, and if the employees are required to contribute to the cost of such benefits the assent within thirty days before such approval is granted, of more than one-half of such employees shall be evidenced to the satisfaction of the [chairman] CHAIR. On approval by the [chairman] CHAIR of such election to provide benefits, all the provisions of this article shall become and continue applicable as if the employer were a covered employer as defined in this article. The obligation to continue as a covered employer with respect to employees for whom provision of benefits is not required under this article, may be discontinued by such employer on ninety days notice to the [chairman] CHAIR in writing and to his OR HER employees, after he OR SHE has provided for payment of benefits for not less than one year and with such provision for payment of obligations incurred on and prior to the termination date as the [chairman] CHAIR may approve.

2. Notwithstanding the definition of "employer" and "employment" in section two hundred one of this article, a public authority, a municipal corporation or a fire district or other political subdivision may become a covered employer FOR THE PURPOSE OF PROVIDING DISABILITY BENEFITS

under this article by complying with the provisions of subdivision one of this section and may discontinue such status only as provided in that subdivision.

4. (A) An executive officer of a corporation who at all times during the period involved owns all of the issued and outstanding stock of the corporation and holds all of the offices pursuant to paragraph (e) of section seven hundred fifteen of the business corporation law or two executive officers of a corporation who at all times during the period involved between them own all of the issued and outstanding stock of such corporation and hold all such offices provided, however, that each officer must own at least one share of stock and who is the executive officer or who are the executive officers of a corporation having other persons who are employees required to be covered under this article, shall be deemed to be included in the corporation's disability AND FAMILY LEAVE benefits insurance contract or covered by a certificate of self-insurance or a plan under section two hundred eleven of this article, unless the officer or officers elect to be excluded from the coverage of this article. Such election shall be made by any such corporation filing with the insurance carrier, or the chair of the workers' compensation board in the case of self-insurance, upon a form prescribed by the [chairman] CHAIR, a notice that the corporation elects to exclude the executive officer or officers of such corporation named in the notice from the coverage of this article. Such election shall be effective with respect to all policies issued to such corporation by such insurance carrier as long as it shall continuously insure the corporation. Such election shall be final and binding upon the executive officer or officers named in the notice until revoked by the corporation.

(B) NOTWITHSTANDING THE DEFINITION OF "EMPLOYER" IN SECTION TWO HUNDRED ONE OF THIS ARTICLE, A SOLE PROPRIETOR, MEMBER OF A LIMITED LIABILITY COMPANY OR LIMITED LIABILITY PARTNERSHIP, OR OTHER SELF-EMPLOYED PERSON MAY BECOME A COVERED EMPLOYER UNDER THIS ARTICLE BY COMPLYING WITH THE PROVISIONS OF SUBDIVISION ONE OF THIS SECTION.

5. A spouse who is an employee of a covered employer shall be deemed to be included in the employer's disability AND FAMILY LEAVE benefits insurance contract or covered by a certificate of self-insurance or a plan under section two hundred eleven of this article, unless the employer elects to exclude such spouse from the coverage of this article. Such election shall be made by any such employer filing with the insurance carrier, or the chair of the workers' compensation board in the case of self-insurance, upon a form prescribed by the chair, a notice that the employer elects to exclude such spouse named in the notice from the coverage of this article. Such election shall be effective with respect to all policies issued to such employer by such insurance carrier as long as it shall continuously insure the employer. Such election shall be final and binding upon the spouse named in the notice until revoked by the employer.

S 14. The workers' compensation law is amended by adding two new sections 212-a and 212-b to read as follows:

S 212-A. NOTWITHSTANDING THE DEFINITION OF "EMPLOYER" AND "EMPLOYMENT" SET FORTH IN SECTION TWO HUNDRED ONE OF THIS ARTICLE AND THE REQUIREMENT FOR INSURANCE POLICIES TO OFFER BOTH DISABILITY AND FAMILY LEAVE COVERAGE SET FORTH IN TWO HUNDRED TWENTY SIX OF THIS ARTICLE, THE STATE, ANY POLITICAL SUBDIVISION OF THE STATE, A PUBLIC AUTHORITY OR ANY OTHER GOVERNMENTAL AGENCY OR INSTRUMENTALITY, MAY ELECT TO BECOME A COVERED EMPLOYER SOLELY FOR THE PURPOSE OF FAMILY LEAVE BENEFITS. COVERAGE FOR

FAMILY LEAVE BENEFITS MAY BE SECURED BY A PUBLIC EMPLOYER, AS THAT TERM IS DEFINED IN SUBDIVISION ONE OF SECTION TWO HUNDRED TWELVE-B OF THIS ARTICLE, AS PERMITTED BY THIS ARTICLE, INCLUDING AS APPLICABLE SECTION TWO HUNDRED ELEVEN, SUBDIVISION FOUR OF SECTION FIFTY, OR SECTION EIGHTY-EIGHT-C. THE PROVIDER OF FAMILY LEAVE COVERAGE FOR SUCH PUBLIC EMPLOYEES SHALL BE EXEMPT FROM THE REQUIREMENT THAT INSURANCE POLICIES OFFER BOTH DISABILITY AND FAMILY LEAVE BENEFITS IN SECTION TWO HUNDRED TWENTY-SIX OF THIS ARTICLE.

S 212-B. PUBLIC EMPLOYEES; PUBLIC EMPLOYEES REPRESENTED BY AN EMPLOYEE ORGANIZATION; EMPLOYEE OPT IN.

1. FOR PURPOSES OF THIS SECTION, "PUBLIC EMPLOYEE" MEANS ANY EMPLOYEE OF THE STATE, ANY POLITICAL SUBDIVISION OF THE STATE, A PUBLIC AUTHORITY OR ANY OTHER GOVERNMENTAL AGENCY OR INSTRUMENTALITY. "PUBLIC EMPLOYER" MEANS THE STATE, ANY POLITICAL SUBDIVISION OF THE STATE, A PUBLIC AUTHORITY OR ANY OTHER GOVERNMENTAL AGENCY OR INSTRUMENTALITY THEREOF. "EMPLOYEE ORGANIZATION" SHALL HAVE THE SAME MEANING SET FORTH IN SECTION TWO HUNDRED ONE OF THE CIVIL SERVICE LAW.

2. PUBLIC EMPLOYERS SHALL PROVIDE BENEFITS FOR FAMILY LEAVE TO PUBLIC EMPLOYEES IN ACCORDANCE WITH THE PROCEDURES AND TERMS SET FORTH IN SUBDIVISION THREE OF THIS SECTION.

3. (A) AN EMPLOYEE ORGANIZATION MAY, PURSUANT TO COLLECTIVE BARGAINING, OPT IN TO PAID FAMILY LEAVE BENEFITS ON BEHALF OF THOSE PUBLIC EMPLOYEES IT IS EITHER CERTIFIED OR RECOGNIZED TO REPRESENT, WITHIN THE MEANING OF ARTICLE FOURTEEN OF THE CIVIL SERVICE LAW. NOTHING IN THIS SECTION SHALL PROHIBIT AN AGREEMENT TO OPT IN TO PAID FAMILY LEAVE BETWEEN THE EMPLOYEE ORGANIZATION AND ANY PUBLIC EMPLOYER. AN EMPLOYEE ORGANIZATION THAT HAS OPTED IN TO PAID FAMILY LEAVE BENEFITS MAY, PURSUANT TO COLLECTIVE BARGAINING, OPT OUT OF IT AS IS MUTUALLY AGREED UPON BETWEEN THE EMPLOYEE ORGANIZATION AND ANY PUBLIC EMPLOYER.

B. FOR PUBLIC EMPLOYEES WHO ARE NOT REPRESENTED BY AN EMPLOYEE ORGANIZATION, THE PUBLIC EMPLOYER MAY OPT-IN TO PAID FAMILY LEAVE BENEFITS WITHIN NINETY DAYS NOTICE TO SUCH PUBLIC EMPLOYEES. FOLLOWING OPT-IN BY A PUBLIC EMPLOYER FOR PUBLIC EMPLOYEES NOT REPRESENTED BY AN EMPLOYEE ORGANIZATION, THE PUBLIC EMPLOYER MAY OPT-OUT OF PAID FAMILY LEAVE BENEFITS WITH TWELVE MONTHS NOTICE TO THOSE PUBLIC EMPLOYEES.

4. IN THE ABSENCE OF ANY CONTRARY STATEMENT IN A COLLECTIVELY NEGOTIATED AGREEMENT UNDER ARTICLE FOURTEEN OF THE CIVIL SERVICE LAW, A PUBLIC EMPLOYER MAY REQUIRE PUBLIC EMPLOYEES WHO OPT IN UNDER THIS SECTION TO PROVIDE THE MAXIMUM EMPLOYEE CONTRIBUTION, AS DEFINED IN PARAGRAPH (B) OF SUBDIVISION THREE OF SECTION TWO HUNDRED NINE OF THIS ARTICLE.

S 15. Subdivision 1 of section 213 of the workers' compensation law, as amended by chapter 784 of the laws of 1980, is amended and a new subdivision 3 is added to read as follows:

1. Whenever a covered employer does not comply with this article by providing for the payment of disability AND FAMILY LEAVE benefits to his OR HER employees in one or more of the ways provided in section two hundred eleven OF THIS ARTICLE or whenever a carrier fails to pay the benefits required by this article to employees of a covered employer, then such employer shall be fully and directly liable to each of his OR HER employees for the payment of benefits provided by this article. The amount of the benefits to which employees of such employers are entitled under this article and attendance fees of [their] ANY attending physicians or attending podiatrists OR HEALTH CARE PROVIDER fixed pursuant to subdivision two of section two hundred thirty-two OF THIS ARTICLE shall, on order of the [chairman] CHAIR, be paid out of the fund established under section two hundred fourteen OF THIS ARTICLE. In case of non-com-

pliance of the employer, such employer shall forthwith pay to the [chairman] CHAIR, for credit to the fund, the sum so expended or one [per cent] PERCENT of his OR HER payroll for his OR HER employees in employment during the period of non-compliance, whichever is greater; provided, however, that if it shall appear to the satisfaction of the [chairman] CHAIR that the default in payment of benefits or the non-compliance of the employer otherwise with his OR HER obligation under this article was inadvertent, the [chairman] CHAIR may fix the sum payable in such case for non-compliance or default at the amount paid out of the fund and a sum less than one [per cent] PERCENT of such payroll, and in addition the penalties for non-compliance imposed under this article. In case of failure of the carrier to pay benefits, the employer shall forthwith pay to the [chairman] CHAIR, for credit to the fund, the sum so expended.

3. THE PROVISIONS OF SECTION ONE HUNDRED FORTY-ONE-B OF THIS CHAPTER SHALL NOT APPLY TO VIOLATIONS OF THIS SECTION AFTER JANUARY FIRST, TWO THOUSAND EIGHTEEN AND BEFORE JANUARY FIRST, TWO THOUSAND TWENTY. THEREAFTER, IN THE EVENT AN EMPLOYER IS SUBJECT TO DEBARMENT SOLELY DUE TO A PENALTY FOR VIOLATION OF THIS SECTION, THE CHAIR MAY, IN THE INTERESTS OF JUSTICE, RESTORE THE EMPLOYER'S ELIGIBILITY TO SUBMIT A BID ON OR BE AWARDED ANY PUBLIC WORK CONTRACT OR SUBCONTRACT. THE CHAIR MAY EXERCISE THIS AUTHORITY ONLY IF IT IS THE EMPLOYER'S FIRST TIME VIOLATION OF SECTION ONE HUNDRED FORTY-ONE-B OF THIS CHAPTER; THE EMPLOYER IS NOT LIABLE FOR ANY OUTSTANDING WORKERS' COMPENSATION, DISABILITY OR FAMILY LEAVE CLAIMS AS A RESULT OF THE LACK OF COVERAGE; AND THE EMPLOYER HAS PAID ALL FINES, ASSESSMENTS, AND PENALTIES ASSOCIATED WITH THE LACK OF COVERAGE.

S 16. Section 217 of the workers' compensation law, as added by chapter 600 of the laws of 1949, subdivision 1 as amended by chapter 167 of the laws of 1999, subdivisions 2 and 3 as amended by chapter 270 of the laws of 1990, and subdivision 6 as amended by chapter 344 of the laws of 1994, is amended to read as follows:

S 217. Notice and proof of claim. 1. Written notice and proof of disability OR PROOF OF NEED FOR FAMILY LEAVE shall be furnished to the employer by or on behalf of the employee claiming benefits or, in the case of a claimant under section two hundred seven of this article, to the chair, within thirty days after commencement of the period of disability. Additional proof shall be furnished thereafter from time to time as the employer or carrier or chair may require but not more often than once each week. Such proof shall include a statement of disability by the employee's attending physician or attending podiatrist or attending chiropractor or attending dentist or attending psychologist or attending certified nurse midwife OR FAMILY LEAVE CARE RECIPIENT'S HEALTH CARE PROVIDER, or in the case of an employee who adheres to the faith or teachings of any church or denomination, and who in accordance with its creed, tenets or principles depends for healing upon prayer through spiritual means alone in the practice of religion, by an accredited practitioner, containing facts and opinions as to such disability in compliance with regulations of the chair. Failure to furnish notice or proof within the time and in the manner above provided shall not invalidate the claim but no benefits shall be required to be paid for any period more than two weeks prior to the date on which the required proof is furnished unless it shall be shown to the satisfaction of the chair not to have been reasonably possible to furnish such notice or proof and that such notice or proof was furnished as soon as possible; provided, however, that no benefits shall be paid unless the required proof of

disability is furnished within [twenty-six weeks after commencement of the period of disability] THE PERIOD OF ACTUAL DISABILITY OR FAMILY LEAVE THAT DOES NOT EXCEED THE STATUTORY MAXIMUM PERIOD PERMITTED UNDER SECTION TWO HUNDRED FOUR OF THIS ARTICLE. No limitation of time provided in this section shall run as against any [person] DISABLED EMPLOYEE who is mentally incompetent, or physically incapable of providing such notice as a result of a serious medical condition, or a minor so long as such person has no guardian of the person and/or property.

2. An employee claiming DISABILITY benefits shall, as requested by the employer or carrier, submit himself or herself at intervals, but not more than once a week, for examination by a physician or podiatrist or chiropractor or dentist or psychologist or certified nurse midwife designated by the employer or carrier. All such examinations shall be without cost to the employee and shall be held at a reasonable time and place.

3. The chair OR CHAIR'S DESIGNEE, PURSUANT TO SECTION TWO HUNDRED TWENTY-ONE OF THIS ARTICLE, may direct the claimant OR FAMILY LEAVE CARE RECIPIENT to submit to examination by a [physician or podiatrist or chiropractor or dentist or psychologist] HEALTH CARE PROVIDER designated by him or her in any case in which the claim to disability OR FAMILY LEAVE benefits is contested and in claims arising under section two hundred seven OF THIS ARTICLE, and in other cases as the chair or board may require.

4. Refusal of the claimant OR FAMILY LEAVE CARE RECIPIENT without good cause to submit to any such examination shall disqualify [him] THE CLAIMANT OR EMPLOYEE from all benefits hereunder for the period of such refusal, except as to benefits already paid.

5. If benefits required to be paid by this article have been paid to an employee, further payments for the same disability OR FAMILY LEAVE shall not be barred solely because of failure to give notice or to file proof of disability for the period or periods for which such benefits have been paid.

6. In the event that a claim for DISABILITY benefits is rejected, the carrier or employer shall send by first class mail written notice of rejection to the [claimant] EMPLOYEE within forty-five days of receipt of proof of disability. Failure to mail such written notice of rejection within the time provided, shall bar the employer or carrier from contesting entitlement to benefits for any period of disability prior to such notice but such failure may be excused by the [chairman] CHAIR if it can be shown to the satisfaction of the [chairman] CHAIR not to have been reasonably possible to mail such notice and that such notice was mailed as soon as possible. Such notice shall include a statement, in a form prescribed by the [chairman] CHAIR, to the effect that the [claimant] EMPLOYEE may, for the purpose of review [by the board], file [with the chairman] notice that his or her claim has not been paid AS SET FORTH IN SECTION TWO HUNDRED TWENTY-ONE OF THIS ARTICLE.

S 17. Section 219 of the workers' compensation law, as amended by chapter 688 of the laws of 1953, is amended to read as follows:

S 219. Enforcement of payment in default. In case of a default in the payment of any benefits, assessments or penalties payable under this article by an employer who has failed to comply with the provisions of section two hundred eleven of this [chapter] ARTICLE or refusal of such employer to reimburse the fund under section two hundred fourteen OF THIS ARTICLE for the expenditures made therefrom pursuant to section two hundred thirteen OF THIS ARTICLE or to deposit within ten days after demand the estimated value of benefits not presently payable, the

[chairman] CHAIR may file with the county clerk for the county in which the employer has his principal place of business (1) a certified copy of the decision of the board, OR ALTERNATIVE DISPUTE RESOLUTION ASSOCIATION DESIGNATED BY THE CHAIR PURSUANT TO SECTION TWO HUNDRED TWENTY-ONE OF THIS ARTICLE, or order of the [chairman] CHAIR, or (2) a certified copy of the demand for deposit of security, and thereupon judgment must be entered in the supreme court by the clerk of such county in conformity therewith immediately upon such filing.

S 18. Section 220 of the workers' compensation law, as added by chapter 600 of the laws of 1949, subdivision 1 as amended by chapter 387 of the laws of 1984, subdivision 2 as amended by chapter 626 of the laws of 1979, subdivision 3 as amended by chapter 415 of the laws of 1983, subdivision 4 as amended by chapter 645 of the laws of 1981, subdivision 5 as amended by chapter 940 of the laws of 1973, subdivision 7 as amended by chapter 61 of the laws of 1989 and subdivision 8 as amended by chapter 213 of the laws of 1993, is amended to read as follows:

S 220. Penalties. 1. Any employer who fails to make provision for payment of disability OR FAMILY LEAVE benefits as required by section two hundred eleven of this article within ten days following the date on which such employer becomes a covered employer as defined in section two hundred two OF THIS ARTICLE shall be guilty of a misdemeanor and upon conviction be punishable by a fine of not less than one hundred nor more than five hundred dollars or imprisonment for not more than one year or both, except that where any person has previously been convicted of a failure to make provisions for payment of disability OR FAMILY LEAVE benefits within the preceding five years, upon conviction for a second violation such person shall be fined not less than two hundred fifty nor more than one thousand two hundred fifty dollars in addition to any other penalties including fines otherwise provided by law, and upon conviction for a third or subsequent violation such person may be fined up to two thousand five hundred dollars in addition to any other penalties including fines otherwise provided by law. Where the employer is a corporation, the president, secretary, treasurer, or officers exercising corresponding functions, shall each be liable under this section.

2. The [chairman] CHAIR or any officer of the board designated by him OR HER, upon finding that an employer has failed to make provision for the payment of disability OR FAMILY LEAVE benefits, shall impose upon such employer a penalty not in excess of a sum equal to one-half of one per centum of his OR HER weekly payroll for the period of such failure and a further sum not in excess of five hundred dollars, which sums shall be paid into the fund created under section two hundred fourteen OF THIS ARTICLE.

3. If for the purpose of obtaining any benefit or payment under the provisions of this article, or for the purpose of influencing any determination regarding any benefit payment, either for himself OR HERSELF or any other person, any person, employee, employer or carrier wilfully makes a false statement or representation or fails to disclose a material fact, he OR SHE shall be guilty of a misdemeanor.

4. Whenever a carrier shall fail to make prompt payment of disability OR FAMILY LEAVE benefits payable under this article and after hearing before an officer designated by the [chairman] CHAIR OR A DETERMINATION BY THE CHAIR'S DESIGNEE, PURSUANT TO SECTION TWO HUNDRED TWENTY-ONE OF THIS ARTICLE, for that purpose, the [chairman] CHAIR OR DESIGNEE shall determine that failure to make such prompt payment was without just cause, the [chairman] CHAIR OR DESIGNEE, PURSUANT TO SECTION TWO HUNDRED TWENTY-ONE OF THIS ARTICLE, shall collect from the carrier a sum not in

excess of twenty-five per centum of the amount of the benefits as to which the carrier failed to make payment, which sum shall be credited to the special fund for disability benefits. In addition, the [chairman] CHAIR OR DESIGNEE, PURSUANT TO SECTION TWO HUNDRED TWENTY-ONE OF THIS ARTICLE, may collect and pay over to the employee the sum of ten dollars in respect to each week, or fraction thereof, for which benefits have not been promptly paid.

5. In addition to other penalties herein provided, the [chairman] CHAIR OR DESIGNEE shall remove from the list of physicians authorized to render medical care under the provisions of articles one to eight, inclusive, of this chapter and from the list of podiatrists authorized to render podiatric care under section thirteen-k of this chapter, and from the list of chiropractors authorized to render chiropractic care under section thirteen-l of this chapter the name of any physician or podiatrist or chiropractor whom [he] THE CHAIR OR DESIGNEE, PURSUANT TO SECTION TWO HUNDRED TWENTY-ONE OF THIS ARTICLE, shall find, after reasonable investigation, has submitted to the employer or carrier or [chairman] CHAIR in connection with any claim for disability benefits under this article, a statement of disability that is not truthful and complete.

6. In addition to other penalties herein provided, any person who for the purpose of obtaining any benefit or payment under this article or for the purpose of influencing any determination regarding any benefit payment, knowingly makes a false statement with regard to a material fact, shall not be entitled to receive benefits with respect to the disability claimed or any disability benefits during the period of twelve calendar months thereafter; but this penalty shall not be applied more than once with respect to each such offense.

7. All fines imposed under subdivisions one and three OF THIS SECTION, except as herein otherwise provided, shall be paid directly and immediately by the officer collecting the same to the chair, and be paid into the state treasury, provided, however, that all such fines collected by justices of the peace of towns and police justices of villages shall be paid to the state comptroller in accordance with the provisions of section twenty-seven of the town law [and section one hundred eighty-five of the village law, respectively].

8. (a) The head of a state or municipal department, board, commission or office authorized or required by law to issue any permit for or in connection with any work involving the employment of employees in employment as defined in this article, and notwithstanding any general or special statute requiring or authorizing the issue of such permits, shall not issue such permit unless proof duly subscribed by an insurance carrier is produced in a form satisfactory to the chair, that the payment of disability benefits AND AFTER JANUARY FIRST, TWO THOUSAND TWENTY-ONE, THE PAYMENT OF FAMILY LEAVE BENEFITS for all employees has been secured as provided by this article. Nothing herein, however, shall be construed as creating any liability on the part of such state or municipal department, board, commission or office to pay any disability benefits to any such employee if so employed.

(b) The head of a state or municipal department, board, commission or office authorized or required by law to enter into any contract for or in connection with any work involving the employment of employees in employment as defined in this article, and notwithstanding any general or special statute requiring or authorizing any such contract, shall not enter into any such contract unless proof duly subscribed by an insurance carrier is produced in a form satisfactory to the chair, that the

payment of disability benefits AND AFTER JANUARY FIRST, TWO THOUSAND EIGHTEEN, THE PAYMENT OF FAMILY LEAVE BENEFITS for all employees has been secured as provided by this article.

S 19. Section 221 of the workers' compensation law, as separately amended by chapters 425 and 500 of the laws of 1985, is amended to read as follows:

S 221. Determination of contested claims for disability AND FAMILY LEAVE benefits. [Within twenty-six weeks] IN ACCORDANCE WITH REGULATIONS ADOPTED BY THE CHAIR, WITHIN TWENTY-SIX WEEKS of written notice of rejection of claim, the employee may file with the [chairman] CHAIR a notice that his or her claim for disability OR FAMILY LEAVE benefits has not been paid, and the employee shall submit proof of disability OR ENTITLEMENT TO FAMILY LEAVE and of his or her employment, wages and other facts reasonably necessary for determination of the employee's right to such benefits. Failure to file such notice within the time provided, may be excused [by the chairman] if it can be shown [to the satisfaction of the chairman] not to have been reasonably possible to furnish such notice and that such notice was furnished as soon as possible. On demand [of the chairman] the employer or carrier shall forthwith deliver to the [chairman] BOARD the original or a true copy of the [attending physician's or attending podiatrist's or accredited practitioner's statement] HEALTH CARE PROVIDER'S REPORT, wage and employment data and all other [papers] DOCUMENTATION in the possession of the employer or carrier with respect to such claim.

The [board] CHAIR OR DESIGNEE, shall have full power and authority to determine all issues in relation to every such claim for disability benefits required or provided under this article, and shall file its decision in the office of the chairman. Upon such filing, the chairman shall send to the parties a copy of the decision. Either party may present evidence and be represented by counsel at any hearing on such claim. The decision of the board shall be final as to all questions of fact and, except as provided in section twenty-three of this chapter, as to all questions of law. Every decision [of the board] shall be complied with in accordance with its terms within ten days thereafter except [in case of appeal] AS PERMITTED BY LAW UPON THE FILING OF A REQUEST FOR REVIEW, and any payments due under such decision shall draw simple interest from thirty days after the making thereof at the rate provided in section five thousand four of the civil practice law and rules. THE CHAIR SHALL ADOPT RULES AND REGULATIONS TO CARRY OUT THE PROVISIONS OF THIS ARTICLE INCLUDING BUT NOT LIMITED TO RESOLUTION OF CONTESTED CLAIMS AND REQUESTS FOR REVIEW THEREOF, AND PAYMENT OF COSTS FOR RESOLUTION OF DISPUTED CLAIMS BY CARRIERS. ANY DESIGNATED PROCESS SHALL AFFORD THE PARTIES THE OPPORTUNITY TO PRESENT EVIDENCE AND TO BE REPRESENTED BY COUNSEL IN ANY SUCH PROCEEDING. THE CHAIR SHALL HAVE THE AUTHORITY TO PROVIDE FOR ALTERNATIVE DISPUTE RESOLUTION PROCEDURES FOR CLAIMS ARISING UNDER FAMILY LEAVE, INCLUDING BUT NOT LIMITED TO REFERRAL AND SUBMISSION OF DISPUTED CLAIMS TO A NEUTRAL ARBITRATOR UNDER THE AUSPICES OF AN ALTERNATIVE DISPUTE RESOLUTION ASSOCIATION PURSUANT TO ARTICLE SEVENTY-FIVE OF THE CIVIL PRACTICE LAW AND RULES. NEUTRAL ARBITRATOR SHALL MEAN AN ARBITRATOR WHO DOES NOT HAVE A MATERIAL INTEREST IN THE OUTCOME OF THE ARBITRATION PROCEEDING OR AN EXISTING AND SUBSTANTIAL RELATIONSHIP, INCLUDING BUT NOT LIMITED TO PECUNIARY INTERESTS, WITH A PARTY, COUNSEL OR REPRESENTATIVE OF A PARTY. ANY DETERMINATION MADE BY ALTERNATIVE DISPUTE RESOLUTION SHALL NOT BE REVIEWABLE BY THE BOARD AND THE VENUE FOR ANY APPEAL SHALL BE TO A COURT OF COMPETENT JURISDICTION.

S 20. Section 222 of the workers' compensation law, as added by chapter 600 of the laws of 1949, is amended to read as follows:

S 222. Technical rules of evidence or procedure not required. The [chairman or] CHAIR, the board OR THE CHAIR'S DESIGNEE, PURSUANT TO SECTION TWO HUNDRED TWENTY-ONE OF THIS ARTICLE, in making an investigation or inquiry or conducting a hearing shall not be bound by common law or statutory rules of evidence or by technical or formal rules of procedure, except as provided by this chapter; but may make such investigation or inquiry or conduct such hearing in such manner as to ascertain the substantial rights of the parties.

S 21. Sections 223 and 224 of the workers' compensation law, section 223 as added by chapter 600 of the laws of 1949, section 224 as amended by chapter 334 of the laws of 1978, are amended to read as follows:

S 223. Modification of board decisions or orders. Upon its own motion or upon the application of any party in interest, the board may at any time review any decision or order REGARDING DISABILITY BENEFITS and, on such review, may make a decision ending, diminishing or increasing the DISABILITY benefits previously ordered, and shall state the reason therefor. Upon the filing of such decision REGARDING DISABILITY BENEFITS, the [chairman] CHAIR shall send to each of the parties a copy thereof. No such review shall affect any previous decision as regards any moneys REGARDING DISABILITY BENEFITS already paid, except that a decision increasing the DISABILITY benefit rate may be made effective from date of commencement of disability, and except that, if any part of the DISABILITY benefits due is unpaid, a decision decreasing the DISABILITY benefit rate may be made effective from the commencement of disability, and any payments made prior thereto in excess of such decreased rate shall be deducted from future DISABILITY benefits in such manner and by such method as may be determined by the board.

S 224. Appeals. All the provisions of section twenty-three of this chapter with respect to decisions of the board and appeals from such decisions shall be applicable to decisions of the board [under this article] REGARDING DISABILITY BENEFITS and to appeals from such decisions REGARDING DISABILITY BENEFITS as fully in all respects as if the provisions of section twenty-three OF THIS CHAPTER were fully set forth in this article except that reimbursement FOR DISABILITY BENEFITS, if required, following modification or rescission upon appeal shall be paid from administrative expenses as provided in section two hundred twenty-eight of this article.

S 22. Section 225 of the workers' compensation law, as added by chapter 600 of the laws of 1949, is amended to read as follows:

S 225. Fees for representing employees. Claims of attorneys and counsellors-at-law for services in connection with any contested claim arising under this article shall not be enforceable unless approved by the board. If so approved, such fee or fees shall become a lien upon the benefits ordered, but shall be paid therefrom only in the manner fixed by the board OR THE ALTERNATIVE DISPUTE RESOLUTION ASSOCIATION. Any other person, firm, corporation, organization, or other association who shall exact or receive any fee or gratuity for any services rendered on behalf of an employee except in an amount SO determined [by the board] shall be guilty of a misdemeanor. Any person, firm, corporation, organization, or association who shall solicit the business [of appearing before the board on behalf] of an employee claiming benefits under this article, or who shall make it a business to solicit employment for a lawyer in connection with any claim for disability OR FAMILY LEAVE benefits under this article, or who shall exact or receive any fee or gratu-

ity or other charge with respect to the collection of any uncontested claim for disability OR FAMILY LEAVE benefits, shall be guilty of a misdemeanor.

S 23. Subdivision 5 of section 226 of the workers' compensation law, as amended by chapter 211 of the laws of 1983, is amended and three new subdivisions 7, 8 and 9 are added to read as follows:

5. No contract of insurance issued by an insurance carrier providing the benefits to be paid under this article shall be cancelled within the time limited in such contract for its expiration unless notice is given as required by this section. When cancellation is due to non-payment of premiums such cancellation shall not be effective until at least ten days after a notice of cancellation of such contract, on a date specified in such notice, shall be filed in the office of the [chairman] CHAIR and also served on the employer. When cancellation is due to any reason other than non-payment of premiums such cancellation shall not be effective until at least thirty days after a notice of cancellation of such contract, on a date specified in such notice, shall be filed in the office of the [chairman] CHAIR and also served on the employer; provided, however, in either case that if insurance with another insurance carrier has been obtained which becomes effective prior to the expiration of the time stated in such notice, the cancellation shall be effective as of the date of such other coverage. Such notice shall be served on the employer [by] AS PRESCRIBED BY THE CHAIR, INCLUDING delivering it to him [or by sending it by certified or registered mail, return receipt requested, addressed to the employer at his or its last known place of business] OR HER BY ELECTRONIC MEANS; provided that, if the employer be a partnership, then such notice may be given to any one of the partners, and if the employer be a corporation then the notice may be given to any agent or officer of the corporation upon whom legal process may be served, provided, however, the right to cancellation of a policy of insurance in the state fund shall be exercised only for nonpayment of premiums or as provided in section ninety-four of this chapter.

7. THE CHAIR MAY REQUIRE BY REGULATION THAT EVERY POLICY OF FAMILY LEAVE INSURANCE CONTAIN A PROVISION REQUIRING THAT ALL DISPUTES BE RESOLVED BY DESIGNATED ALTERNATIVE DISPUTE RESOLUTION PROCESS IN ACCORDANCE WITH SUCH REGULATIONS.

8. PREMIUMS FOR POLICIES PROVIDING DISABILITY OR FAMILY LEAVE BENEFITS IN ACCORDANCE WITH THIS ARTICLE SHALL BE CALCULATED IN ACCORDANCE WITH APPLICABLE PROVISIONS OF THE INSURANCE LAW, INCLUDING SUBSECTION (N) OF SECTION FOUR THOUSAND TWO HUNDRED THIRTY-FIVE OF SUCH LAW.

9. EXCEPT AS SET FORTH IN SUBDIVISION EIGHT OF SECTION TWO HUNDRED ELEVEN OF THIS ARTICLE, EVERY POLICY OF INSURANCE ISSUED PURSUANT TO THIS ARTICLE MUST OFFER COVERAGE FOR BOTH DISABILITY AND FAMILY LEAVE BENEFITS.

S 24. The section heading of section 227 of the workers' compensation law, as amended by chapter 805 of the laws of 1984, is amended to read as follows:

Actionable injuries IN CLAIMS FOR DISABILITY BENEFITS; subrogation.

S 25. Intentionally omitted.

S 26. Section 229 of the workers' compensation law, as amended by chapter 271 of the laws of 1985, is amended to read as follows:

S 229. Posting of notice and providing of notice of rights. 1. Each covered employer shall post and maintain in a conspicuous place or places in and about the employer's place or places of business typewritten or printed notices in form prescribed by the [chairman] CHAIR, stating

that the employer has provided for the payment of disability AND FAMILY LEAVE benefits as required by this article. The [chairman] CHAIR may require any covered employer to furnish a written statement at any time showing the carrier insuring the payment of benefits under this article or the manner in which such employer has complied with section two hundred eleven OF THIS ARTICLE or any other provision of this article. Failure for a period of ten days to furnish such written statement shall constitute presumptive evidence that such employer has neglected or failed in respect of any of the matters so required.

2. Whenever an employee of a covered employer who is eligible for benefits under section two hundred four of this article shall be absent from work due to a disability OR TO PROVIDE FAMILY LEAVE as defined in subdivision nine AND SUBDIVISION FIFTEEN RESPECTIVELY, of section two hundred one of this article for more than seven consecutive days, the employer shall provide the employee with a written statement of the employee's rights under this article in a form prescribed by the [chairman] CHAIR. The statement shall be provided to the employee within five business days after the employee's seventh consecutive day of absence due to disability OR FAMILY LEAVE or within five business days after the employer [knows or should know] HAS RECEIVED NOTICE that the employee's absence is due to disability OR FAMILY LEAVE, whichever is later.

S 27. Section 232 of the workers' compensation law, as amended by chapter 270 of the laws of 1990, is amended to read as follows:

S 232. Fees FOR TESTIMONY of physicians, podiatrists, chiropractors, dentists [and], psychologists AND HEALTH CARE PROVIDERS. Whenever his or her attendance at a hearing, DEPOSITION OR ARBITRATION before the board or [its referees] THE CHAIR'S DESIGNEE, PURSUANT TO SECTION TWO HUNDRED TWENTY-ONE OF THIS ARTICLE, is required, the attending physician or attending podiatrist or attending chiropractor or attending dentist or attending psychologist or attending certified nurse midwife of the disabled employee, except such physicians as are disqualified from testifying pursuant to subdivision one of section thirteen-b, or section nineteen-a of this chapter, and except such podiatrists as are disqualified from testifying under the provisions of section thirteen-k, and except such chiropractors as are disqualified from testifying under the provisions of section thirteen-l, and except such psychologists as are disqualified from testifying under the provisions of section thirteen-m, OR HEALTH CARE PROVIDER shall be entitled to receive a fee [from the carrier or the fund established under section two hundred fourteen, in an amount as directed and fixed by the board, or its referees, and such fee shall be in addition to any witness fee] IN ACCORDANCE WITH REGULATIONS OF THE CHAIR.

S 28. Section 237 of the workers' compensation law, as added by chapter 600 of the laws of 1949, is amended to read as follows:

S 237. Reimbursement for advance payments by employers. If an employer has made advance payments of benefits or has made payments to an employee in like manner as wages during any period of disability OR FAMILY LEAVE for which such employee is entitled to the benefits provided by this article, he OR SHE shall be entitled to be reimbursed by the carrier out of any benefits due or to become due for the existing disability OR FAMILY LEAVE, if THE claim for reimbursement is filed with the carrier prior to payment of the benefits BY THE CARRIER.

S 29. Intentionally omitted.

S 30. Section 239 of the workers' compensation law, as added by chapter 600 of the laws of 1949, is amended to read as follows:

S 239. Representation before the board. Any person, firm, or corporation licensed by the board under section twenty-four-a OF THIS ARTICLE or subdivision three-b of section fifty OF THIS CHAPTER shall be deemed to be authorized to appear in behalf of claimants or self insured employers, as the case may be, in contested disability OR FAMILY LEAVE claims under this article.

S 31. The section heading and the opening paragraph of section 120 of the workers' compensation law, as amended by chapter 61 of the laws of 1989, are amended to read as follows:

Discrimination against employees [who bring proceedings]. It shall be unlawful for any employer or his or her duly authorized agent to discharge OR FAIL TO REINSTATE PURSUANT TO SECTION TWO HUNDRED THREE-B OF THIS CHAPTER, or in any other manner discriminate against an employee as to his or her employment because such employee has claimed or attempted to claim compensation from such employer, OR CLAIMED OR ATTEMPTED TO CLAIM ANY BENEFITS PROVIDED UNDER THIS CHAPTER or because he or she has testified or is about to testify in a proceeding under this chapter and no other valid reason is shown to exist for such action by the employer.

S 32. Subdivision 2 of section 76 of the workers' compensation law, as added by chapter 600 of the laws of 1949, is amended to read as follows:

2. The purposes of the state insurance fund herein created are hereby enlarged to provide [for the] insurance [by the state insurance fund of] FOR the payment of the benefits required by section two hundred four of this chapter INCLUDING BENEFITS FOR FAMILY LEAVE. A separate fund is hereby created within the state insurance fund, which shall be known as the "disability benefits fund", and which shall consist of all premiums received and paid into said fund on account of such insurance, all securities acquired by and through the use of moneys belonging to said fund and of interest earned upon moneys belonging to said fund and deposited or invested as herein provided. Said disability benefits fund shall be applicable to the payment of benefits, expenses and assessments on account of insurance written pursuant to article nine of this chapter. PREMIUMS FOR POLICIES PROVIDING DISABILITY AND FAMILY LEAVE BENEFITS IN ACCORDANCE WITH THIS ARTICLE SHALL BE CALCULATED IN ACCORDANCE WITH APPLICABLE PROVISIONS OF THE INSURANCE LAW, INCLUDING SUBSECTION (N) OF SECTION FOUR THOUSAND TWO HUNDRED THIRTY-FIVE OF SUCH LAW. THE STATE INSURANCE FUND SHALL HAVE AUTHORITY TO DISCOUNT OR SURCHARGE ON ESTABLISHED PREMIUM RATES BASED ON SOUND ACTUARIAL PRINCIPLES.

S 33. Section 88-c of the workers' compensation law, as added by chapter 103 of the laws of 1981, is amended to read as follows:

S 88-c. Coverage of state employees. Notwithstanding any other provisions of law to the contrary AND EXCEPT AS SET FORTH IN SECTION TWO HUNDRED AND TWELVE-A OF THIS CHAPTER, the liability of the state for the payment of compensation under this chapter heretofore existing or hereinafter arising shall be secured by an insuring agreement to be entered into between the department of civil service and the state insurance fund wherein the state, from moneys appropriated therefor, shall pay in advance to the fund on a periodic basis the actual costs to the fund for the meeting and paying, as the same become due and payable, all obligations incurred under this chapter by the state as an employer. Notwithstanding any law to the contrary, the fund may on an actuarially sound basis provide to the state insurance for any portion of the obligations of the state as employer under this chapter with respect to injuries or deaths resulting from accidents arising out of and in the course of employment on or after April first, nineteen hundred eighty-

one. All such payments made by the state and paid into the state fund shall constitute a separate account in the fund to be used solely for the purpose of discharging all compensation obligations of the state pursuant to the provisions of this chapter and in accordance with the insuring agreement as provided in this section. Any portion of the account may be invested in the same manner as the assets of the fund as provided in section eighty-seven of this article. The liability of the fund for the payment of any claims or the meeting of any obligations of the state as an employer as provided in this chapter shall not exceed the moneys paid into such separate account and any increments or diminutions thereof. The agreement shall further provide that the fund shall render all services and make all reasonable expenditures necessary or required for the processing, defense and payment of all claims under this chapter, including the protection of liens, subrogation, credit and other rights of the state as an employer or the fund as an insurer, in situations where the employees' injuries or deaths were caused by culpability of third parties. Except to the extent that the state obtains insurance on an actuarially sound basis pursuant to the provisions of this section, the provisions of section eighty-six of this chapter with respect to the maintenance of reserves for the purpose of meeting anticipated compensation losses, shall not in any manner be applicable to claims of employees of the state with respect to injuries or deaths resulting from accidents arising out of and in the course of employment prior to April first, nineteen hundred eighty-one, or to an insuring agreement entered into between the state insurance fund and the department of civil service in accordance with the provisions of this section.

S 34. Subdivision 1 of section 141-a of the workers' compensation law, as added by chapter 6 of the laws of 2007, is amended to read as follows:

1. To investigate violations of sections fifty-two [and], one hundred thirty-one AND TWO HUNDRED THIRTEEN of this chapter, the chair or his or her designees shall have the power to:

(a) Enter and inspect any place of business at any reasonable time for the purpose of investigating employer compliance.

(b) Examine and copy business records.

(c) Administer oaths and affirmations.

(d) Issue and serve subpoenas for attendance of witnesses or production of business records, books, papers, correspondence, memoranda, and other records. Such subpoenas may be served without the state on any defendant over whom a New York court would have personal jurisdiction under the civil practice law and rules as to the subject matter under investigation, provided the information or testimony sought bears a reasonable relationship to the subject matter under investigation.

S 35. Section 318 of the workers' compensation law, as added by chapter 788 of the laws of 1951, is amended to read as follows:

S 318. Rules of evidence; modification of board decisions or orders; appeals. The provisions of [sections] SECTION two hundred twenty-two [, two hundred twenty-three and two hundred twenty-four] OF THIS CHAPTER are made applicable to claims for compensation under this article.

S 36. Paragraph 3 of subsection (a) of section 1113 of the insurance law is amended to read as follows:

(3) "Accident and health insurance," means (i) insurance against death or personal injury by accident or by any specified kind or kinds of accident and insurance against sickness, ailment or bodily injury, including insurance providing disability AND FAMILY LEAVE benefits pursuant to article nine of the workers' compensation law, except as

specified in item (ii) hereof; and (ii) non-cancellable disability insurance, meaning insurance against disability resulting from sickness, ailment or bodily injury (but excluding insurance solely against accidental injury) under any contract which does not give the insurer the option to cancel or otherwise terminate the contract at or after one year from its effective date or renewal date.

S 37. Paragraphs 1 and 4 of subsection (h) of section 4235 of the insurance law are amended and a new subsection (n) is added to read as follows:

(1) Each domestic insurer and each foreign or alien insurer doing business in this state shall file with the superintendent its schedules of premium rates, rules and classification of risks for use in connection with the issuance of its policies of group accident, group health or group accident and health insurance, and of its rates of commissions, compensation or other fees or allowances to agents and brokers pertaining to the solicitation or sale of such insurance and of such fees or allowances, exclusive of amounts payable to persons who are in the regular employ of the insurer, other than as agent or broker to any individuals, firms or corporations pertaining to such class of business, whether transacted within or without the state. A GROUP ACCIDENT AND HEALTH INSURANCE POLICY PROVIDING DISABILITY AND FAMILY LEAVE BENEFITS PURSUANT TO ARTICLE NINE OF THE WORKERS' COMPENSATION LAW SHALL BE SUBJECT TO THE REQUIREMENTS OF SUBSECTION (N) OF THIS SECTION.

(4) Nothing herein shall prohibit the state insurance fund from taking into account peculiar hazards of individual risks in establishing higher premium rates to be charged for insurance providing for the payment of disability [or] AND FAMILY LEAVE benefits in accordance with article nine of the workers' compensation law.

(N)(1) ON OR BEFORE JUNE FIRST, TWO THOUSAND SEVENTEEN, THE SUPERINTENDENT OF FINANCIAL SERVICES BY REGULATION, IN CONSULTATION WITH THE CHAIR OF THE WORKERS' COMPENSATION BOARD OF THIS STATE, SHALL DETERMINE WHETHER THE FAMILY LEAVE BENEFIT COVERAGE OF A GROUP ACCIDENT AND HEALTH INSURANCE POLICY PROVIDING DISABILITY AND FAMILY LEAVE BENEFITS PURSUANT TO ARTICLE NINE OF THE WORKERS' COMPENSATION LAW, INCLUDING POLICIES ISSUED BY THE STATE INSURANCE FUND, SHALL BE EXPERIENCE RATED OR COMMUNITY RATED, WHICH MAY INCLUDE SUBJECTING THE FAMILY LEAVE BENEFIT COVERAGE OF THE POLICY TO A RISK ADJUSTMENT MECHANISM. NOTWITHSTANDING ANY LAW TO THE CONTRARY, THE SUPERINTENDENT SHALL ESTABLISH THE RATES FOR ANY COMMUNITY RATED FAMILY LEAVE BENEFIT COVERAGE AND SHALL APPLY COMMONLY ACCEPTED ACTUARIAL PRINCIPLES TO ESTABLISH COMMUNITY RATED FAMILY LEAVE BENEFIT COVERAGE RATES THAT ARE NOT EXCESSIVE, INADEQUATE OR UNFAIRLY DISCRIMINATORY. ON JUNE FIRST, TWO THOUSAND SEVENTEEN AND ON SEPTEMBER FIRST OF EACH YEAR THEREAFTER THE SUPERINTENDENT SHALL PUBLISH ALL COMMUNITY RATED FAMILY LEAVE BENEFIT RATES FOR THE POLICY PERIOD BEGINNING ON THE FOLLOWING JANUARY FIRST.

(2) IF THE POLICY IS SUBJECTED TO A RISK ADJUSTMENT MECHANISM, THE SUPERINTENDENT OF FINANCIAL SERVICES SHALL PROMULGATE REGULATIONS NECESSARY FOR THE IMPLEMENTATION OF THIS SUBSECTION IN CONSULTATION WITH THE CHAIR OF THE WORKERS' COMPENSATION BOARD OF THIS STATE. ANY SUCH RISK ADJUSTMENT MECHANISM SHALL BE ADMINISTERED DIRECTLY BY THE SUPERINTENDENT OF FINANCIAL SERVICES OF THIS STATE, IN CONSULTATION WITH THE CHAIR OF THE WORKERS' COMPENSATION BOARD OF THIS STATE, OR BY A THIRD PARTY VENDOR SELECTED BY THE SUPERINTENDENT OF FINANCIAL SERVICES IN CONSULTATION WITH THE CHAIR OF THE WORKERS' COMPENSATION BOARD.

(3) "RISK ADJUSTMENT MECHANISM" AS USED IN THIS SUBSECTION MEANS THE PROCESS USED TO EQUALIZE THE PER MEMBER PER MONTH CLAIM AMOUNTS AMONG

INSURERS IN ORDER TO PROTECT INSURERS FROM DISPROPORTIONATE ADVERSE RISKS.

S 38. Subdivision (c) of section 1108 of the insurance law, as amended by chapter 838 of the laws of 1985, is amended to read as follows:

(c) The state insurance fund of this state, except as to the provisions of subsection (d) of section two thousand three hundred thirty-nine, section three thousand one hundred ten, subsection (a), paragraph one of subsection (b), paragraph three of subsection (c) and subsection (d) of section three thousand two hundred one, sections three thousand two hundred two, three thousand two hundred four, subsections (a) through (d) of section three thousand two hundred twenty-one, subsections (b) and (c) of section four thousand two hundred twenty-four, section four thousand two hundred twenty-six and subsections (a) and (b) [and], (g) through (j), AND (N) of section four thousand two hundred thirty-five of this chapter and except as otherwise specifically provided by the laws of this state.

S 39. Section 242 of the workers' compensation law, as added by chapter 600 of the laws of 1949, is amended to read as follows:

S 242. Separability of provisions; FEDERAL LAW; REGULATIONS. 1. If any provision of this [act] ARTICLE or the application thereof to any person or circumstances is held invalid, the remainder of this [act] ARTICLE and the application of such provision to other persons or circumstances shall not be affected thereby.

2. NOTHING IN THIS ARTICLE SHALL BE INTERPRETED OR APPLIED SO AS TO CREATE A CONFLICT WITH FEDERAL LAW.

3. THE CHAIR SHALL HAVE AUTHORITY TO ADOPT REGULATIONS TO EFFECTUATE ANY OF THE PROVISIONS OF THIS ARTICLE.

S 40. This act shall take effect April 1, 2016 and shall apply to all policies or contracts issued, renewed, modified, altered or amended on or after such effective date; provided, however, that effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized and directed to be made and completed on or before such effective date.

## PART TT

Section 1. Subdivisions 10, 11, 12 and 13 of section 351 of the public authorities law are REPEALED and subdivision 14 of such section is renumbered subdivision 10.

S 2. Subdivisions 6, 8 and 10 of section 354 of the public authorities law, subdivision 6 as amended by chapter 506 of the laws of 2009, and subdivisions 8 and 10 as amended by chapter 766 of the laws of 1992, are amended to read as follows:

6. To appoint officers, agents and employees and fix their compensation, provided, however, that the appointment of the executive director shall be subject to confirmation by the senate in accordance with section twenty-eight hundred fifty-two of this chapter; subject however to the provisions of the civil service law, which shall apply to the authority [and to the subsidiary corporation thereof] as a municipal corporation other than a city;

8. Subject to agreements with noteholders or bondholders, to fix and collect such fees, rentals and charges for the use of the thruway [system] or any part thereof necessary or convenient, with an adequate margin of safety, to produce sufficient revenue to meet the expense of maintenance and operation and to fulfill the terms of any agreements

made with the holders of its notes or bonds, and to establish the rights and privileges granted upon payment thereof[; provided, however, that tolls may only be imposed for the passage through locks and lift bridges by vessels which are propelled in whole or in part by mechanical power; and provided further that no tolls shall be imposed or collected prior to the first day of April, nineteen hundred ninety-three].

10. To construct, reconstruct or improve on or along the thruway [system] in the manner herein provided, suitable facilities for gas stations, restaurants, and other facilities for the public, or to lease the right to construct, reconstruct or improve and operate such facilities; such facilities shall be publicly offered for leasing for operation, or the right to construct, reconstruct or improve and operate such facilities shall be publicly offered under rules and regulations to be established by the authority, provided, however, that lessees operating such facilities at the time this act becomes effective, may reconstruct or improve them or may construct additional like facilities, in the manner and upon such terms and conditions as the board shall determine[; and provided further, however, that such facilities constructed, reconstructed or improved on or along the canal system shall be consistent with the canal recreationway plan approved pursuant to section one hundred thirty-eight-c of the canal law and section three hundred eighty-two of this title];

S 3. Section 355 of the public authorities law, as amended by chapter 138 of the laws of 1997, is amended to read as follows:

S 355. Officers and employees; transfer, promotion and seniority. 1. Officers and employees of state departments, agencies, [or the canal corporation] OR DIVISIONS may be transferred to the authority and officers, agents and employees of the authority may be transferred to state departments, agencies, [or the canal corporation] OR DIVISIONS, without examination and without loss of any civil service status or rights. No such transfer from the authority [or canal corporation] to any state department, agency, or division may, however, be made except with the approval of the head of the state department, agency, or division involved and the director of the budget and in compliance with the rules and regulations of the state civil service commission.

2. Promotions from positions in state departments and agencies to positions in the authority [or canal corporation], and vice versa, may be made from interdepartmental promotion lists resulting from promotion examinations in which employees of the authority[, employees of the canal corporation,] and employees of the state are eligible to participate.

3. In computing seniority for purposes of promotion or for purposes of suspension or demotion upon the abolition of positions in the service of the authority or in the service of the state, in the case of an employee of the authority a period of prior employment in the service of the state shall be counted in the same manner as though such period of employment had been in the service of the authority, and in the case of an employee of the state a period of prior employment in the service of the authority shall be counted in the same manner as though such period of employment had been in the service of the state. For the purposes of the establishment and certification of preferred lists, employees suspended from the authority shall be eligible for reinstatement in the service of the state, and employees suspended from the service of the state shall be eligible for reinstatement in the service of the authority, in the same manner as though the authority were a department of the state. [All provisions contained within this subdivision shall apply to

the canal corporation in the same manner that they apply to the authority.]

S 4. Section 357 of the public authorities law, as amended by chapter 766 of the laws of 1992, is amended to read as follows:

S 357. Right of authority to use state property; payment for improvements. On assuming jurisdiction of a thruway highway section or connection or any part thereof, or of a highway connection, [or of the New York state canal system,] the authority shall have the right to possess and use for its corporate purposes so long as its corporate existence shall continue, any real property and rights in real property theretofore acquired by the state, including all improvements thereon [and state canal lands and properties; provided that the use by the authority of canal lands and properties for highway purposes shall not interfere with the use thereof for canal purposes].

S 5. Subdivisions 2 and 3 of section 357-a of the public authorities law are REPEALED and subdivision 1, as added by section 1 of part E of chapter 58 of the laws of 2013, is amended to read as follows:

1. Enforcement assistance [shall be] provided by the division of state police at [a level consistent with historical precedents, as a matter of state interest, on all sections of the thruway. The authority shall provide goods and services to the division of state police in connection with its enforcement activity on the thruway. The division of state police and the authority shall enter into an agreement identifying those goods and services that the authority will provide to the division of state police and determine reporting and other requirements related thereto. Any costs borne by the state police outside of such agreement shall not be reimbursed by the authority nor shall they be deemed costs of the authority] THE REQUEST OF THE AUTHORITY SHALL BE REIMBURSED BY THE AUTHORITY TO THE DIVISION OF STATE POLICE FROM THE GENERAL RESERVE FUND ESTABLISHED BY THE AUTHORITY UNDER ITS AGREEMENT WITH BONDHOLDERS, AFTER PAYMENT OF ANY AMOUNTS DUE ON ANY BONDS OR NOTES OF THE AUTHORITY. THE COMPTROLLER IS HEREBY AUTHORIZED AND DIRECTED TO DEPOSIT TO THE NEW YORK STATE THRUWAY AUTHORITY ACCOUNT, REVENUES RECEIVED FROM THE AUTHORITY AS REIMBURSEMENT FOR PERSONAL SERVICE EXPENSES INCLUDING GENERAL STATE CHARGES. IN ADDITION, THE AUTHORITY SHALL REIMBURSE THE DIVISION OF STATE POLICE FOR NON-PERSONAL SERVICE EXPENSES CONNECTED WITH SUCH ASSISTANCE. SUCH REIMBURSEMENT SHALL BE MADE FROM SUCH GENERAL RESERVE FUND. THE AUTHORITY SHALL DEPOSIT SAID REIMBURSEMENT FUNDS FOR NON-PERSONAL SERVICE EXPENSES TO THE CREDIT OF THE DIVISION OF STATE POLICE. NO PAYMENTS MADE BY THE AUTHORITY UNDER THIS SUBSECTION SHALL BE DEEMED OPERATING EXPENSES OF THE AUTHORITY.

S 6. Subdivision 1 of section 359 of the public authorities law, as amended by chapter 766 of the laws of 1992, is amended to read as follows:

1. On assuming jurisdiction of a thruway section or connection or any part thereof, or of a highway connection, [or of the New York state canal system,] the authority shall proceed with the construction, reconstruction or improvement thereof. All such work shall be done pursuant to a contract or contracts which shall be let to the lowest responsible bidder, by sealed proposals publicly opened, after public advertisement and upon such terms and conditions as the authority shall require; provided, however, that the authority may reject any and all proposals and may advertise for new proposals, as herein provided, if in its opinion, the best interests of the authority will thereby be promoted; provided further, however, that at the request of the authority, all or any portion of such work, together with any engineering required by the

authority in connection therewith, shall be performed by the commissioner and his subordinates in the department of transportation as agents for, and at the expense of, the authority.

S 7. Section 359-a of the public authorities law, as added by chapter 140 of the laws of 2002, is amended to read as follows:

S 359-a. Procurement contracts. For the purposes of section twenty-eight hundred seventy-nine of this chapter as applied to the authority [or the canal corporation], the term "procurement contract" shall mean any written agreement for the acquisition of goods or services of any kind by the authority [or the canal corporation] in the actual or estimated amount of fifteen thousand dollars or more.

S 8. Section 360 of the public authorities law, as amended by chapter 766 of the laws of 1992, is amended to read as follows:

S 360. Operation and maintenance. Operation and maintenance by the authority of any thruway section or connection or any part thereof or of a highway connection[, the New York state canal system] of which it has assumed jurisdiction shall be performed (a) by the use of authority forces and equipment at the expense of the authority or by agreement at the expense of the state or other parties; (b) by contract with municipalities or independent contractors; (c) at the request of the authority, by the commissioner and his subordinates in the department of transportation as agents for, and at the expense of the authority, or (d) by a combination of such methods.

S 9. Section 362 of the public authorities law, as amended by chapter 766 of the laws of 1992, is amended to read as follows:

S 362. Assistance by state officers, departments, boards, divisions and commissions. At the request of the authority, engineering and legal services for such authority shall be performed by forces or officers of the department of transportation and the department of law respectively, and all other state officers, departments, boards, divisions and commissions shall render services within their respective functions. At the request of the authority, services in connection with the collection of any charges or fees for the use of the thruway[, the New York state canal system] or any part thereof may be performed by the department of motor vehicles.

S 10. Paragraph (a) of subdivision 1, and paragraph (i) of subdivision 3 of section 365 of the public authorities law, as amended by chapter 766 of the laws of 1992, are amended to read as follows:

(a) Subject to the provisions of section three hundred sixty-six of this title, the authority shall have the power and is hereby authorized from time to time to issue its negotiable notes and bonds in conformity with applicable provisions of the uniform commercial code in such principal amount as, in the opinion of the authority, shall be necessary to provide sufficient moneys for achieving the corporate purposes thereof, including construction, reconstruction and improvement of the thruway sections and connections, and highway connections herein described, [the New York state canal system subject to the provisions of section three hundred eighty-three of this title,] together with suitable facilities and appurtenances, the payment of all indebtedness to the state, the cost of acquisition of all real property, the expense of maintenance and operation, interest on notes and bonds during construction and for a reasonable period thereafter, establishment of reserves to secure notes or bonds, and all other expenditures of the authority incident to and necessary or convenient to carry out its corporate purposes and powers.

(i) the acquisition of jurisdiction over, and of property for, thruways, [the New York state canal system,] and the construction, reconstruction, improvement, maintenance or operation thereof;

S 11. Section 382 of the public authorities law is REPEALED.

S 12. Section 383 of the public authorities law is REPEALED.

S 13. Section 388 of the public authorities law, as added by chapter 500 of the laws of 2011, is amended to read as follows:

S 388. Limitation on powers of the authority. A department, authority, division or agency of the state shall not offer or permit any officer or employee of such department, authority, division or agency to use a pass to access and/or use the thruway [system] without the officer's or employee's personal payment of tolls except when the use of such a pass and/or use of the thruway [system] without personal payment of tolls occurs in the normal course of the employment or duties of such officer or employee. This section shall not diminish the rights of any employee pursuant to a collective bargaining agreement.

S 14. Subdivisions 18 and 21 of section 2 of the canal law, subdivision 18 as amended and subdivision 21 as renumbered by chapter 335 of the laws of 2001, subdivision 21 as added by chapter 442 of the laws of 1996, are amended and a new subdivision 24 is added to read as follows:

18. "Authority" shall mean the [New York state thruway authority, a body corporate and politic constituting a public corporation created and constituted pursuant to title nine of article two] POWER AUTHORITY OF THE STATE OF NEW YORK, A BODY CORPORATE AND POLITIC CONSTITUTING A POLITICAL SUBDIVISION OF THE STATE CREATED AND CONSTITUTED PURSUANT TO TITLE ONE OF ARTICLE FIVE of the public authorities law.

21. "Corporation" AND "CANAL CORPORATION" shall mean the New York state canal corporation, [a subsidiary of the New York state thruway authority,] A PUBLIC BENEFIT CORPORATION created pursuant to [section three hundred eighty-two of the public authorities law] CHAPTER SEVEN HUNDRED SIXTY-SIX OF THE LAWS OF NINETEEN HUNDRED NINETY-TWO AND CONTINUED AND RECONSTITUTED AS A SUBSIDIARY CORPORATION OF THE POWER AUTHORITY OF THE STATE OF NEW YORK PURSUANT TO SUBDIVISION ONE OF SECTION ONE THOUSAND FIVE-B OF THE PUBLIC AUTHORITIES LAW.

24. "THRUWAY AUTHORITY" SHALL MEAN THE NEW YORK STATE THRUWAY AUTHORITY, A BODY CORPORATE AND POLITIC CONSTITUTING A PUBLIC CORPORATION CREATED AND CONSTITUTED PURSUANT TO TITLE NINE OF ARTICLE TWO OF THE PUBLIC AUTHORITIES LAW.

S 15. The article heading of article 1-A of the canal law, as added by chapter 766 of the laws of 1992, is amended to read as follows:

TRANSFER TO [NEW YORK STATE THRUWAY AUTHORITY]
POWER AUTHORITY OF THE STATE OF NEW YORK

S 16. Section 5 of the canal law, as amended by amended chapter 335 of the laws of 2001, is amended to read as follows:

S 5. Transfer of powers and duties relating to canals and canal lands to the [New York state thruway authority] POWER AUTHORITY OF THE STATE OF NEW YORK. The powers and duties of the [commissioner of transportation] THRUWAY AUTHORITY relating to the New York state canal system as set forth in articles one through and including fourteen, except article seven, of this chapter, and except properties in use on the effective date of this article in support of highway maintenance, equipment management and traffic signal operations of the department of transportation, HERETOFORE TRANSFERRED BY THE COMMISSIONER OF TRANSPORTATION TO THE THRUWAY AUTHORITY, are hereby transferred to and merged with the authority, to be exercised by the authority DIRECTLY OR THROUGH THE CANAL CORPORATION on behalf of the people of the state of New York. In

addition, the commissioner of transportation and the [chairman] CHAIR of the authority OR HIS OR HER DESIGNEE may, in their discretion, enter into an agreement or agreements transferring the powers and duties of the commissioner of transportation relating to any or all of the bridges and highways as set forth in article seven of this chapter, to be exercised by the authority DIRECTLY OR THROUGH THE CANAL CORPORATION on behalf of the people of the state of New York, and, AS DETERMINED TO BE FEASIBLE AND ADVISABLE BY THE AUTHORITY'S TRUSTEES, shall enter into an agreement or agreements DIRECTLY OR THROUGH THE CANAL CORPORATION for the financing, construction, reconstruction or improvement of lift and movable bridges on the canal system. Such powers shall be in addition to other powers enumerated in title [nine] ONE of article [two] FIVE of the public authorities law. All of the provisions of title [nine] ONE of article [two] FIVE of such law which are not inconsistent with this chapter shall apply to the actions and duties of the authority pursuant to this chapter. The authority shall be deemed to be the state in exercising the powers and duties transferred pursuant to this section but for no other purposes.

S 17. Subdivisions 1, 2, 3, 4 and 5 of section 6 of the canal law, subdivisions 2 and 5 as added by chapter 766 of the laws of 1992, and subdivisions 1, 3 and 4 as amended by chapter 335 of the laws of 2001, are amended to read as follows:

1. The jurisdiction of the [commissioner of transportation] THRUWAY AUTHORITY over the New York state canal system and over all state assets, equipment and property, both tangible and intangible, owned or used in connection with the planning, development, construction, reconstruction, maintenance and operation of the New York state canal system, as set forth in articles one through and including fourteen, except article seven, of this chapter, and except properties in use on the effective date of this article in support of highway maintenance, equipment management and traffic signal operations of the department of transportation, HERETOFORE TRANSFERRED BY THE COMMISSIONER OF TRANSPORTATION TO THE THRUWAY AUTHORITY, are hereby transferred without consideration to the authority, to be held by the authority in the name of the people of the state of New York. In addition the commissioner of transportation and the [chairman] CHAIR of the authority OR HIS OR HER DESIGNEE may, in their discretion, enter into an agreement or agreements transferring jurisdiction over any or all of the bridges and highways set forth in article seven of this chapter, and any or all state assets, equipment and property, both tangible and intangible, owned or used in connection with the planning, development, construction, reconstruction, maintenance and operation of such bridges and highways, which shall be transferred without consideration to the authority, to be held by the authority through the corporation in the name of the people of the state of New York. Any other rights and obligations resulting from or arising out of the planning, development, construction, reconstruction, operation or maintenance of the New York state canal system shall be deemed assigned to and shall be exercised by the authority through the corporation, except that the authority may designate the [commissioner of transportation] CHAIR OF THE THRUWAY AUTHORITY to be its agent for the operation and maintenance of the New York state canal system, provided that such designation shall have no force or effect after [March thirty-first, nineteen hundred ninety-three] JANUARY FIRST, TWO THOUSAND SEVENTEEN. Such canal system shall remain the property of the state and under its management and control as exercised by and through the authority, through the corporation which shall be deemed to be the state for

the purposes of such management and control of the canals but for no other purposes.

2. The department of transportation AND THRUWAY AUTHORITY shall deliver to the authority all books, policies, procedures, papers, plans, maps, records, equipment and property of such department pertaining to the functions transferred pursuant to this article.

3. All rules, regulations, acts, determinations, orders and decisions of the commissioner of transportation [and of the], department of transportation, OR THRUWAY AUTHORITY pertaining to the functions transferred pursuant to this article in force at the time of such transfer shall continue in force and effect as rules, regulations, acts, determinations, orders and decisions of the authority and corporation until duly modified or abrogated by such authority [and] OR corporation.

4. Any business or other matters undertaken or commenced by the [commissioner of transportation or the department of transportation] THRUWAY AUTHORITY, including executed contracts, permits and other agreements, BUT EXCLUDING BONDS, NOTES OR OTHER EVIDENCES OF INDEBTEDNESS, pertaining to or connected with the [functions,] powers, [obligations and] duties AND OBLIGATIONS transferred pursuant to this article, and in effect on the effective date [hereof] OF THE TRANSFER OF SUCH MATTERS FROM THE THRUWAY AUTHORITY TO THE AUTHORITY PROVIDED FOR IN THIS ARTICLE, shall, EXCEPT AS OTHERWISE AGREED BY THE AUTHORITY AND THE THRUWAY AUTHORITY, be conducted and completed by the authority through the corporation in the same manner and under the same terms and conditions and with the same effect as if conducted and completed by the [commissioner of transportation or the department of transportation] THRUWAY AUTHORITY, PROVIDED THAT NOTHING IN THIS SUBDIVISION SHALL BE DEEMED TO REQUIRE THE AUTHORITY TO TAKE ANY ACTION IN A MANNER THAT WOULD IN ITS JUDGMENT BE INCONSISTENT WITH THE PROVISIONS OF ANY BOND OR NOTE RESOLUTION OR ANY OTHER CONTRACT WITH THE HOLDERS OF THE AUTHORITY'S BONDS, NOTES OR OTHER OBLIGATIONS.

5. No existing rights or remedies of the state, [including the] authority, THRUWAY AUTHORITY, OR CANAL CORPORATION shall be lost, impaired or affected by reason of this article.

S 18. Subdivision 6 of section 6 of the canal law, as added by chapter 766 of the laws of 1992, paragraph (b) as amended by chapter 335 of the laws of 2001, is amended and a new subdivision 7 is added to read as follows:

6. (a) No action or proceeding pending on the effective date of [this article,] THE TRANSFER OF POWERS, DUTIES AND OBLIGATIONS FROM THE THRUWAY AUTHORITY TO THE AUTHORITY brought by or against THE THRUWAY AUTHORITY, the commissioner of transportation [or], THE CORPORATION, the department of transportation OR THE AUTHORITY shall be affected by this article. Any liability arising out of any act or omission occurring prior to the effective date of the transfer of THE powers [and], duties [authorized herein] AND OBLIGATIONS FROM THE THRUWAY AUTHORITY TO THE AUTHORITY, of the officers, employees or agents of THE THRUWAY AUTHORITY, the department of transportation, or any other agency of the state, other than the authority, in the performance of their obligations or duties under the canal law, any other law of the state or any federal law, or pursuant to a contract entered into prior to the effective date of such transfer, shall remain a liability of THE THRUWAY AUTHORITY, the department of transportation or such other agency of the state and not of the authority.

(b) Notwithstanding any provision to the contrary contained in paragraph (a) of this subdivision, the state shall indemnify and hold harm-

less the THRUWAY authority [and], THE corporation AND THE AUTHORITY for any and all claims, damages, or liabilities, whether or not caused by negligence, including civil and criminal fines, arising out of or relating to any generation, processing, handling, transportation, storage, treatment, or disposal of solid or hazardous wastes in the canal system by any person or entity other than the THRUWAY AUTHORITY OR THE authority occurring prior to [the effective date of the transfer of powers and duties authorized herein] AUGUST THIRD, NINETEEN HUNDRED NINETY-TWO. Such indemnification shall extend to, without limitation, any releases into land, water or air, including but not limited to releases as defined under the federal comprehensive environmental response compensation and liability act of nineteen hundred eighty, occurring or existing prior to [the effective date of this section] AUGUST THIRD, NINETEEN HUNDRED NINETY-TWO; provided that the THRUWAY AUTHORITY, THE CORPORATION AND THE authority shall cooperate in the investigation and remediation of hazardous waste and other environmental problems.

(C) NOTWITHSTANDING ANY PROVISION TO THE CONTRARY CONTAINED IN PARAGRAPH (A) OF THIS SUBDIVISION, THE THRUWAY AUTHORITY SHALL INDEMNIFY AND HOLD HARMLESS THE CORPORATION AND THE AUTHORITY FOR ANY AND ALL CLAIMS, DAMAGES, OR LIABILITIES, WHETHER OR NOT CAUSED BY NEGLIGENCE, INCLUDING CIVIL AND CRIMINAL FINES, ARISING OUT OF OR RELATING TO ANY GENERATION, PROCESSING, HANDLING, TRANSPORTATION, STORAGE, TREATMENT, OR DISPOSAL OF SOLID OR HAZARDOUS WASTES IN THE CANAL SYSTEM BY ANY PERSON OR ENTITY OTHER THAN THE AUTHORITY OCCURRING AFTER AUGUST THIRD, NINETEEN HUNDRED NINETY-TWO AND NO LATER THAN THE EFFECTIVE DATE OF THE TRANSFER OF POWERS, DUTIES AND OBLIGATIONS FROM THE THRUWAY AUTHORITY TO THE AUTHORITY. SUCH INDEMNIFICATION SHALL EXTEND TO, WITHOUT LIMITATION, ANY RELEASES INTO LAND, WATER OR AIR, INCLUDING BUT NOT LIMITED TO RELEASES AS DEFINED UNDER THE FEDERAL COMPREHENSIVE ENVIRONMENTAL RESPONSE COMPENSATION AND LIABILITY ACT OF NINETEEN HUNDRED EIGHTY, OCCURRING OR EXISTING PRIOR TO THE EFFECTIVE DATE OF THE TRANSFER OF POWERS, DUTIES AND OBLIGATIONS FROM THE THRUWAY AUTHORITY TO THE AUTHORITY; PROVIDED THAT THE CORPORATION AND THE AUTHORITY SHALL COOPERATE IN THE INVESTIGATION AND REMEDIATION OF HAZARDOUS WASTE AND OTHER ENVIRONMENTAL PROBLEMS.

(D) EXCEPT AS OTHERWISE PROVIDED IN THIS CHAPTER, THE THRUWAY AUTHORITY SHALL RETAIN ALL LIABILITIES, WHETHER OR NOT CAUSED BY NEGLIGENCE, ARISING OUT OF ANY ACTS OR OMISSIONS OCCURRING ON OR AFTER AUGUST THIRD, NINETEEN HUNDRED NINETY-TWO, IN CONNECTION WITH ITS POWERS, DUTIES AND OBLIGATIONS WITH RESPECT TO THE CORPORATION. THE AUTHORITY AND THE STATE SHALL NOT BE HELD LIABLE IN CONNECTION WITH ANY LIABILITIES ARISING OUT OF SUCH ACTS OR OMISSIONS.

7. NOTWITHSTANDING ANY PROVISION OF LAW TO THE CONTRARY, IN CONNECTION WITH THE TRANSFER OF JURISDICTION OF THE CORPORATION TO THE AUTHORITY AND THE ASSUMPTION OF MANAGEMENT OF THE CORPORATION AS A SUBSIDIARY CORPORATION OF THE AUTHORITY PURSUANT TO THE CHAPTER OF THE LAWS OF TWO THOUSAND SIXTEEN WHICH ADDED THIS SUBDIVISION, THE THRUWAY AUTHORITY SHALL HAVE THE POWER TO FULFILL ANY EXISTING AGREEMENTS OR OBLIGATIONS, MAKE ANY AGREEMENTS, RECEIVE, RETAIN OR PAY ANY FUNDS, DEEMED NECESSARY AND IN THE PUBLIC INTEREST TO EFFECTUATE THE PROVISIONS AND INTENT OF THIS CHAPTER, INCLUDING BUT NOT LIMITED TO, THE ENTERING INTO ANY AGREEMENTS WITH THE CORPORATION, THE AUTHORITY AND ANY OTHER FEDERAL, STATE, MUNICIPAL OR OTHER ENTITIES, AND TO RECEIVE FUNDS FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY OR THE STATE, TO FULFILL THE THRUWAY AUTHORITY'S EXISTING FINANCIAL OR OTHER OBLIGATIONS ARISING FROM ITS JURISDICTION OVER THE CANAL SYSTEM AND THE CORPORATION.

S 19. Subdivisions 2 and 5 of section 92-u of the state finance law, subdivision 2 as added by chapter 766 of the laws of 1992, and subdivision 5 as amended by chapter 483 of the laws of 1996, are amended to read as follows:

2. Such fund shall consist of all revenues received from the operation of the New York state canal system as defined in section three hundred fifty-one of the public authorities law and section two of the canal law, including payments on leases for use of canal lands, terminals and terminal lands, tolls received for lock and lift bridge passage, payments for hydroelectric easements and sales, for purchase of other abandoned canal lands, payments for any permits and leases for use of the water and lands of the system and payments for use of dry docks and other moneys made available to the fund from any other source other than a grant, loan or other inter-corporate transfer of funds of the [New York state thruway authority] POWER AUTHORITY OF THE STATE OF NEW YORK, and any income earned by, or incremental to, the fund due to investment thereof, or any repayment of any moneys advanced by the fund.

5. Moneys of the fund, following appropriation by the legislature, shall be available to the [New York state thruway authority] POWER AUTHORITY OF THE STATE OF NEW YORK and shall be expended by such authority or [subsidiary corporation thereof] THE CANAL CORPORATION only for the maintenance, construction, reconstruction, development or promotion of the canal system[; provided, however, that in the initial years, expenditures of moneys of the fund for the development and/or promotion of the canal system shall be accorded a priority by the authority or subsidiary corporation thereof]. In addition, moneys of the fund may be used for the purposes of interpretive signage and promotion for appropriate historically significant Erie canal lands and related sites. Moneys shall be paid out of the fund by the state comptroller on certificates issued by the director of the budget.

S 20. Notwithstanding any other provision of law, the power authority of the state of New York ("power authority"), New York state thruway authority and New York state canal corporation ("canal corporation"), and any other state or municipal agency, department, office, board, division, commission, public authority or public benefit corporation may enter into such agreements and understandings relating to the transition of the canal corporation to its status as a subsidiary of the power authority and for the administration, maintenance and operation of the canal corporation and the canal system as they may deem necessary or desirable.

S 21. Section 1005 of the public authorities law is amended by adding a new subdivision 25 to read as follows:

25. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, TO ACCEPT GIFTS, GRANTS, LOANS, OR CONTRIBUTIONS OF FUNDS OR PROPERTY IN ANY FORM FROM THE FEDERAL GOVERNMENT OR ANY AGENCY OR INSTRUMENTALLY THEREOF OR FROM THE STATE OR ANY OTHER SOURCE (COLLECTIVELY, "RESOURCES"), AND ENTER INTO CONTRACTS OR OTHER TRANSACTIONS REGARDING SUCH RESOURCES, AND TO USE SUCH RESOURCES FOR ANY OF ITS CORPORATE PURPOSES.

S 22. The public authorities law is amended by adding a new section 1005-b to read as follows:

S 1005-B. NEW YORK STATE CANAL CORPORATION. 1. THE PUBLIC BENEFIT CORPORATION KNOWN AS THE "NEW YORK STATE CANAL CORPORATION" (HEREINAFTER REFERRED TO AS THE "CANAL CORPORATION") CREATED AS A SUBSIDIARY CORPORATION OF THE NEW YORK STATE THRUWAY AUTHORITY PURSUANT TO CHAPTER SEVEN HUNDRED SIXTY-SIX OF THE LAWS OF NINETEEN HUNDRED NINETY-TWO IS HEREBY CONTINUED AND RECONSTITUTED AS A SUBSIDIARY CORPORATION OF THE AUTHORITY

AND SHALL HAVE ONLY THE POWER TO OPERATE, MAINTAIN, CONSTRUCT, RECONSTRUCT, IMPROVE, DEVELOP, FINANCE, AND PROMOTE ALL OF THE CANALS, CANAL LANDS, FEEDER CANALS, RESERVOIRS, CANAL TERMINALS, CANAL TERMINAL LANDS AND OTHER PROPERTY UNDER THE JURISDICTION OF THE CANAL CORPORATION PURSUANT TO ARTICLE ONE-A OF THE CANAL LAW (HEREINAFTER REFERRED TO AS THE "CANAL SYSTEM"). REFERENCE IN ANY PROVISION OF LAW, GENERAL, SPECIAL OR LOCAL, OR IN ANY RULE, REGULATION OR PUBLIC DOCUMENT TO THE CANAL CORPORATION OR THE CANAL CORPORATION AS A SUBSIDIARY OF THE NEW YORK STATE THRUWAY AUTHORITY SHALL BE DEEMED TO BE AND CONSTRUED AS A REFERENCE TO THE CANAL CORPORATION CONTINUED BY THIS SECTION.

2. THE MANAGEMENT AND ADMINISTRATION OF THE CANAL CORPORATION SHALL BE AN ADDITIONAL CORPORATE PURPOSE OF THE AUTHORITY. TO THE EXTENT THAT THE TRUSTEES DEEM IT FEASIBLE AND ADVISABLE, THE AUTHORITY MAY TRANSFER TO THE CANAL CORPORATION ANY MONEYS, REAL, PERSONAL, OR MIXED PROPERTY OR ANY PERSONNEL IN ORDER TO CARRY OUT THE PURPOSES OF THIS SECTION, PROVIDED THAT NOTHING IN THIS SECTION SHALL BE DEEMED TO REQUIRE THE AUTHORITY TO APPLY ANY MONEYS, REVENUES OR PROPERTY OR TO TAKE ANY ACTION IN A MANNER THAT WOULD BE INCONSISTENT WITH THE PROVISIONS OF ANY BOND OR NOTE RESOLUTION OR ANY OTHER CONTRACT WITH THE HOLDERS OF THE AUTHORITY'S BONDS, NOTES OR OTHER OBLIGATIONS.

3. THE CANAL CORPORATION AND ANY OF ITS PROPERTY, FUNCTIONS, AND ACTIVITIES SHALL HAVE ALL OF THE PRIVILEGES, IMMUNITIES, TAX EXEMPTIONS AND OTHER EXEMPTIONS OF THE AUTHORITY AND OF THE AUTHORITY'S PROPERTY, FUNCTIONS, AND ACTIVITIES. THE CANAL CORPORATION SHALL BE SUBJECT TO THE RESTRICTIONS AND LIMITATIONS TO WHICH THE AUTHORITY MAY BE SUBJECT. THE CANAL CORPORATION MAY DELEGATE TO ONE OR MORE OF ITS MEMBERS, OR ITS OFFICERS, AGENTS AND EMPLOYEES, SUCH DUTIES AND POWERS AS IT MAY DEEM PROPER.

4. EXCLUSIVE JURISDICTION IS CONFERRED UPON THE COURT OF CLAIMS TO HEAR AND DETERMINE THE CLAIMS OF ANY PERSON AGAINST THE CANAL CORPORATION (A) FOR ITS TORTIOUS ACTS AND THOSE OF ITS AGENTS, AND (B) FOR BREACH OF A CONTRACT, RELATING TO CONSTRUCTION, RECONSTRUCTION, IMPROVEMENT, MAINTENANCE OR OPERATION, IN THE SAME MANNER AND TO THE EXTENT PROVIDED BY AND SUBJECT TO THE PROVISIONS OF THE COURT OF CLAIMS ACT WITH RESPECT TO CLAIMS AGAINST THE STATE, AND TO MAKE AWARDS AND RENDER JUDGMENTS THEREFOR. ALL AWARDS AND JUDGMENTS ARISING FROM SUCH CLAIMS SHALL BE PAID OUT OF MONEYS OF THE CANAL CORPORATION.

5. THE MEMBERS OF THE CANAL CORPORATION SHALL BE THE SAME PERSONS HOLDING THE OFFICES OF TRUSTEES OF THE AUTHORITY.

6. NO OFFICER OR MEMBER OF THE CANAL CORPORATION SHALL RECEIVE ANY ADDITIONAL COMPENSATION, EITHER DIRECT OR INDIRECT, OTHER THAN REIMBURSEMENT FOR ACTUAL AND NECESSARY EXPENSES INCURRED IN THE PERFORMANCE OF HIS OR HER DUTIES, BY REASON OF HIS OR HER SERVING AS A MEMBER, DIRECTOR, OR TRUSTEE OF THE CANAL CORPORATION.

7. THE EMPLOYEES OF THE CANAL CORPORATION SHALL NOT BE DEEMED TO BE EMPLOYEES OF THE AUTHORITY BY REASON OF THEIR EMPLOYMENT BY THE CANAL CORPORATION. ALL OFFICERS AND EMPLOYEES OF THE CANAL CORPORATION SHALL BE SUBJECT TO THE PROVISIONS OF THE CIVIL SERVICE LAW WHICH SHALL APPLY TO THE CANAL CORPORATION AND SUCH CORPORATION SHALL BE SUBJECT TO THE JURISDICTION OF THE NEW YORK STATE DEPARTMENT OF CIVIL SERVICE AND THE NEW YORK STATE CIVIL SERVICE COMMISSION. THE CANAL CORPORATION SHALL PARTICIPATE IN THE NEW YORK STATE AND LOCAL EMPLOYEES' RETIREMENT SYSTEM. NOTHING CONTAINED IN A CHAPTER OF THE LAWS OF TWO THOUSAND SIXTEEN THAT ADDED THIS SECTION SHALL BE CONSTRUED TO AFFECT THE RIGHTS AND PRIVILEGES OF THE CANAL CORPORATION OR ANY OF ITS EMPLOYEES UNDER ANY PROVISIONS OF THE CIVIL SERVICE LAW OR ANY EXISTING OR EXPIRED

COLLECTIVE BARGAINING AGREEMENT IN EFFECT AS OF THE EFFECTIVE DATE OF TRANSFER OF THE CANAL CORPORATION FROM THE THRUWAY AUTHORITY TO THE AUTHORITY. ANY SUCH EMPLOYEE WHO AT THE TIME OF SUCH TRANSFER SHALL HAVE BEEN IN A NEGOTIATING UNIT REPRESENTED BY AN EMPLOYEE ORGANIZATION WHICH WAS CERTIFIED OR RECOGNIZED PURSUANT TO ARTICLE FOURTEEN OF THE CIVIL SERVICE LAW SHALL CONTINUE TO BE REPRESENTED BY SAID EMPLOYEE ORGANIZATION. THERE SHALL BE NO REDUCTION OF STAFF, LOSS OF POSITION, INCLUDING PARTIAL DISPLACEMENT, SUCH AS REDUCTION IN THE HOURS OF NON-OVERTIME, WAGES, OR EMPLOYMENT BENEFITS AS A RESULT OF THE TRANSFER OF THE CANAL CORPORATION FROM THE THRUWAY AUTHORITY TO THE AUTHORITY FOR TWENTY-FOUR MONTHS FOLLOWING SUCH TRANSFER.

8. THE FISCAL YEAR OF THE CANAL CORPORATION SHALL BE THE SAME AS THE FISCAL YEAR FOR THE AUTHORITY.

9. THE CANAL CORPORATION SHALL HAVE THE POWER TO:

(A) OPERATE, MAINTAIN, CONSTRUCT, RECONSTRUCT, IMPROVE, DEVELOP, FINANCE, AND PROMOTE THE CANAL SYSTEM;

(B) SUE AND BE SUED;

(C) HAVE A SEAL AND ALTER THE SAME AT PLEASURE;

(D) MAKE AND ALTER BY-LAWS FOR ITS ORGANIZATION AND INTERNAL MANAGEMENT AND MAKE RULES AND REGULATIONS GOVERNING THE USE OF ITS PROPERTY AND FACILITIES;

(E) APPOINT OFFICERS AND EMPLOYEES AND FIX THEIR COMPENSATION;

(F) MAKE AND EXECUTE CONTRACTS AND ALL OTHER INSTRUMENTS NECESSARY OR CONVENIENT FOR THE EXERCISE OF ITS POWERS AND FUNCTIONS UNDER THIS CHAPTER;

(G) ACQUIRE, HOLD, AND DISPOSE OF REAL OR PERSONAL PROPERTY FOR ITS CORPORATE PURPOSES;

(H) ENGAGE THE SERVICES OF PRIVATE CONSULTANTS ON A CONTRACT BASIS FOR RENDERING PROFESSIONAL AND TECHNICAL ASSISTANCE AND ADVICE;

(I) PROCURE INSURANCE AGAINST ANY LOSS IN CONNECTION WITH ITS ACTIVITIES, PROPERTIES, AND OTHER ASSETS, IN SUCH AMOUNT AND FROM SUCH INSURERS AS IT DEEMS DESIRABLE;

(J) INVEST ANY FUNDS OF THE CANAL CORPORATION, OR ANY OTHER MONIES UNDER ITS CUSTODY AND CONTROL NOT REQUIRED FOR IMMEDIATE USE OR DISBURSEMENT, AT THE DISCRETION OF THE CANAL CORPORATION, IN OBLIGATIONS OF THE STATE OR THE UNITED STATES GOVERNMENT OR OBLIGATIONS THE PRINCIPAL AND INTEREST OF WHICH ARE GUARANTEED BY THE STATE OR THE UNITED STATES GOVERNMENT, OR IN ANY OTHER OBLIGATIONS IN WHICH THE COMPTROLLER OF THE STATE IS AUTHORIZED TO INVEST PURSUANT TO SECTION NINETY-EIGHT-A OF THE STATE FINANCE LAW;

(K) EXERCISE THOSE POWERS AND DUTIES OF THE AUTHORITY DELEGATED TO IT BY THE AUTHORITY;

(L) PREPARE AND SUBMIT A CAPITAL PROGRAM PLAN PURSUANT TO SECTION TEN OF THE CANAL LAW;

(M) APPROVE AND IMPLEMENT THE NEW YORK STATE CANAL RECREATIONWAY PLAN SUBMITTED PURSUANT TO SECTION ONE HUNDRED THIRTY-EIGHT-C OF THE CANAL LAW. THE CANAL CORPORATION'S REVIEW AND APPROVAL OF THE CANAL RECREATIONWAY PLAN SHALL BE BASED UPON ITS CONSIDERATION OF A GENERIC ENVIRONMENTAL IMPACT STATEMENT PREPARED BY THE CANAL CORPORATION IN ACCORDANCE WITH ARTICLE EIGHT OF THE ENVIRONMENTAL CONSERVATION LAW AND THE REGULATIONS THEREUNDER. PRIOR TO THE IMPLEMENTATION OF ANY SUBSTANTIAL IMPROVEMENT BY THE CANAL CORPORATION ON CANAL LANDS, CANAL TERMINALS, OR CANAL TERMINAL LANDS, OR THE LEASE OF CANAL LANDS, CANAL TERMINALS, OR CANAL TERMINAL LANDS FOR SUBSTANTIAL COMMERCIAL IMPROVEMENT, THE CANAL CORPORATION, IN ADDITION TO ANY REVIEW TAKEN PURSUANT TO SECTION 14.09 OF THE PARKS, RECREATION AND HISTORIC PRESERVATION LAW, SHALL CONDUCT A

RECONNAISSANCE LEVEL SURVEY WITHIN THREE THOUSAND FEET OF SUCH LANDS TO BE IMPROVED OF THE TYPE, LOCATION, AND SIGNIFICANCE OF HISTORIC BUILDINGS, SITES, AND DISTRICTS LISTED ON, OR WHICH MAY BE ELIGIBLE, FOR THE STATE OR NATIONAL REGISTERS OF HISTORIC PLACES. THE FINDINGS OF SUCH SURVEY SHALL BE USED TO IDENTIFY SIGNIFICANT HISTORICAL RESOURCES AND TO DETERMINE WHETHER THE PROPOSED IMPROVEMENTS ARE COMPATIBLE WITH SUCH HISTORIC BUILDINGS, SITES, AND DISTRICTS;

(N) ENTER ON ANY LANDS, WATERS, OR PREMISES FOR THE PURPOSE OF MAKING BORINGS, SOUNDINGS, AND SURVEYS;

(O) ACCEPT ANY GIFTS OR ANY GRANT OF FUNDS OR PROPERTY FROM THE FEDERAL GOVERNMENT OR FROM THE STATE OR ANY OTHER FEDERAL OR STATE PUBLIC BODY OR POLITICAL SUBDIVISION OR ANY OTHER PERSON AND TO COMPLY WITH THE TERMS AND CONDITIONS THEREOF; AND

(P) WAIVE ANY FEE FOR A WORK PERMIT WHICH IT HAS THE POWER TO ISSUE IF IN ITS DISCRETION THE PROJECT WHICH IS SUBJECT TO A WORK PERMIT WOULD ADD VALUE TO CANAL LANDS WITHOUT ANY COST TO THE CANAL CORPORATION, THE AUTHORITY, OR THE STATE.

10. (A) THE CANAL CORPORATION SHALL REVIEW THE BUDGET REQUEST SUBMITTED BY THE CANAL RECREATIONWAY COMMISSION PURSUANT TO SECTION ONE HUNDRED THIRTY-EIGHT-B OF THE CANAL LAW.

(B) THE CANAL CORPORATION, ON OR BEFORE THE FIFTEENTH DAY OF SEPTEMBER OF EACH YEAR, SHALL SUBMIT TO THE DIRECTOR OF THE BUDGET A REQUEST FOR THE EXPENDITURE OF FUNDS AVAILABLE FROM THE NEW YORK STATE CANAL SYSTEM DEVELOPMENT FUND PURSUANT TO SECTION NINETY-TWO-U OF THE STATE FINANCE LAW OR AVAILABLE FROM ANY OTHER NON-FEDERAL SOURCES APPROPRIATED FROM THE STATE TREASURY.

(C) IN THE EVENT THAT THE REQUEST SUBMITTED BY THE CANAL CORPORATION TO THE DIRECTOR OF THE BUDGET DIFFERS FROM THE REQUEST SUBMITTED BY THE COMMISSION TO THE CANAL CORPORATION, THEN THE REQUEST SUBMITTED BY THE CANAL CORPORATION TO THE DIRECTOR OF THE BUDGET SHALL SPECIFY THE DIFFERENCES AND SHALL SET FORTH THE REASONS FOR SUCH DIFFERENCES.

11. THE CANAL CORPORATION SHALL NOT HAVE THE POWER TO ISSUE BONDS, NOTES, OR OTHER EVIDENCES OF INDEBTEDNESS; PROVIDED THAT NOTWITHSTANDING THE FOREGOING, THE CANAL CORPORATION MAY AGREE TO REPAY AMOUNTS ADVANCED TO THE CANAL CORPORATION BY THE AUTHORITY AND TO EVIDENCE SUCH AGREEMENT BY DELIVERY OF A PROMISSORY NOTE OR NOTES TO THE AUTHORITY.

12. THE CANAL CORPORATION MAY DO ANY AND ALL THINGS NECESSARY OR CONVENIENT TO CARRY OUT AND EXERCISE THE POWERS GIVEN AND GRANTED BY THIS SECTION.

13. THE AUTHORITY AND ALL OTHER STATE OFFICERS, DEPARTMENTS, BOARDS, DIVISIONS, COMMISSIONS, PUBLIC AUTHORITIES, AND PUBLIC BENEFIT CORPORATIONS MAY RENDER SUCH SERVICES TO THE CANAL CORPORATION WITHIN THEIR RESPECTIVE FUNCTIONS AS MAY BE REQUESTED BY THE CANAL CORPORATION.

14. WHENEVER ANY STATE POLITICAL SUBDIVISION, MUNICIPALITY, COMMISSION, AGENCY, OFFICER, DEPARTMENT, BOARD, DIVISION, OR PERSON IS AUTHORIZED AND EMPOWERED FOR ANY OF THE PURPOSES OF THIS TITLE TO COOPERATE AND ENTER INTO AGREEMENTS WITH THE AUTHORITY, SUCH STATE POLITICAL SUBDIVISION, MUNICIPALITY, COMMISSION, AGENCY, OFFICER, DEPARTMENT, BOARD, DIVISION, OR PERSON SHALL HAVE THE SAME AUTHORIZATION AND POWER FOR ANY SUCH PURPOSES TO COOPERATE AND ENTER INTO AGREEMENTS WITH THE CANAL CORPORATION.

S 23. The public authorities law is amended by adding a new section 1005-c to read as follows:

S 1005-C. ADDITIONAL POWERS OF THE AUTHORITY TO FINANCE CERTAIN PROJECTS IN CONNECTION WITH THE NEW YORK STATE CANAL SYSTEM. 1. (A) THE AUTHORITY IS HEREBY AUTHORIZED, AS AN ADDITIONAL CORPORATE PURPOSE THER-

EOF, TO ISSUE ITS BONDS, NOTES AND OTHER EVIDENCES OF INDEBTEDNESS IN CONFORMITY WITH APPLICABLE PROVISIONS OF THE UNIFORM COMMERCIAL CODE FOR PURPOSES OF FINANCING THE CONSTRUCTION, RECONSTRUCTION, DEVELOPMENT AND IMPROVEMENT OF THE NEW YORK STATE CANAL SYSTEM.

(B) THE AUTHORITY SHALL ISSUE ANY SUCH BONDS, NOTES, OR EVIDENCES OF INDEBTEDNESS PURSUANT TO PARAGRAPH (A) OF THIS SUBDIVISION ON A BASIS SUBORDINATE IN LIEN AND PRIORITY OF PAYMENT TO THE AUTHORITY'S SENIOR LIEN INDEBTEDNESS AS THE AUTHORITY SHALL PROVIDE BY RESOLUTION.

2. ALL OF THE PROVISIONS OF THIS TITLE RELATING TO BONDS, NOTES AND OTHER EVIDENCE OF INDEBTEDNESS, WHICH ARE NOT INCONSISTENT WITH THIS SECTION, SHALL APPLY TO OBLIGATIONS AUTHORIZED BY THIS SECTION, INCLUDING BUT NOT LIMITED TO THE POWER TO ISSUE RENEWAL NOTES OR REFUNDING BONDS THEREOF.

3. SUBJECT TO AGREEMENTS WITH NOTEHOLDERS OR BONDHOLDERS, THE AUTHORITY SHALL HAVE THE AUTHORITY TO FIX AND COLLECT SUCH FEES, RENTALS AND CHARGES FOR THE USE OF THE CANAL SYSTEM OR ANY PART THEREOF NECESSARY OR CONVENIENT, WITH AN ADEQUATE MARGIN OF SAFETY, TO PRODUCE SUFFICIENT REVENUE TO MEET THE EXPENSE OF MAINTENANCE AND OPERATION AND TO FULFILL THE TERMS OF ANY AGREEMENTS MADE WITH THE HOLDERS OF ITS NOTES OR BONDS, AND TO ESTABLISH THE RIGHTS AND PRIVILEGES GRANTED UPON PAYMENT THEREOF; PROVIDED, HOWEVER, THAT TOLLS MAY ONLY BE IMPOSED FOR THE PASSAGE THROUGH LOCKS AND LIFT BRIDGES BY VESSELS WHICH ARE PROPELLED IN WHOLE OR IN PART BY MECHANICAL POWER.

S 24. Paragraph (i) of subdivision 1 of section 19 of the public officers law, as added by chapter 115 of the laws of 2000, is REPEALED and a new paragraph (j) is added to read as follows:

(J) FOR PURPOSES OF THIS SECTION, THE TERM "EMPLOYEE" SHALL INCLUDE DIRECTORS, OFFICERS AND EMPLOYEES OF THE THRUWAY AUTHORITY, AND THE DIRECTORS, OFFICERS AND EMPLOYEES OF THE CANAL CORPORATION. IN THOSE CASES WHERE THE DEFINITION OF THE TERM "EMPLOYEE" PROVIDED IN THIS PARAGRAPH IS APPLICABLE, THE TERM "STATE", AS UTILIZED IN SUBDIVISIONS TWO, THREE, AND FOUR OF THIS SECTION, SHALL MEAN THE THRUWAY AUTHORITY WHEN THE EMPLOYEE IS A DIRECTOR, OFFICER, OR EMPLOYEE OF THE THRUWAY AUTHORITY, OR THE CANAL CORPORATION, WHEN THE EMPLOYEE IS A DIRECTOR, OFFICER, OR EMPLOYEE OF THE CANAL CORPORATION.

S 25. Subdivisions 9 and 10 of section 481 of the transportation law, as added by section 1 of part A of chapter 60 of the laws of 2005, are amended to read as follows:

9. "Canal corporation" shall mean the New York state canal corporation created [pursuant to section three hundred eighty-two] AS A SUBSIDIARY CORPORATION OF THE NEW YORK STATE THRUWAY AUTHORITY PURSUANT TO CHAPTER SEVEN HUNDRED SIXTY-SIX OF THE LAWS OF NINETEEN HUNDRED NINETY-TWO AND CONTINUED AND RECONSTITUTED AS A SUBSIDIARY CORPORATION OF THE POWER AUTHORITY OF THE STATE OF NEW YORK PURSUANT TO SUBDIVISION ONE OF SECTION ONE THOUSAND FIVE-B of the public authorities law.

10. "Canal system" shall mean the "New York state canal system"[, as such term is defined by subdivision ten of section three hundred fifty-one of the public authorities law] SHALL MEAN ALL OF THE CANALS, CANAL LANDS, FEEDER CANALS, RESERVOIRS, CANAL TERMINALS, CANAL TERMINAL LANDS AND OTHER PROPERTY UNDER THE JURISDICTION OF THE CANAL CORPORATION OF THE STATE OF NEW YORK PURSUANT TO ARTICLE ONE-A OF THE CANAL LAW.

S 26. Section 33.01 of the parks, recreation and historic preservation law, as amended by chapter 317 of the laws of 2009, is amended to read as follows:

S 33.01 New York state heritage areas advisory council. There shall continue to be in the office a New York state heritage areas advisory

council which shall consist of twenty-six members or their designated representatives. The commissioner shall be a member of the advisory council. In addition, the advisory council shall consist of the following twenty-five other members: the commissioner of economic development, to advise and assist regarding related tourism and economic revitalization; the commissioner of education, to advise and assist regarding the interpretive and educational aspects of the programs; the secretary of state, to advise and assist regarding matters of community development and state planning and to advise on the identification and preservation of rural resources; the commissioner of transportation, to advise and assist regarding matters of transportation to and within heritage areas; the president of the New York state urban development corporation, to advise and assist regarding matters of economic development; the commissioner of environmental conservation, to advise and assist regarding matters of conservation and use of natural resources; the chairman of the state board for historic preservation, to advise and assist in matters regarding historic preservation; the commissioner of housing and community renewal to advise and assist regarding neighborhood and community development and preservation programs; the [chairman of the New York state thruway authority] PRESIDENT AND CHIEF EXECUTIVE OFFICER OF THE POWER AUTHORITY OF THE STATE OF NEW YORK regarding the operation of the New York state canal system; the commissioner of agriculture and markets regarding agriculture in heritage areas; a representative of the State Heritage Area Association; the director or chief executive officer of the Hudson River National Heritage Area, the Erie Canalway National Heritage Corridor, the Champlain Valley National Heritage Partnership and the Niagara Falls National Heritage Area; and ten members to be appointed by the governor, three of such members shall be municipal officers, elected officials or representatives of local government interest and seven of such members shall be, by professional training or experience or attainment, qualified to analyze or interpret matters relevant to the establishment and maintenance of state designated heritage areas including urban cultural parks and heritage corridors, one of whom shall be the director of a heritage area. Of these last seven, two are to be appointed from names recommended by the majority leader of the senate, two are to be appointed from names recommended by the speaker of the assembly, one is to be appointed from names recommended by the minority leader of the senate and one is to be appointed from names recommended by the minority leader of the assembly. The governor may designate such ex-officio members who shall be from the executive department, state agencies or public corporations as he or she deems appropriate; provided that such ex-officio members shall not vote on matters before the advisory council. For the ten members appointed by the governor, each shall hold office for a term of five years and until his or her successor shall have been appointed or until he or she shall resign. The members of the advisory council shall elect a chair from amongst its members for a term of three years. Eleven members of the advisory council shall constitute a quorum for the transaction of any business at both regular and special meetings. Any ex-officio member may delegate all his or her duties of membership, including voting rights, to an officer or employee of such member's organization. No member shall receive any compensation.

S 27. Paragraph (h-1) of subdivision 2 of section 35.07 of the parks, recreation and historic preservation law, as amended by chapter 666 of the laws of 1994, is amended to read as follows:

(h-1) [Chairman of the New York state thruway authority] PRESIDENT AND CHIEF EXECUTIVE OFFICER OF THE POWER AUTHORITY OF THE STATE OF NEW YORK regarding [its] operation of the New York state canal system;

S 28. Notwithstanding any other provision of law, the power authority of the state of New York (power authority) and the New York state thruway authority (thruway authority) are hereby authorized to enter into an agreement, effective April 1, 2016, whereby the power authority shall reimburse the thruway authority, monthly, for any and all operating and capital costs, expended by the thruway authority for the operation and maintenance of the New York state canal system (canal system), and the operation of the New York state canal corporation (canal corporation), for the period of April 1, 2016 through January 1, 2017. The thruway authority shall provide the power authority with a monthly report of all expenditures related to the canal corporation and the canal system, and provide access to all necessary financial records to carry out the intent of this section.

S 29. This act, being necessary for the welfare of the state and its inhabitants, shall be liberally construed to effect the purposes thereof.

S 30. (a) The power authority shall prepare an implementation plan for the transfer of the canal corporation from the thruway authority to the power authority pursuant to a chapter of the laws of 2016 enacted no later than July 1, 2016. Such implementation plan shall include a requirement that the rights and privileges of all employees under existing collective bargaining agreements shall not be adversely impacted at the time of transfer, a report on the status of relevant collective bargaining agreements and the preservation and maintenance of economic development programs and projects funded by the power authority, along with its ability to continue to effectuate its core mission to power the economic growth and competitiveness of New York state by providing customers with low-cost, clean, reliable power and the innovative energy infrastructure and services they value.

(b) In the event of a failure to enact such a chapter of the laws of 2016, the power authority shall prepare an implementation plan for the transfer of the canal corporation from the thruway authority to the power authority, in consultation with the temporary president of the senate and the speaker of the assembly and with approval of the director of the division of budget, and submit such plan to the governor and the legislature no later than October 1, 2016. Such implementation plan shall include a requirement that the rights and privileges of all employees under existing collective bargaining agreements shall not be adversely impacted at the time of transfer, a report on the status of relevant collective bargaining agreements and the preservation and maintenance of economic development programs and projects funded by the power authority, along with its ability to continue to effectuate its core mission to power the economic growth and competitiveness of New York state by providing customers with low-cost, clean, reliable power and the innovative energy infrastructure and services they value.

S 31. This act shall take effect on January 1, 2017; provided, however, that sections five and twenty-eight of this act shall take effect immediately.

## PART UU

Section 1. The state comptroller is hereby authorized and directed to loan money in accordance with the provisions set forth in subdivision 5

of section 4 of the state finance law to the following funds and/or accounts:

1. Proprietary vocational school supervision account (20452).
2. Local government records management account (20501).
3. Child health plus program account (20810).
4. EPIC premium account (20818).
5. Education - New (20901).
6. VLT - Sound basic education fund (20904).
7. Sewage treatment program management and administration fund (21000).
8. Hazardous bulk storage account (21061).
9. Federal grants indirect cost recovery account (21065).
10. Low level radioactive waste account (21066).
11. Recreation account (21067).
12. Public safety recovery account (21077).
13. Environmental regulatory account (21081).
14. Natural resource account (21082).
15. Mined land reclamation program account (21084).
16. Great lakes restoration initiative account (21087).
17. Environmental protection and oil spill compensation fund (21200).
18. Public transportation systems account (21401).
19. Metropolitan mass transportation (21402).
20. Operating permit program account (21451).
21. Mobile source account (21452).
22. Statewide planning and research cooperative system account (21902).
23. New York state thruway authority account (21905).
24. Mental hygiene program fund account (21907).
25. Mental hygiene patient income account (21909).
26. Financial control board account (21911).
27. Regulation of racing account (21912).
28. New York Metropolitan Transportation Council account (21913).
29. State university dormitory income reimbursable account (21937).
30. Criminal justice improvement account (21945).
31. Environmental laboratory reference fee account (21959).
32. Clinical laboratory reference system assessment account (21962).
33. Indirect cost recovery account (21978).
34. High school equivalency program account (21979).
35. Multi-agency training account (21989).
36. Interstate reciprocity for post-secondary distance education account.
37. Bell jar collection account (22003).
38. Industry and utility service account (22004).
39. Real property disposition account (22006).
40. Parking account (22007).
41. Asbestos safety training program account (22009).
42. Batavia school for the blind account (22032).
43. Investment services account (22034).
44. Surplus property account (22036).
45. Financial oversight account (22039).
46. Regulation of Indian gaming account (22046).
47. Rome school for the deaf account (22053).
48. Seized assets account (22054).
49. Administrative adjudication account (22055).
50. Federal salary sharing account (22056).
51. New York City assessment account (22062).

52. Cultural education account (22063).
53. Local services account (22078).
54. DHCR mortgage servicing account (22085).
55. Department of motor vehicles compulsory insurance account (22087).
56. Housing indirect cost recovery account (22090).
57. DHCR-HCA application fee account (22100).
58. Low income housing monitoring account (22130).
59. Corporation administration account (22135).
60. Montrose veteran's home account (22144).
61. Deferred compensation administration account (22151).
62. Rent revenue other New York City account (22156).
63. Rent revenue account (22158).
64. Tax revenue arrearage account (22168).
65. Highway use tax administration account.
66. State university general income offset account (22654).
67. Lake George park trust fund account (22751).
68. State police motor vehicle law enforcement account (22802).
69. Highway safety program account (23001).
70. EFC drinking water program account (23101).
71. DOH drinking water program account (23102).
72. NYCCC operating offset account (23151).
73. Commercial gaming revenue account (23701).
74. Commercial gaming regulation account (23702).
75. Highway and bridge capital account (30051).
76. State university residence hall rehabilitation fund (30100).
77. State parks infrastructure account (30351).
78. Clean water/clean air implementation fund (30500).
79. Hazardous waste remedial cleanup account (31506).
80. Youth facilities improvement account (31701).
81. Housing assistance fund (31800).
82. Housing program fund (31850).
83. Highway facility purpose account (31951).
84. Information technology capital financing account (32215).
85. New York racing account (32213).
86. Mental hygiene facilities capital improvement fund (32300).
87. Correctional facilities capital improvement fund (32350).
88. New York State Storm Recovery Capital Fund (33000).
89. OGS convention center account (50318).
90. Empire Plaza Gift Shop (50327)
91. Centralized services fund (55000).
92. Archives records management account (55052).
93. Federal single audit account (55053).
94. Civil service EHS occupational health program account (55056).
95. Banking services account (55057).
96. Cultural resources survey account (55058).
97. Automation & printing chargeback account (55060).
98. OFT NYT account (55061).
99. Data center account (55062).
100. Intrusion detection account (55066).
101. Domestic violence grant account (55067).
102. Centralized technology services account (55069).
103. Labor contact center account (55071).
104. Human services contact center account (55072).
105. Tax contact center account (55073).
106. Executive direction internal audit account (55251).
107. CIO Information technology centralized services account (55252).

108. Health insurance internal service account (55300).
109. Civil service employee benefits division administrative account (55301).
110. Correctional industries revolving fund (55350).
111. Employees health insurance account (60201).
112. Medicaid management information system escrow fund (60900).

S 1-a. The state comptroller is hereby authorized and directed to loan money in accordance with the provisions set forth in subdivision 5 of section 4 of the state finance law to any account within the following federal funds, provided the comptroller has made a determination that sufficient federal grant award authority is available to reimburse such loans:

1. Federal USDA-food and nutrition services fund (25000).
2. Federal health and human services fund (25100).
3. Federal education fund (25200).
4. Federal block grant fund (25250).
5. Federal miscellaneous operating grants fund (25300).
6. Federal unemployment insurance administration fund (25900).
7. Federal unemployment insurance occupational training fund (25950).
8. Federal emergency employment act fund (26000).
9. Federal capital projects fund (31350).

S 2. Notwithstanding any law to the contrary, and in accordance with section 4 of the state finance law, the comptroller is hereby authorized and directed to transfer, upon request of the director of the budget, on or before March 31, 2017, and with respect to item 5 under the miscellaneous category set forth in this section, up to and after March 31, 2017, up to the unencumbered balance or the following amounts:

Economic Development and Public Authorities:

1. $175,000 from the miscellaneous special revenue fund, underground facilities safety training account (22172), to the general fund.
2. An amount up to the unencumbered balance from the miscellaneous special revenue fund, business and licensing services account (21977), to the general fund.
3. $14,810,000 from the miscellaneous special revenue fund, code enforcement account (21904), to the general fund.
4. $3,000,000 from the general fund to the miscellaneous special revenue fund, tax revenue arrearage account (22168).

Education:

1. $2,360,000,000 from the general fund to the state lottery fund, education account (20901), as reimbursement for disbursements made from such fund for supplemental aid to education pursuant to section 92-c of the state finance law that are in excess of the amounts deposited in such fund for such purposes pursuant to section 1612 of the tax law.
2. $961,000,000 from the general fund to the state lottery fund, VLT education account (20904), as reimbursement for disbursements made from such fund for supplemental aid to education pursuant to section 92-c of the state finance law that are in excess of the amounts deposited in such fund for such purposes pursuant to section 1612 of the tax law.
3. Moneys from the state lottery fund up to an amount deposited in such fund pursuant to section 1612 of the tax law in excess of the current year appropriation for supplemental aid to education pursuant to section 92-c of the state finance law.
4. Up to $137,700,000 from the moneys deposited in commercial gaming revenue account (23701) to the general fund as reimbursement for disbursements made from the general fund for supplemental aid to education during the prior fiscal year due to the unencumbered balance of the

commercial gaming revenue account during the prior fiscal year being less than required to fully fund payments of general support for public schools, pursuant to Chapter 61 of the laws of 2015.

5. $300,000 from the local government records management improvement fund (20500) to the archives partnership trust fund (20350).

6. $900,000 from the general fund to the miscellaneous special revenue fund, Batavia school for the blind account (22032).

7. $900,000 from the general fund to the miscellaneous special revenue fund, Rome school for the deaf account (22053).

8. $343,400,000 from the state university dormitory income fund (40350) to the miscellaneous special revenue fund, state university dormitory income reimbursable account (21937).

9. $24,000,000 from any of the state education department special revenue and internal service funds to the miscellaneous special revenue fund, indirect cost recovery account (21978).

10. $8,318,000 from the general fund to the state university income fund, state university income offset account (22654), for the state's share of repayment of the STIP loan.

11. $40,000,000 from the state university income fund, state university hospitals income reimbursable account (22656) to the general fund for hospital debt service for the period April 1, 2015 through March 31, 2016.

12. An amount up to $14,251,000 from the general fund to the state university income fund, state university general revenue account (22653).

Environmental Affairs:

1. $16,000,000 from any of the department of environmental conservation's special revenue federal funds to the environmental conservation special revenue fund, federal indirect recovery account (21065).

2. $2,000,000 from any of the department of environmental conservation's special revenue federal funds to the conservation fund as necessary to avoid diversion of conservation funds.

3. $3,000,000 from any of the office of parks, recreation and historic preservation capital projects federal funds and special revenue federal funds to the miscellaneous special revenue fund, federal grant indirect cost recovery account (22188).

4. $1,000,000 from any of the office of parks, recreation and historic preservation special revenue federal funds to the miscellaneous special revenue fund, I love NY water account (21930).

5. $146,000,000 from the general fund to the environmental protection fund, environmental protection fund transfer account (30451).

6. $9,700,000 from the general fund to the hazardous waste remedial fund, hazardous waste oversight and assistance account (31505).

Family Assistance:

1. $10,000,000 from any of the office of children and family services, office of temporary and disability assistance, or department of health special revenue federal funds and the general fund, in accordance with agreements with social services districts, to the miscellaneous special revenue fund, office of human resources development state match account (21967).

2. $4,000,000 from any of the office of children and family services or office of temporary and disability assistance special revenue federal funds to the miscellaneous special revenue fund, family preservation and support services and family violence services account (22082).

3. $18,670,000 from any of the office of children and family services, office of temporary and disability assistance, or department of health

special revenue federal funds and any other miscellaneous revenues generated from the operation of office of children and family services programs to the general fund.

4. $140,000,000 from any of the office of temporary and disability assistance or department of health special revenue funds to the general fund.

5. $2,500,000 from any of the office of temporary and disability assistance special revenue federal funds to the miscellaneous special revenue fund, office of temporary and disability assistance program account (21980).

6. $21,000,000 from any of the office of children and family services, office of temporary and disability assistance, department of labor, and department of health special revenue federal funds to the office of children and family services miscellaneous special revenue fund, multi-agency training contract account (21989).

7. $65,000,000 from the miscellaneous special revenue fund, youth facility per diem account (22186), to the general fund.

8. $621,850 from the general fund to the combined gifts, grants, and bequests fund, WB Hoyt Memorial account (20128).

9. $3,100,000 from the miscellaneous special revenue fund, state central registry (22028), to the general fund.

10. $1,000,000 from the general fund to the housing program fund (31850).

General Government:

1. $1,566,000 from the miscellaneous special revenue fund, examination and miscellaneous revenue account (22065) to the general fund.

2. $12,500,000 from the general fund to the health insurance revolving fund (55300).

3. $192,400,000 from the health insurance reserve receipts fund (60550) to the general fund.

4. $150,000 from the general fund to the not-for-profit revolving loan fund (20650).

5. $150,000 from the not-for-profit revolving loan fund (20650) to the general fund.

6. $3,000,000 from the miscellaneous special revenue fund, surplus property account (22036), to the general fund.

7. $19,000,000 from the miscellaneous special revenue fund, revenue arrearage account (22024), to the general fund.

8. $1,826,000 from the miscellaneous special revenue fund, revenue arrearage account (22024), to the miscellaneous special revenue fund, authority budget office account (22138).

9. $1,000,000 from the miscellaneous special revenue fund, parking services account (22007), to the general fund, for the purpose of reimbursing the costs of debt service related to state parking facilities.

10. $21,789,000 from the general fund to the centralized services fund, COPS account (55013).

11. $2,360,000 from the general fund to the agencies internal service fund, central technology services account (55069), for the purpose of enterprise technology projects.

12. $15,000,000 from the miscellaneous special revenue fund, workers' compensation account (21995), to the miscellaneous capital projects fund, workers' compensation board IT business process design fund.

Health:

1. $33,710,000 from the miscellaneous special revenue fund, quality of care account (21915), to the general fund.

2. A transfer from the general fund to the combined gifts, grants and bequests fund, breast cancer research and education account (20155), up to an amount equal to the monies collected and deposited into that account in the previous fiscal year.

3. A transfer from the general fund to the combined gifts, grants and bequests fund, prostate cancer research, detection, and education account (20183), up to an amount equal to the moneys collected and deposited into that account in the previous fiscal year.

4. A transfer from the general fund to the combined gifts, grants and bequests fund, Alzheimer's disease research and assistance account (20143), up to an amount equal to the moneys collected and deposited into that account in the previous fiscal year.

5. $30,295,000 from the HCRA resources fund (20800) to the miscellaneous special revenue fund, empire state stem cell trust fund account (22161).

6. $7,000,000 from the miscellaneous special revenue fund, certificate of need account (21920), to the miscellaneous capital projects fund, healthcare IT capital subfund (32216).

7. $1,000,000 from the miscellaneous special revenue fund, administration program account (21982), to the miscellaneous capital projects fund, healthcare IT capital account (32216).

8. $1,000,000 from the miscellaneous special revenue fund, vital records account (22103), to the miscellaneous capital projects fund, healthcare IT capital account (32216).

9. $55,500,000 from the HCRA resources fund (20800) to the capital projects fund (30000).

10. $3,700,000 from the miscellaneous New York state agency fund, medical assistance account to the general fund.

11. $4,886,000 from the general fund to the medical marihuana trust fund, health operation and oversight account (23755).

12. $1,086,000 from the miscellaneous special revenue fund, certificate of need account (21920), to the general fund.

13. $1,000,000 from the miscellaneous special revenue fund, professional medical conduct account (22088), to the miscellaneous capital projects fund, healthcare IT capital account (32216).

Labor:

1. $400,000 from the miscellaneous special revenue fund, DOL fee and penalty account (21923), to the child performer's protection fund, child performer protection account (20401).

2. $8,400,000 from the miscellaneous special revenue fund, DOL fee and penalty account (21923), to the general fund.

3. $3,300,000 from the unemployment insurance interest and penalty fund, unemployment insurance special interest and penalty account (23601), to the general fund.

Mental Hygiene:

1. $10,000,000 from the miscellaneous special revenue fund, mental hygiene patient income account (21909), to the miscellaneous special revenue fund, federal salary sharing account (22056).

2. $1,950,000,000 from the general fund to the miscellaneous special revenue fund, mental hygiene patient income account (21909).

3. $1,550,000,000 from the general fund to the miscellaneous special revenue fund, mental hygiene program fund account (21907).

4. $100,000,000 from the miscellaneous special revenue fund, mental hygiene program fund account (21907), to the general fund.

5. $100,000,000 from the miscellaneous special revenue fund, mental hygiene patient income account (21909), to the general fund.

6. $3,800,000 from the miscellaneous special revenue fund, mental hygiene patient income account (21909), to the agencies internal service fund, civil service EHS occupational health program account (55056).

7. $5,000,000 from the chemical dependence service fund, substance abuse services fund account (22700), to the miscellaneous capital projects fund, chemical dependence service capital account.

Public Protection:

1. $1,350,000 from the miscellaneous special revenue fund, emergency management account (21944), to the general fund.

2. $3,300,000 from the general fund to the miscellaneous special revenue fund, recruitment incentive account (22171).

3. $10,500,000 from the general fund to the correctional industries revolving fund, correctional industries internal service account (55350).

4. $3,000,000 from the federal miscellaneous operating grants fund, DMNA damage account (25324), to the general fund.

5. $6,300,000 from the general fund to the miscellaneous special revenue fund, crimes against revenue program account (22015).

6. $8,600,000 from the miscellaneous special revenue fund, criminal justice improvement account (21945), to the general fund.

7. $106,000,000 from the state police motor vehicle law enforcement and motor vehicle theft and insurance fraud prevention fund, state police motor vehicle enforcement account (22802), to the general fund for state operation expenses of the division of state police.

8. $53,500,000 from the general fund to the correctional facilities capital improvement fund (32350).

9. $5,000,000 from the general fund to the dedicated highway and bridge trust fund (30050) for the purpose of work zone safety activities provided by the division of state police for the department of transportation.

10. $10,000,000 from the miscellaneous special revenue fund, statewide public safety communications account (22123), to the capital projects fund (30000).

11. $2,900,000 from the miscellaneous special revenue fund, legal services assistance account (22096), to the general fund.

12. $300,000 from the state police motor vehicle law enforcement and motor vehicle theft and insurance fraud prevention fund, motor vehicle theft and insurance fraud account (22801), to the general fund.

13. $1,000,000 from the general fund to the agencies internal service fund, center for employment opportunities NWP account.

Transportation:

1. $17,672,000 from the federal miscellaneous operating grants fund to the miscellaneous special revenue fund, New York Metropolitan Transportation Council account (21913).

2. $20,147,000 from the federal capital projects fund to the miscellaneous special revenue fund, New York Metropolitan Transportation Council account (21913).

3. $1,240,000 from the miscellaneous special revenue fund, compulsory insurance account (22087), to the dedicated highway and bridge trust fund (30050).

4. $15,046,384 from the general fund to the mass transportation operating assistance fund, public transportation systems operating assistance account (21401), of which $12,000,000 constitutes the base need for operations.

5. $810,000,000 from the general fund to the dedicated highway and bridge trust fund (30050).

6. $936,000 from the miscellaneous special revenue fund, accident prevention course program account (22094), to the dedicated highway and bridge trust fund (30050).

7. $1,234,000 from the miscellaneous special revenue fund, motorcycle safety account (21976), to the dedicated highway and bridge trust fund (30050).

8. $309,250,000 from the general fund to the MTA financial assistance fund, mobility tax trust account (23651).

9. $5,000,000 from the miscellaneous special revenue fund, transportation regulation account (22067) to the dedicated highway and bridge trust fund (30050), for disbursements made from such fund for motor carrier safety that are in excess of the amounts deposited in the dedicated highway and bridge trust fund (30050) for such purpose pursuant to section 94 of the transportation law.

10. $34,000 from the miscellaneous special revenue fund, seized assets account (21906), to the dedicated highway and bridge trust fund (30050).

Miscellaneous:

1. $250,000,000 from the general fund to any funds or accounts for the purpose of reimbursing certain outstanding accounts receivable balances.

2. $500,000,000 from the general fund to the debt reduction reserve fund (40000).

3. $450,000,000 from the New York state storm recovery capital fund (33000) to the revenue bond tax fund (40152).

4. $15,500,000 from the general fund, community projects account GG (10256), to the general fund, state purposes account (10050).

5. $1,840,000,000 from the general fund to the dedicated infrastructure investment fund.

S 3. Notwithstanding any law to the contrary, and in accordance with section 4 of the state finance law, the comptroller is hereby authorized and directed to transfer, on or before March 31, 2017:

1. Upon request of the commissioner of environmental conservation, up to $11,410,000 from revenues credited to any of the department of environmental conservation special revenue funds, including $3,293,400 from the environmental protection and oil spill compensation fund (21200), and $1,783,600 from the conservation fund (21150), to the environmental conservation special revenue fund, indirect charges account (21060).

2. Upon request of the commissioner of agriculture and markets, up to $3,000,000 from any special revenue fund or enterprise fund within the department of agriculture and markets to the general fund, to pay appropriate administrative expenses.

3. Upon request of the commissioner of agriculture and markets, up to $2,000,000 from the state exposition special fund, state fair receipts account (50051) to the miscellaneous capital projects fund, state fair capital improvement account (32208).

4. Upon request of the commissioner of the division of housing and community renewal, up to $6,221,000 from revenues credited to any division of housing and community renewal federal or miscellaneous special revenue fund to the miscellaneous special revenue fund, housing indirect cost recovery account (22090).

5. Upon request of the commissioner of the division of housing and community renewal, up to $5,500,000 may be transferred from any miscellaneous special revenue fund account, to any miscellaneous special revenue fund.

6. Upon request of the commissioner of health up to $5,000,000 from revenues credited to any of the department of health's special revenue

funds, to the miscellaneous special revenue fund, administration account (21982).

S 4. On or before March 31, 2017, the comptroller is hereby authorized and directed to deposit earnings that would otherwise accrue to the general fund that are attributable to the operation of section 98-a of the state finance law, to the agencies internal service fund, banking services account (55057), for the purpose of meeting direct payments from such account.

S 5. Notwithstanding any law to the contrary, upon the direction of the director of the budget and upon requisition by the state university of New York, the dormitory authority of the state of New York is directed to transfer, up to $22,000,000 in revenues generated from the sale of notes or bonds, to the state university of New York for reimbursement of bondable equipment for further transfer to the state's general fund.

S 6. Notwithstanding any law to the contrary, and in accordance with section 4 of the state finance law, the comptroller is hereby authorized and directed to transfer, upon request of the director of the budget and upon consultation with the state university chancellor or his or her designee, on or before March 31, 2017, up to $16,000,000 from the state university income fund general revenue account (22653) to the state general fund for debt service costs related to campus supported capital project costs for the NY-SUNY 2020 challenge grant program at the University at Buffalo.

S 7. Notwithstanding any law to the contrary, and in accordance with section 4 of the state finance law, the comptroller is hereby authorized and directed to transfer, upon request of the director of the budget and upon consultation with the state university chancellor or his or her designee, on or before March 31, 2017, up to $6,500,000 from the state university income fund general revenue account (22653) to the state general fund for debt service costs related to campus supported capital project costs for the NY-SUNY 2020 challenge grant program at the University at Albany.

S 8. Notwithstanding any law to the contrary, the state university chancellor or his or her designee is authorized and directed to transfer estimated tuition revenue balances from the state university collection fund (61000) to the state university income fund, state university general revenue offset account (22655) on or before March 31, 2017.

S 9. Notwithstanding any law to the contrary, and in accordance with section 4 of the state finance law, the comptroller is hereby authorized and directed to transfer, upon request of the director of the budget, up to $87,864,000 from the general fund to the state university income fund, state university hospitals income reimbursable account (22656) during the period July 1, 2016 through June 30, 2017 to reflect ongoing state subsidy of SUNY hospitals and to pay costs attributable to the SUNY hospitals' state agency status.

S 10. Notwithstanding any law to the contrary, and in accordance with section 4 of the state finance law, the comptroller is hereby authorized and directed to transfer, upon request of the director of the budget, up to $1,011,590,300 from the general fund to the state university income fund, state university general revenue offset account (22655) during the period of July 1, 2016 through June 30, 2017 to support operations at the state university.

S 11. Notwithstanding any law to the contrary, and in accordance with section 4 of the state finance law, the comptroller is hereby authorized and directed to transfer, upon request of the state university chancel-

lor or his or her designee, up to $55,000,000 from the state university income fund, state university hospitals income reimbursable account (22656), for services and expenses of hospital operations and capital expenditures at the state university hospitals; and the state university income fund, Long Island veterans' home account (22652) to the state university capital projects fund (32400) on or before June 30, 2017.

S 12. Notwithstanding any law to the contrary, and in accordance with section 4 of the state finance law, the comptroller, after consultation with the state university chancellor or his or her designee, is hereby authorized and directed to transfer moneys, in the first instance, from the state university collection fund, Stony Brook hospital collection account (61006), Brooklyn hospital collection account (61007), and Syracuse hospital collection account (61008) to the state university income fund, state university hospitals income reimbursable account (22656) in the event insufficient funds are available in the state university income fund, state university hospitals income reimbursable account (22656) to permit the full transfer of moneys authorized for transfer, to the general fund for payment of debt service related to the SUNY hospitals. Notwithstanding any law to the contrary, the comptroller is also hereby authorized and directed, after consultation with the state university chancellor or his or her designee, to transfer moneys from the state university income fund to the state university income fund, state university hospitals income reimbursable account (22656) in the event insufficient funds are available in the state university income fund, state university hospitals income reimbursable account (22656) to pay hospital operating costs or to permit the full transfer of moneys authorized for transfer, to the general fund for payment of debt service related to the SUNY hospitals on or before March 31, 2017.

S 13. Notwithstanding any law to the contrary, upon the direction of the director of the budget and the chancellor of the state university of New York or his or her designee, and in accordance with section 4 of the state finance law, the comptroller is hereby authorized and directed to transfer monies from the state university dormitory income fund (40350) to the state university residence hall rehabilitation fund (30100), and from the state university residence hall rehabilitation fund (30100) to the state university dormitory income fund (40350), in a net amount not to exceed $80 million.

S 14. Notwithstanding any law to the contrary, and in accordance with section 4 of the state finance law, the comptroller is hereby authorized and directed to transfer monies, upon request of the director of the budget, on or before March 31, 2017, from and to any of the following accounts: the miscellaneous special revenue fund, patient income account (21909), the miscellaneous special revenue fund, mental hygiene program fund account (21907), the miscellaneous special revenue fund, federal salary sharing account (22056), or the general fund in any combination, the aggregate of which shall not exceed $350 million.

S 15. Notwithstanding any law to the contrary, and in accordance with section 4 of the state finance law, the comptroller is hereby authorized and directed to transfer, at the request of the director of the budget, up to $500 million from the unencumbered balance of any special revenue fund or account, agency fund or account, internal service fund or account, enterprise fund or account, or any combination of such funds and accounts, to the general fund. The amounts transferred pursuant to this authorization shall be in addition to any other transfers expressly authorized in the 2016-17 budget. Transfers from federal funds, debt service funds, capital projects funds, the community projects fund, or

funds that would result in the loss of eligibility for federal benefits or federal funds pursuant to federal law, rule, or regulation as assented to in chapter 683 of the laws of 1938 and chapter 700 of the laws of 1951 are not permitted pursuant to this authorization.

S 15-a. Notwithstanding any other law to the contrary, up to $245 million of the assessment reserves remitted to the chair of the workers' compensation board pursuant to subdivision 6 of section 151 of the workers' compensation law shall, at the request of the director of the budget, be transferred to the state insurance fund, for partial payment and partial satisfaction of the state's obligations to the state insurance fund under section 88-c of the workers' compensation law.

S 16. Notwithstanding any law to the contrary, and in accordance with section 4 of the state finance law, the comptroller is hereby authorized and directed to transfer, at the request of the director of the budget, up to $100 million from any non-general fund or account, or combination of funds and accounts, to the miscellaneous special revenue fund, technology financing account (22207) or the miscellaneous capital projects fund, information technology capital financing account (32215), for the purpose of consolidating technology procurement and services. The amounts transferred to the miscellaneous special revenue fund, technology financing account (22207) pursuant to this authorization shall be equal to or less than the amount of such monies intended to support information technology costs which are attributable, according to a plan, to such account made in pursuance to an appropriation by law. Transfers to the technology financing account shall be completed from amounts collected by non-general funds or accounts pursuant to a fund deposit schedule or permanent statute, and shall be transferred to the technology financing account pursuant to a schedule agreed upon by the affected agency commissioner. Transfers from funds that would result in the loss of eligibility for federal benefits or federal funds pursuant to federal law, rule, or regulation as assented to in chapter 683 of the laws of 1938 and chapter 700 of the laws of 1951 are not permitted pursuant to this authorization.

S 16-a. Notwithstanding any law to the contrary, and in accordance with section 4 of the state finance law, the comptroller is hereby authorized and directed to transfer, at the request of the director of the budget, up to twenty-one million dollars ($21,000,000) from the unencumbered balance of any special revenue fund or account, or combination of funds and accounts, to the community projects fund. The amounts transferred pursuant to this authorization shall be in addition to any other transfers expressly authorized in the 2016-17 budget. Transfers from federal funds, debt services funds, capital projects funds, or funds that would result in the loss of eligibility for federal benefits or federal funds pursuant to federal law, rule, or regulation as assented to in chapter 683 of the laws of 1938 and chapter 700 of the laws of 1951 are not permitted pursuant to this authorization. The director of the budget shall (a) have received a request in writing from one or both houses of the legislature, and (b) notify both houses of the legislature in writing prior to initiating transfers pursuant to this authorization. The comptroller shall provide the director of the budget, the chair of the senate finance committee, and the chair of the assembly ways and means committee with an accurate accounting and report of any transfers that occur pursuant to this section on or before the fifteenth day of the following month in which such transfers occur.

S 17. Notwithstanding any law to the contrary, and in accordance with section 4 of the state finance law, the comptroller is hereby authorized

and directed to transfer, at the request of the director of the budget, up to $350 million from any non-general fund or account, or combination of funds and accounts, to the general fund for the purpose of consolidating technology procurement and services. The amounts transferred pursuant to this authorization shall be equal to or less than the amount of such monies intended to support information technology costs which are attributable, according to a plan, to such account made in pursuance to an appropriation by law. Transfers to the general fund shall be completed from amounts collected by non-general funds or accounts pursuant to a fund deposit schedule. Transfers from funds that would result in the loss of eligibility for federal benefits or federal funds pursuant to federal law, rule, or regulation as assented to in chapter 683 of the laws of 1938 and chapter 700 of the laws of 1951 are not permitted pursuant to this authorization.

S 18. Notwithstanding any provision of law to the contrary, as deemed feasible and advisable by its trustees, the power authority of the state of New York is authorized and directed to transfer to the state treasury to the credit of the general fund $20,000,000 for the state fiscal year commencing April 1, 2016, the proceeds of which will be utilized to support energy-related state activities.

S 19. Notwithstanding any provision of law, rule or regulation to the contrary, the New York State energy research and development authority is authorized and directed to make a contribution to the state treasury to the credit of the general fund in the amount of $23,000,000 from proceeds collected by the authority from the auction or sale of carbon dioxide emission allowances allocated by the department of environmental conservation on or before March 31, 2017.

S 20. Notwithstanding any provision of law, rule or regulation to the contrary, the New York state energy research and development authority is authorized and directed to transfer to the state university income fund general revenue account (22653), in an amount not to exceed $15,000,000 for the state fiscal year commencing April 1, 2016 from the proceeds collected by the authority from the auction or sale of carbon dioxide emission allowances allocated by the department of environmental conservation, which amount shall be utilized to support the Clean Energy Workforce Opportunity Program, to expand and develop clean energy education and workforce training programs, to offer additional courses, to hire faculty, purchase or upgrade necessary machinery and lab equipment, provide or coordinate associated experiential learning, and to integrate workforce training; provided further, that up to $5,000,000 of such amount shall be available to support Clean Energy Workforce Opportunity Program initiatives at state university of New York community colleges.

S 21. Subdivision 5 of section 97-rrr of the state finance law, as amended by section 21 of part I of chapter 60 of the laws of 2015, is amended to read as follows:

5. Notwithstanding the provisions of section one hundred seventy-one-a of the tax law, as separately amended by chapters four hundred eighty-one and four hundred eighty-four of the laws of nineteen hundred eighty-one, and notwithstanding the provisions of chapter ninety-four of the laws of two thousand eleven, or any other provisions of law to the contrary, during the fiscal year beginning April first, two thousand [fifteen] SIXTEEN, the state comptroller is hereby authorized and directed to deposit to the fund created pursuant to this section from amounts collected pursuant to article twenty-two of the tax law and pursuant to a schedule submitted by the director of the budget, up to [$3,382,279,000] $3,283,844,000, as may be certified in such schedule as

necessary to meet the purposes of such fund for the fiscal year beginning April first, two thousand [fifteen] SIXTEEN.

S 22. Intentionally omitted.

S 23. Intentionally omitted.

S 24. Subdivision 6 of section 4 of the state finance law, as amended by section 22 of part I of chapter 55 of the laws of 2014, is amended to read as follows:

6. Notwithstanding any law to the contrary, at the beginning of the state fiscal year, the state comptroller is hereby authorized and directed to receive for deposit to the credit of a fund and/or an account such monies as are identified by the director of the budget as having been intended for such deposit to support disbursements from such fund and/or account made in pursuance of an appropriation by law. As soon as practicable upon enactment of the budget, the director of the budget shall, but not less than three days following preliminary submission to the chairs of the senate finance committee and the assembly ways and means committee, file with the state comptroller an identification of specific monies to be so deposited. Any subsequent change regarding the monies to be so deposited shall be filed by the director of the budget, as soon as practicable, but not less than three days following preliminary submission to the chairs of the senate finance committee and the assembly ways and means committee.

All monies identified by the director of the budget to be deposited to the credit of a fund and/or account shall be consistent with the intent of the budget for the then current state fiscal year as enacted by the legislature.

The provisions of this subdivision shall expire on March thirty-first, two thousand [sixteen] EIGHTEEN.

S 25. Subdivision 4 of section 40 of the state finance law, as amended by section 23 of part I of chapter 55 of the laws of 2014, is amended to read as follows:

4. Every appropriation made from a fund or account to a department or agency shall be available for the payment of prior years' liabilities in such fund or account for fringe benefits, indirect costs, and telecommunications expenses and expenses for other centralized services fund programs without limit. Every appropriation shall also be available for the payment of prior years' liabilities other than those indicated above, but only to the extent of one-half of one percent of the total amount appropriated to a department or agency in such fund or account.

The provisions of this subdivision shall expire March thirty-first, two thousand [sixteen] EIGHTEEN.

S 26. Subparagraph (i) of paragraph (a) of subdivision 3 of section 92-cc of the state finance law, as added by chapter 1 of the laws of 2007, is amended to read as follows:

(i) Economic downturn. The commissioner of labor shall calculate and publish, on or before the fifteenth day of each month, a composite index of business cycle indicators. Such index shall be calculated using monthly data on New York state PRIVATE SECTOR employment, [total] AVERAGE WEEKLY HOURS OF manufacturing [hours worked] WORKERS, and THE unemployment RATE prepared by the department of labor or its successor agency, and total sales tax [collected net of law changes] COLLECTIONS ADJUSTED FOR INFLATION, prepared by the department of taxation and finance or its successor agency. Such index shall be [constructed in accordance with the procedures for calculating composite indexes issued by the conference board or its successor organization, and] adjusted for seasonal variations in accordance with the procedures issued by the

[census bureau of the] United States [department of commerce] CENSUS BUREAU or its successor agency. If the composite index declines for five consecutive months, the commissioner of labor shall notify the governor, the speaker of the assembly, the temporary president of the senate, and the minority leaders of the assembly and the senate. Upon such notification, the director of the budget may authorize and direct the comptroller to transfer from the rainy day reserve fund to the general fund such amounts as the director of the budget deems necessary to meet the requirements of the state financial plan. The authority to transfer funds under the provisions of this subdivision shall lapse when the composite index shall have increased for five consecutive months or twelve months from the original notification of the commissioner of labor, whichever occurs earlier. Provided, however, that for every additional and consecutive monthly decline succeeding the five month decline so noted by the commissioner of labor, the twelve month lapse date shall be extended by one additional month; or

S 27. Paragraph (a) of subdivision 3 of section 93-b of the state finance law, as added by section 1 of part H of chapter 60 of the laws of 2015, is amended to read as follows:

(a) Economic downturn. Notwithstanding any law to the contrary, for the purpose of this section, the commissioner of labor shall calculate and publish, on or before the fifteenth day of each month, a composite index of business cycle indicators. Such index shall be calculated using monthly data on New York state PRIVATE SECTOR employment, [total] AVERAGE WEEKLY HOURS OF manufacturing [hours worked] WORKERS, and THE unemployment RATE prepared by the department of labor or its successor agency, and total sales tax [collected net of law changes] COLLECTIONS ADJUSTED FOR INFLATION, prepared by the department of taxation and finance or its successor agency. Such index shall be [constructed in accordance with the procedures for calculating composite indexes issued by the conference board or its successor organization, and] adjusted for seasonal variations in accordance with the procedures issued by the [census bureau of the] United States [department of commerce] CENSUS BUREAU or its successor agency. If the composite index declines for five consecutive months, the commissioner of labor shall notify the governor, the speaker of the assembly, the temporary president of the senate, and the minority leaders of the assembly and the senate. Upon such notification, the director of the budget may authorize and direct the comptroller to transfer from the dedicated infrastructure investment fund to the general fund such amounts as the director of the budget deems necessary to meet the requirements of the state financial plan. The authority to transfer funds under the provisions of this paragraph shall lapse when the composite index shall have increased for five consecutive months or twelve months from the original notification of the commissioner of labor, whichever occurs earlier. Provided, however, that for every additional and consecutive monthly decline succeeding the five month decline so noted by the commissioner of labor, the twelve month lapse date shall be extended by one additional month.

S 27-a. The opening paragraph of paragraph 1-a of subdivision (a) of section 83 of the state finance law, as added by chapter 453 of the laws of 2015, is amended to read as follows:

On or before the first day of February each year, the commissioner of the department of environmental conservation shall provide a written report to the temporary president of the senate, speaker of the assembly, chair of the senate finance committee, chair of the assembly ways and means committee, chair of the senate committee on [health] ENVIRON-

MENTAL CONSERVATION, chair of the assembly [health] ENVIRONMENTAL CONSERVATION committee, the state comptroller and the public. Such report shall include how the monies of the fund received pursuant to section six hundred twenty-five of the tax law were utilized during the preceding calendar year, and shall include:

S 27-b. The opening paragraph of subdivision 2-a of section 84 of the state finance law, as added by chapter 453 of the laws of 2015, is amended to read as follows:

On or before the first day of February each year, the chairperson of the New York state Olympic regional development authority shall provide a written report to the temporary president of the senate, speaker of the assembly, chair of the senate finance committee, chair of the assembly ways and means committee, chair of the senate committee on [health] CULTURAL AFFAIRS, TOURISM, PARKS AND RECREATION, chair of the assembly [health] TOURISM, PARKS, ARTS AND SPORTS DEVELOPMENT committee, the state comptroller and the public. Such report shall include how the monies of the fund were utilized during the preceding calendar year, and shall include:

S 27-c. The opening paragraph of subdivision 2-a of section 97-mmmm of the state finance law, as added by chapter 453 of the laws of 2015, is amended to read as follows:

On or before the first day of February each year, the director of the New York state division of veterans' affairs shall provide a written report to the temporary president of the senate, speaker of the assembly, chair of the senate finance committee, chair of the assembly ways and means committee, chair of the senate committee on [health] VETERANS, HOMELAND SECURITY AND MILITARY AFFAIRS, chair of the assembly [health] VETERANS' AFFAIRS committee, the state comptroller and the public. Such report shall include how the monies of the fund were utilized during the preceding calendar year, and shall include:

S 27-d. The opening paragraph of subdivision 2-a of section 99-v of the state finance law, as added by chapter 453 of the laws of 2015, is amended to read as follows:

On or before the first day of February each year, the director of the New York state division of veterans' affairs shall provide a written report to the temporary president of the senate, speaker of the assembly, chair of the senate finance committee, chair of the assembly ways and means committee, chair of the senate committee on [health] VETERANS, HOMELAND SECURITY AND MILITARY AFFAIRS, chair of the assembly [health] VETERANS' AFFAIRS committee, the state comptroller and the public. Such report shall include how the monies of the fund were utilized during the preceding calendar year, and shall include:

S 27-e. The opening paragraph of subdivision 2-a of section 92-w of the state finance law, as added by chapter 453 of the laws of 2015, is amended to read as follows:

On or before the first day of February each year, the director of the division of criminal justice services shall provide a written report to the temporary president of the senate, speaker of the assembly, chair of the senate finance committee, chair of the assembly ways and means committee, chair of the senate committee on [health] CODES, chair of the assembly [health] CODES committee, the state comptroller and the public. Such report shall include how the monies of the fund were utilized during the preceding calendar year, and shall include:

S 27-f. The opening paragraph of subdivision 2-a of section 79 of the state finance law, as added by chapter 453 of the laws of 2015, is amended to read as follows:

On or before the first day of February each year, the chairman of the board of directors of the World Trade Center memorial foundation shall provide a written report to the temporary president of the senate, speaker of the assembly, chair of the senate finance committee, chair of the assembly ways and means committee, [chair of the senate committee on health, chair of the assembly health committee,] the state comptroller and the public. Such report shall include how the monies of the fund were utilized during the preceding calendar year, and shall include:

S 27-g. The opening paragraph of subdivision 2-a of section 99-q of the state finance law, as added by chapter 453 of the laws of 2015, is amended to read as follows:

On or before the first day of February each year, the state fire administrator shall provide a written report to the temporary president of the senate, speaker of the assembly, chair of the senate finance committee, chair of the assembly ways and means committee, chair of the senate committee on [health] LOCAL GOVERNMENT, chair of the assembly [health] LOCAL GOVERNMENT committee, the state comptroller and the public. Such report shall include how the monies of the fund were utilized during the preceding calendar year, and shall include:

S 27-h. Subdivision 2 of section 71-b of the state finance law, as added by chapter 453 of the laws of 2015, is amended to read as follows:

2. The head of the agency or entity administering the expenditure of tax check-off monies shall report annually on the use of such monies to the temporary president of the senate, speaker of the assembly, chair of the senate finance committee, chair of the assembly ways and means committee, chair of the [senate committee on health, chair of the assembly health committee,] APPROPRIATE COMMITTEE IN THE SENATE OR ASSEMBLY, the state comptroller and the public. Such report shall include the amount of money dispersed from the fund and the award process used for such disbursements, recipients of awards from the fund, the amount awarded to each, the purposes for which such awards were granted, and a summary financial plan for such monies which shall include estimates of all receipts and all disbursements for the current and succeeding fiscal years, along with the actual results from the prior fiscal year.

S 27-i. Section 95-e of the state finance law, as added by chapter 301 of the laws of 2004, is amended by adding a new subdivision 2-a to read as follows:

2-A. ON OR BEFORE THE FIRST DAY OF FEBRUARY EACH YEAR, THE COMMISSIONER OF HEALTH SHALL PROVIDE A WRITTEN REPORT TO THE TEMPORARY PRESIDENT OF THE SENATE, SPEAKER OF THE ASSEMBLY, CHAIR OF THE SENATE FINANCE COMMITTEE, CHAIR OF THE ASSEMBLY WAYS AND MEANS COMMITTEE, CHAIR OF THE SENATE COMMITTEE ON HEALTH, CHAIR OF THE ASSEMBLY HEALTH COMMITTEE, THE STATE COMPTROLLER AND THE PUBLIC. SUCH REPORT SHALL INCLUDE HOW THE MONIES OF THE FUND WERE UTILIZED DURING THE PRECEDING CALENDAR YEAR, AND SHALL INCLUDE:

(I) THE AMOUNT OF MONEY DISBURSED FROM THE FUND AND THE AWARD PROCESS USED FOR SUCH DISBURSEMENTS;

(II) RECIPIENTS OF AWARDS FROM THE FUND;

(III) THE AMOUNT AWARDED TO EACH;

(IV) THE PURPOSES FOR WHICH SUCH AWARDS WERE GRANTED; AND

(V) A SUMMARY FINANCIAL PLAN FOR SUCH MONIES WHICH SHALL INCLUDE ESTIMATES OF ALL RECEIPTS AND ALL DISBURSEMENTS FOR THE CURRENT AND SUCCEEDING FISCAL YEARS, ALONG WITH THE ACTUAL RESULTS FROM THE PRIOR FISCAL YEAR.

S 27-j. Section 14 of chapter 453 of the laws of 2015 amending the state finance law relating to tax check-off funds, is amended to read as follows:

S 14. This act shall take effect immediately; provided, however, that the provisions of section thirteen of this act shall apply to funds established on and after such date AND FUNDS FOR WHICH A TAX CHECK-OFF IS A SOURCE OF MONIES IN SUCH FUNDS.

S 28. Notwithstanding any other law, rule, or regulation to the contrary, the state comptroller is hereby authorized and directed to use any balance remaining in the mental health services fund debt service appropriation, after payment by the state comptroller of all obligations required pursuant to any lease, sublease, or other financing arrangement between the dormitory authority of the state of New York as successor to the New York state medical care facilities finance agency, and the facilities development corporation pursuant to chapter 83 of the laws of 1995 and the department of mental hygiene for the purpose of making payments to the dormitory authority of the state of New York for the amount of the earnings for the investment of monies deposited in the mental health services fund that such agency determines will or may have to be rebated to the federal government pursuant to the provisions of the internal revenue code of 1986, as amended, in order to enable such agency to maintain the exemption from federal income taxation on the interest paid to the holders of such agency's mental services facilities improvement revenue bonds. Annually on or before each June 30th, such agency shall certify to the state comptroller its determination of the amounts received in the mental health services fund as a result of the investment of monies deposited therein that will or may have to be rebated to the federal government pursuant to the provisions of the internal revenue code of 1986, as amended.

S 29. Subdivision 1 of section 47 of section 1 of chapter 174 of the laws of 1968, constituting the New York state urban development corporation act, as amended by section 25 of part I of chapter 60 of the laws of 2015, is amended to read as follows:

1. Notwithstanding the provisions of any other law to the contrary, the dormitory authority and the corporation are hereby authorized to issue bonds or notes in one or more series for the purpose of funding project costs for the office of information technology services, department of law, and other state costs associated with such capital projects. The aggregate principal amount of bonds authorized to be issued pursuant to this section shall not exceed [two] THREE hundred [sixty-nine] SIXTY-FOUR million [one] EIGHT hundred forty thousand dollars, excluding bonds issued to fund one or more debt service reserve funds, to pay costs of issuance of such bonds, and bonds or notes issued to refund or otherwise repay such bonds or notes previously issued. Such bonds and notes of the dormitory authority and the corporation shall not be a debt of the state, and the state shall not be liable thereon, nor shall they be payable out of any funds other than those appropriated by the state to the dormitory authority and the corporation for principal, interest, and related expenses pursuant to a service contract and such bonds and notes shall contain on the face thereof a statement to such effect. Except for purposes of complying with the internal revenue code, any interest income earned on bond proceeds shall only be used to pay debt service on such bonds.

S 30. Subdivision 1 of section 16 of part D of chapter 389 of the laws of 1997, relating to the financing of the correctional facilities improvement fund and the youth facility improvement fund, as amended by

section 27 of part I of chapter 60 of the laws of 2015, is amended to read as follows:

1. Subject to the provisions of chapter 59 of the laws of 2000, but notwithstanding the provisions of section 18 of section 1 of chapter 174 of the laws of 1968, the New York state urban development corporation is hereby authorized to issue bonds, notes and other obligations in an aggregate principal amount not to exceed seven billion [one] FOUR hundred [sixty-three] TWENTY-FOUR million [three] NINE hundred [sixty-nine] NINETY-NINE thousand dollars [$7,163,369,000] $7,424,999,000, and shall include all bonds, notes and other obligations issued pursuant to chapter 56 of the laws of 1983, as amended or supplemented. The proceeds of such bonds, notes or other obligations shall be paid to the state, for deposit in the correctional facilities capital improvement fund to pay for all or any portion of the amount or amounts paid by the state from appropriations or reappropriations made to the department of corrections and community supervision from the correctional facilities capital improvement fund for capital projects. The aggregate amount of bonds, notes or other obligations authorized to be issued pursuant to this section shall exclude bonds, notes or other obligations issued to refund or otherwise repay bonds, notes or other obligations theretofore issued, the proceeds of which were paid to the state for all or a portion of the amounts expended by the state from appropriations or reappropriations made to the department of corrections and community supervision; provided, however, that upon any such refunding or repayment the total aggregate principal amount of outstanding bonds, notes or other obligations may be greater than seven billion [one] FOUR hundred [sixty-three] TWENTY-FOUR million [three] NINE hundred [sixty-nine] NINETY-NINE thousand dollars [$7,163,369,000] $7,424,999,000, only if the present value of the aggregate debt service of the refunding or repayment bonds, notes or other obligations to be issued shall not exceed the present value of the aggregate debt service of the bonds, notes or other obligations so to be refunded or repaid. For the purposes hereof, the present value of the aggregate debt service of the refunding or repayment bonds, notes or other obligations and of the aggregate debt service of the bonds, notes or other obligations so refunded or repaid, shall be calculated by utilizing the effective interest rate of the refunding or repayment bonds, notes or other obligations, which shall be that rate arrived at by doubling the semi-annual interest rate (compounded semi-annually) necessary to discount the debt service payments on the refunding or repayment bonds, notes or other obligations from the payment dates thereof to the date of issue of the refunding or repayment bonds, notes or other obligations and to the price bid including estimated accrued interest or proceeds received by the corporation including estimated accrued interest from the sale thereof.

S 31. Paragraph (a) of subdivision 2 of section 47-e of the private housing finance law, as amended by section 28 of part I of chapter 60 of the laws of 2015, is amended to read as follows:

(a) Subject to the provisions of chapter fifty-nine of the laws of two thousand, in order to enhance and encourage the promotion of housing programs and thereby achieve the stated purposes and objectives of such housing programs, the agency shall have the power and is hereby authorized from time to time to issue negotiable housing program bonds and notes in such principal amount as shall be necessary to provide sufficient funds for the repayment of amounts disbursed (and not previously reimbursed) pursuant to law or any prior year making capital appropriations or reappropriations for the purposes of the housing program;

provided, however, that the agency may issue such bonds and notes in an aggregate principal amount not exceeding [three] FOUR billion [one] SIX hundred [fifty-three] NINETY-SEVEN million [seven] FOUR hundred [ninety-nine] SEVENTY-FOUR thousand dollars, plus a principal amount of bonds issued to fund the debt service reserve fund in accordance with the debt service reserve fund requirement established by the agency and to fund any other reserves that the agency reasonably deems necessary for the security or marketability of such bonds and to provide for the payment of fees and other charges and expenses, including underwriters' discount, trustee and rating agency fees, bond insurance, credit enhancement and liquidity enhancement related to the issuance of such bonds and notes. No reserve fund securing the housing program bonds shall be entitled or eligible to receive state funds apportioned or appropriated to maintain or restore such reserve fund at or to a particular level, except to the extent of any deficiency resulting directly or indirectly from a failure of the state to appropriate or pay the agreed amount under any of the contracts provided for in subdivision four of this section.

S 32. Subdivision (b) of section 11 of chapter 329 of the laws of 1991, amending the state finance law and other laws relating to the establishment of the dedicated highway and bridge trust fund, as amended by section 29 of part I of chapter 60 of the laws of 2015, is amended to read as follows:

(b) Any service contract or contracts for projects authorized pursuant to sections 10-c, 10-f, 10-g and 80-b of the highway law and section 14-k of the transportation law, and entered into pursuant to subdivision (a) of this section, shall provide for state commitments to provide annually to the thruway authority a sum or sums, upon such terms and conditions as shall be deemed appropriate by the director of the budget, to fund, or fund the debt service requirements of any bonds or any obligations of the thruway authority issued to fund or to reimburse the state for funding such projects having a cost not in excess of [$8,658,881,000] $9,147,234,000 cumulatively by the end of fiscal year [2015-16] 2016-17.

S 33. Subdivision 1 of section 1689-i of the public authorities law, as amended by section 30 of part I of chapter 60 of the laws of 2015, is amended to read as follows:

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

S 34. Subdivision (a) of section 27 of part Y of chapter 61 of the laws of 2005, providing for the administration of certain funds and accounts related to the 2005-2006 budget, as amended by section 31 of part I of chapter 60 of the laws of 2015, is amended to read as follows:

(a) Subject to the provisions of chapter 59 of the laws of 2000, but notwithstanding any provisions of law to the contrary, the urban development corporation is hereby authorized to issue bonds or notes in one or more series in an aggregate principal amount not to exceed [$155,600,000] $167,600,000, excluding bonds issued to finance one or more debt service reserve funds, to pay costs of issuance of such bonds, and bonds or notes issued to refund or otherwise repay such bonds or notes previously issued, for the purpose of financing capital projects including IT initiatives for the division of state police, debt service

and leases; and to reimburse the state general fund for disbursements made therefor. Such bonds and notes of such authorized issuer shall not be a debt of the state, and the state shall not be liable thereon, nor shall they be payable out of any funds other than those appropriated by the state to such authorized issuer for debt service and related expenses pursuant to any service contract executed pursuant to subdivision (b) of this section and such bonds and notes shall contain on the face thereof a statement to such effect. Except for purposes of complying with the internal revenue code, any interest income earned on bond proceeds shall only be used to pay debt service on such bonds.

S 35. Section 44 of section 1 of chapter 174 of the laws of 1968, constituting the New York state urban development corporation act, as amended by section 32 of part I of chapter 60 of the laws of 2015, is amended to read as follows:

S 44. Issuance of certain bonds or notes. 1. Notwithstanding the provisions of any other law to the contrary, the dormitory authority and the corporation are hereby authorized to issue bonds or notes in one or more series for the purpose of funding project costs for the regional economic development council initiative, the economic transformation program, state university of New York college for nanoscale and science engineering, projects within the city of Buffalo or surrounding environs, the New York works economic development fund, projects for the retention of professional football in western New York, the empire state economic development fund, the clarkson-trudeau partnership, the New York genome center, the cornell university college of veterinary medicine, the olympic regional development authority, [a project] PROJECTS at nano Utica, onondaga county revitalization projects, Binghamton university school of pharmacy, New York power electronics manufacturing consortium, regional infrastructure projects, HIGH TECHNOLOGY MANUFACTURING PROJECTS IN CHAUTAUQUA AND ERIE COUNTY, AN INDUSTRIAL SCALE RESEARCH AND DEVELOPMENT FACILITY IN CLINTON COUNTY, UPSTATE REVITALIZATION INITIATIVE PROJECTS, MARKET NEW YORK PROJECTS, FAIRGROUND BUILDINGS OR FACILITIES USED TO HOUSE AND PROMOTE AGRICULTURE, and other state costs associated with such projects. The aggregate principal amount of bonds authorized to be issued pursuant to this section shall not exceed [two] FOUR billion [eight] SIX hundred [eighty-eight] SEVENTY-ONE million [two] SEVEN hundred fifty-seven thousand dollars, excluding bonds issued to fund one or more debt service reserve funds, to pay costs of issuance of such bonds, and bonds or notes issued to refund or otherwise repay such bonds or notes previously issued. Such bonds and notes of the dormitory authority and the corporation shall not be a debt of the state, and the state shall not be liable thereon, nor shall they be payable out of any funds other than those appropriated by the state to the dormitory authority and the corporation for principal, interest, and related expenses pursuant to a service contract and such bonds and notes shall contain on the face thereof a statement to such effect. Except for purposes of complying with the internal revenue code, any interest income earned on bond proceeds shall only be used to pay debt service on such bonds.

2. Notwithstanding any other provision of law to the contrary, in order to assist the dormitory authority and the corporation in undertaking the financing for project costs for the regional economic development council initiative, the economic transformation program, state university of New York college for nanoscale and science engineering, projects within the city of Buffalo or surrounding environs, the New York works economic development fund, projects for the retention of

professional football in western New York, the empire state economic development fund, the clarkson-trudeau partnership, the New York genome center, the cornell university college of veterinary medicine, the olympic regional development authority, [a project] PROJECTS at nano Utica, onondaga county revitalization projects, Binghamton university school of pharmacy, New York power electronics manufacturing consortium, regional infrastructure projects, HIGH TECHNOLOGY MANUFACTURING PROJECTS IN CHAUTAUQUA AND ERIE COUNTY, AN INDUSTRIAL SCALE RESEARCH AND DEVELOPMENT FACILITY IN CLINTON COUNTY, UPSTATE REVITALIZATION INITIATIVE PROJECTS, MARKET NEW YORK PROJECTS, FAIRGROUND BUILDINGS OR FACILITIES USED TO HOUSE AND PROMOTE AGRICULTURE, and other state costs associated with such projects, the director of the budget is hereby authorized to enter into one or more service contracts with the dormitory authority and the corporation, none of which shall exceed thirty years in duration, upon such terms and conditions as the director of the budget and the dormitory authority and the corporation agree, so as to annually provide to the dormitory authority and the corporation, in the aggregate, a sum not to exceed the principal, interest, and related expenses required for such bonds and notes. Any service contract entered into pursuant to this section shall provide that the obligation of the state to pay the amount therein provided shall not constitute a debt of the state within the meaning of any constitutional or statutory provision and shall be deemed executory only to the extent of monies available and that no liability shall be incurred by the state beyond the monies available for such purpose, subject to annual appropriation by the legislature. Any such contract or any payments made or to be made thereunder may be assigned and pledged by the dormitory authority and the corporation as security for its bonds and notes, as authorized by this section.

S 36. Subdivision 3 of section 1285-p of the public authorities law, as amended by section 33 of part I of chapter 60 of the laws of 2015, is amended to read as follows:

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

S 37. Subdivision 1 of section 45 of section 1 of chapter 174 of the laws of 1968, constituting the New York state urban development corporation act, as amended by section 34 of part I of chapter 60 of the laws of 2015, is amended to read as follows:

1. Notwithstanding the provisions of any other law to the contrary, the urban development corporation of the state of New York is hereby authorized to issue bonds or notes in one or more series for the purpose of funding project costs for the implementation of a NY-SUNY and NY-CUNY 2020 challenge grant program subject to the approval of a NY-SUNY and NY-CUNY 2020 plan or plans by the governor and either the chancellor of the state university of New York or the chancellor of the city university of New York, as applicable. The aggregate principal amount of bonds

authorized to be issued pursuant to this section shall not exceed [$440,000,000] $550,000,000, excluding bonds issued to fund one or more debt service reserve funds, to pay costs of issuance of such bonds, and bonds or notes issued to refund or otherwise repay such bonds or notes previously issued. Such bonds and notes of the corporation shall not be a debt of the state, and the state shall not be liable thereon, nor shall they be payable out of any funds other than those appropriated by the state to the corporation for principal, interest, and related expenses pursuant to a service contract and such bonds and notes shall contain on the face thereof a statement to such effect. Except for purposes of complying with the internal revenue code, any interest income earned on bond proceeds shall only be used to pay debt service on such bonds.

S 38. Subdivision (a) of section 48 of part K of chapter 81 of the laws of 2002, providing for the administration of certain funds and accounts related to the 2002-2003 budget, as amended by section 35 of part I of chapter 60 of the laws of 2015, is amended to read as follows:

(a) Subject to the provisions of chapter 59 of the laws of 2000 but notwithstanding the provisions of section 18 of the urban development corporation act, the corporation is hereby authorized to issue bonds or notes in one or more series in an aggregate principal amount not to exceed $197,000,000 excluding bonds issued to fund one or more debt service reserve funds, to pay costs of issuance of such bonds, and bonds or notes issued to refund or otherwise repay such bonds or notes previously issued, for the purpose of financing capital costs related to homeland security and training facilities for the division of state police, the division of military and naval affairs, and any other state agency, including the reimbursement of any disbursements made from the state capital projects fund, and is hereby authorized to issue bonds or notes in one or more series in an aggregate principal amount not to exceed [$469,800,000] $509,600,000, excluding bonds issued to fund one or more debt service reserve funds, to pay costs of issuance of such bonds, and bonds or notes issued to refund or otherwise repay such bonds or notes previously issued, for the purpose of financing improvements to State office buildings and other facilities located statewide, including the reimbursement of any disbursements made from the state capital projects fund. Such bonds and notes of the corporation shall not be a debt of the state, and the state shall not be liable thereon, nor shall they be payable out of any funds other than those appropriated by the state to the corporation for debt service and related expenses pursuant to any service contracts executed pursuant to subdivision (b) of this section, and such bonds and notes shall contain on the face thereof a statement to such effect.

S 39. Subdivision 1 of section 386-b of the public authorities law, as amended by section 36 of part I of chapter 60 of the laws of 2015, is amended to read as follows:

1. Notwithstanding any other provision of law to the contrary, the authority, the dormitory authority and the urban development corporation are hereby authorized to issue bonds or notes in one or more series for the purpose of financing peace bridge projects and capital costs of state and local highways, parkways, bridges, the New York state thruway, Indian reservation roads, and facilities, and transportation infrastructure projects including aviation projects, non-MTA mass transit projects, and rail service preservation projects, including work appurtenant and ancillary thereto. The aggregate principal amount of bonds authorized to be issued pursuant to this section shall not exceed [one]

THREE billion [six hundred ninety] SIXTY-FIVE million dollars [$1,690,000,000] $3,065,000,000, excluding bonds issued to fund one or more debt service reserve funds, to pay costs of issuance of such bonds, and to refund or otherwise repay such bonds or notes previously issued. Such bonds and notes of the authority, the dormitory authority and the urban development corporation shall not be a debt of the state, and the state shall not be liable thereon, nor shall they be payable out of any funds other than those appropriated by the state to the authority, the dormitory authority and the urban development corporation for principal, interest, and related expenses pursuant to a service contract and such bonds and notes shall contain on the face thereof a statement to such effect. Except for purposes of complying with the internal revenue code, any interest income earned on bond proceeds shall only be used to pay debt service on such bonds.

S 40. Paragraph (c) of subdivision 19 of section 1680 of the public authorities law, as amended by section 37 of part I of chapter 60 of the laws of 2015, is amended to read as follows:

(c) Subject to the provisions of chapter fifty-nine of the laws of two thousand, the dormitory authority shall not issue any bonds for state university educational facilities purposes if the principal amount of bonds to be issued when added to the aggregate principal amount of bonds issued by the dormitory authority on and after July first, nineteen hundred eighty-eight for state university educational facilities will exceed eleven billion [two] SIX hundred [twenty-eight] SIXTY-THREE million dollars; provided, however, that bonds issued or to be issued shall be excluded from such limitation if: (1) such bonds are issued to refund state university construction bonds and state university construction notes previously issued by the housing finance agency; or (2) such bonds are issued to refund bonds of the authority or other obligations issued for state university educational facilities purposes and the present value of the aggregate debt service on the refunding bonds does not exceed the present value of the aggregate debt service on the bonds refunded thereby; provided, further that upon certification by the director of the budget that the issuance of refunding bonds or other obligations issued between April first, nineteen hundred ninety-two and March thirty-first, nineteen hundred ninety-three will generate long term economic benefits to the state, as assessed on a present value basis, such issuance will be deemed to have met the present value test noted above. For purposes of this subdivision, the present value of the aggregate debt service of the refunding bonds and the aggregate debt service of the bonds refunded, shall be calculated by utilizing the true interest cost of the refunding bonds, which shall be that rate arrived at by doubling the semi-annual interest rate (compounded semi-annually) necessary to discount the debt service payments on the refunding bonds from the payment dates thereof to the date of issue of the refunding bonds to the purchase price of the refunding bonds, including interest accrued thereon prior to the issuance thereof. The maturity of such bonds, other than bonds issued to refund outstanding bonds, shall not exceed the weighted average economic life, as certified by the state university construction fund, of the facilities in connection with which the bonds are issued, and in any case not later than the earlier of thirty years or the expiration of the term of any lease, sublease or other agreement relating thereto; provided that no note, including renewals thereof, shall mature later than five years after the date of issuance of such note. The legislature reserves the right to amend or repeal such limit, and the state of New York, the dormitory authority,

the state university of New York, and the state university construction fund are prohibited from covenanting or making any other agreements with or for the benefit of bondholders which might in any way affect such right.

S 41. Paragraph (c) of subdivision 14 of section 1680 of the public authorities law, as amended by section 38 of part I of chapter 60 of the laws of 2015, is amended to read as follows:

(c) Subject to the provisions of chapter fifty-nine of the laws of two thousand, (i) the dormitory authority shall not deliver a series of bonds for city university community college facilities, except to refund or to be substituted for or in lieu of other bonds in relation to city university community college facilities pursuant to a resolution of the dormitory authority adopted before July first, nineteen hundred eighty-five or any resolution supplemental thereto, if the principal amount of bonds so to be issued when added to all principal amounts of bonds previously issued by the dormitory authority for city university community college facilities, except to refund or to be substituted in lieu of other bonds in relation to city university community college facilities will exceed the sum of four hundred twenty-five million dollars and (ii) the dormitory authority shall not deliver a series of bonds issued for city university facilities, including community college facilities, pursuant to a resolution of the dormitory authority adopted on or after July first, nineteen hundred eighty-five, except to refund or to be substituted for or in lieu of other bonds in relation to city university facilities and except for bonds issued pursuant to a resolution supplemental to a resolution of the dormitory authority adopted prior to July first, nineteen hundred eighty-five, if the principal amount of bonds so to be issued when added to the principal amount of bonds previously issued pursuant to any such resolution, except bonds issued to refund or to be substituted for or in lieu of other bonds in relation to city university facilities, will exceed seven billion [three] FIVE hundred [ninety-two] EIGHTY-EIGHT million [seven] FOUR hundred [fifty-three] ELEVEN thousand dollars. The legislature reserves the right to amend or repeal such limit, and the state of New York, the dormitory authority, the city university, and the fund are prohibited from covenanting or making any other agreements with or for the benefit of bondholders which might in any way affect such right.

S 42. Subdivision 10-a of section 1680 of the public authorities law, as amended by section 39 of part I of chapter 60 of the laws of 2015, is amended to read as follows:

10-a. Subject to the provisions of chapter fifty-nine of the laws of two thousand, but notwithstanding any other provision of the law to the contrary, the maximum amount of bonds and notes to be issued after March thirty-first, two thousand two, on behalf of the state, in relation to any locally sponsored community college, shall be eight hundred [thirty-eight] SIXTY-ONE million four hundred [fifty-eight] FIFTY-FOUR thousand dollars. Such amount shall be exclusive of bonds and notes issued to fund any reserve fund or funds, costs of issuance and to refund any outstanding bonds and notes, issued on behalf of the state, relating to a locally sponsored community college.

S 43. Subdivision 1 of section 17 of part D of chapter 389 of the laws of 1997, relating to the financing of the correctional facilities improvement fund and the youth facility improvement fund, as amended by section 41 of part I of chapter 60 of the laws of 2015, is amended to read as follows:

1. Subject to the provisions of chapter 59 of the laws of 2000, but notwithstanding the provisions of section 18 of section 1 of chapter 174 of the laws of 1968, the New York state urban development corporation is hereby authorized to issue bonds, notes and other obligations in an aggregate principal amount not to exceed six hundred [eleven] FORTY-SEVEN million [two hundred fifteen] SIXTY-FIVE thousand dollars [($611,215,000)] ($647,065,000), which authorization increases the aggregate principal amount of bonds, notes and other obligations authorized by section 40 of chapter 309 of the laws of 1996, and shall include all bonds, notes and other obligations issued pursuant to chapter 211 of the laws of 1990, as amended or supplemented. The proceeds of such bonds, notes or other obligations shall be paid to the state, for deposit in the youth facilities improvement fund, to pay for all or any portion of the amount or amounts paid by the state from appropriations or reappropriations made to the office of children and family services from the youth facilities improvement fund for capital projects. The aggregate amount of bonds, notes and other obligations authorized to be issued pursuant to this section shall exclude bonds, notes or other obligations issued to refund or otherwise repay bonds, notes or other obligations theretofore issued, the proceeds of which were paid to the state for all or a portion of the amounts expended by the state from appropriations or reappropriations made to the office of children and family services; provided, however, that upon any such refunding or repayment the total aggregate principal amount of outstanding bonds, notes or other obligations may be greater than six hundred [eleven] FORTY-SEVEN million [two hundred fifteen] SIXTY-FIVE thousand dollars [($611,215,000)] ($647,065,000), only if the present value of the aggregate debt service of the refunding or repayment bonds, notes or other obligations to be issued shall not exceed the present value of the aggregate debt service of the bonds, notes or other obligations so to be refunded or repaid. For the purposes hereof, the present value of the aggregate debt service of the refunding or repayment bonds, notes or other obligations and of the aggregate debt service of the bonds, notes or other obligations so refunded or repaid, shall be calculated by utilizing the effective interest rate of the refunding or repayment bonds, notes or other obligations, which shall be that rate arrived at by doubling the semi-annual interest rate (compounded semi-annually) necessary to discount the debt service payments on the refunding or repayment bonds, notes or other obligations from the payment dates thereof to the date of issue of the refunding or repayment bonds, notes or other obligations and to the price bid including estimated accrued interest or proceeds received by the corporation including estimated accrued interest from the sale thereof.

S 44. Paragraph b of subdivision 2 of section 9-a of section 1 of chapter 392 of the laws of 1973, constituting the New York state medical care facilities finance agency act, as amended by section 42 of part I of chapter 60 of the laws of 2015, is amended to read as follows:

b. The agency shall have power and is hereby authorized from time to time to issue negotiable bonds and notes in conformity with applicable provisions of the uniform commercial code in such principal amount as, in the opinion of the agency, shall be necessary, after taking into account other moneys which may be available for the purpose, to provide sufficient funds to the facilities development corporation, or any successor agency, for the financing or refinancing of or for the design, construction, acquisition, reconstruction, rehabilitation or improvement of mental health services facilities pursuant to paragraph a of this

subdivision, the payment of interest on mental health services improvement bonds and mental health services improvement notes issued for such purposes, the establishment of reserves to secure such bonds and notes, the cost or premium of bond insurance or the costs of any financial mechanisms which may be used to reduce the debt service that would be payable by the agency on its mental health services facilities improvement bonds and notes and all other expenditures of the agency incident to and necessary or convenient to providing the facilities development corporation, or any successor agency, with funds for the financing or refinancing of or for any such design, construction, acquisition, reconstruction, rehabilitation or improvement and for the refunding of mental hygiene improvement bonds issued pursuant to section 47-b of the private housing finance law; provided, however, that the agency shall not issue mental health services facilities improvement bonds and mental health services facilities improvement notes in an aggregate principal amount exceeding [seven] EIGHT billion [seven hundred twenty-two] TWENTY-ONE million eight hundred fifteen thousand dollars, excluding mental health services facilities improvement bonds and mental health services facilities improvement notes issued to refund outstanding mental health services facilities improvement bonds and mental health services facilities improvement notes; provided, however, that upon any such refunding or repayment of mental health services facilities improvement bonds and/or mental health services facilities improvement notes the total aggregate principal amount of outstanding mental health services facilities improvement bonds and mental health facilities improvement notes may be greater than [seven] EIGHT billion [seven hundred twenty-two] TWENTY-ONE million eight hundred fifteen thousand dollars only if, except as hereinafter provided with respect to mental health services facilities bonds and mental health services facilities notes issued to refund mental hygiene improvement bonds authorized to be issued pursuant to the provisions of section 47-b of the private housing finance law, the present value of the aggregate debt service of the refunding or repayment bonds to be issued shall not exceed the present value of the aggregate debt service of the bonds to be refunded or repaid. For purposes hereof, the present values of the aggregate debt service of the refunding or repayment bonds, notes or other obligations and of the aggregate debt service of the bonds, notes or other obligations so refunded or repaid, shall be calculated by utilizing the effective interest rate of the refunding or repayment bonds, notes or other obligations, which shall be that rate arrived at by doubling the semi-annual interest rate (compounded semi-annually) necessary to discount the debt service payments on the refunding or repayment bonds, notes or other obligations from the payment dates thereof to the date of issue of the refunding or repayment bonds, notes or other obligations and to the price bid including estimated accrued interest or proceeds received by the authority including estimated accrued interest from the sale thereof. Such bonds, other than bonds issued to refund outstanding bonds, shall be scheduled to mature over a term not to exceed the average useful life, as certified by the facilities development corporation, of the projects for which the bonds are issued, and in any case shall not exceed thirty years and the maximum maturity of notes or any renewals thereof shall not exceed five years from the date of the original issue of such notes. Notwithstanding the provisions of this section, the agency shall have the power and is hereby authorized to issue mental health services facilities improvement bonds and/or mental health services facilities improvement notes to refund outstanding mental hygiene

improvement bonds authorized to be issued pursuant to the provisions of section 47-b of the private housing finance law and the amount of bonds issued or outstanding for such purposes shall not be included for purposes of determining the amount of bonds issued pursuant to this section. The director of the budget shall allocate the aggregate principal authorized to be issued by the agency among the office of mental health, office for people with developmental disabilities, and the office of alcoholism and substance abuse services, in consultation with their respective commissioners to finance bondable appropriations previously approved by the legislature.

S 45. Paragraph (b) of subdivision 3 of section 1 and clause (B) of subparagraph (iii) of paragraph (j) of subdivision 4 of section 1 of part D of chapter 63 of the laws of 2005 relating to the composition and responsibilities of the New York state higher education capital matching grant board, as amended by section 43 of part I of chapter 60 of the laws of 2015, is amended to read as follows:

(b) Within amounts appropriated therefor, the board is hereby authorized and directed to award matching capital grants totaling [210] 240 million dollars. Each college shall be eligible for a grant award amount as determined by the calculations pursuant to subdivision five of this section. In addition, such colleges shall be eligible to compete for additional funds pursuant to paragraph (h) of subdivision four of this section.

(B) The dormitory authority shall not issue any bonds or notes in an amount in excess of [210] 240 million dollars for the purposes of this section; excluding bonds or notes issued to fund one or more debt service reserve funds, to pay costs of issuance of such bonds, and bonds or notes issued to refund or otherwise repay such bonds or notes previously issued. Except for purposes of complying with the internal revenue code, any interest on bond proceeds shall only be used to pay debt service on such bonds.

S 46. Notwithstanding any other provision of law to the contrary, from the taxes, interest and penalties collected or received by the commissioner of taxation and finance in respect of the tax imposed by the city of New York pursuant to the authority of section 1210, 1211, 1212 or 1212-A of the tax law,the comptroller shall pay, as directed in writing by the director of the budget, the sum of $16,666,667 on or before the twelfth day of each month from such taxes, penalties and interest collected or received by such commissioner during the previous month to (i) any issuers of state-related debt for the purposes of paying principal, interest, and related expenses, or for retiring or defeasing bonds previously issued, including any accrued interest or other expenses related thereto, for any state-related bonding program or programs, or to (ii) a governmental fund or funds of the state treasury. The comptroller shall make the first payment to issuers of state-related debt or the government funds on the twelfth day of May, 2016 from the taxes, penalties and interest collected or received during April 2016 and the last payment on or before the twelfth day of April, 2019 from the taxes, penalties and interest collected or received during March 2019. Provided, however, that in no event shall such payments exceed $200,000,000 in any state fiscal year; and provided further that such payments shall not reduce the reasonable costs of such commissioner under paragraph (b) of section 1261 of the tax law.

S 47. Section 1680-m of the public authorities law, as added by section 39 of part T of chapter 57 of the laws of 2007, subdivision 1 as

amended by section 47 and subdivision 2 as amended by section 42 of part JJ of chapter 56 of the laws of 2010, is amended to read as follows:

S 1680-m. Cultural education facilities. 1. Notwithstanding the provisions of any other law to the contrary, the authority and the urban development corporation are hereby authorized to issue bonds or notes in one or more series for the purpose of funding project costs for construction and rehabilitation associated with the cultural education facilities, INCLUDING BUT NOT LIMITED TO ACQUISITION COSTS AND OTHER STATE COSTS ASSOCIATED WITH SUCH CAPITAL PROJECTS, and the St. Regis Mohawk elementary school. The aggregate principal amount of bonds authorized to be issued pursuant to this section shall not exceed seventy-nine million dollars, excluding bonds issued to fund one or more debt service reserve funds, to pay costs of issuance of such bonds, and bonds or notes issued to refund or otherwise repay such bonds or notes previously issued. Such bonds and notes of the authority and the urban development corporation shall not be a debt of the state, and the state shall not be liable thereon, nor shall they be payable out of any funds other than those appropriated by the state to the authority for principal, interest, and related expenses pursuant to a service contract and such bonds and notes shall contain on the face thereof a statement to such effect. Except for purposes of complying with the internal revenue code, any interest income earned on bond proceeds shall only be used to pay debt service on such bonds.

2. Notwithstanding any other provision of law to the contrary, in order to assist the authority and the urban development corporation in undertaking the financing for construction and rehabilitation associated with the cultural education facilities, INCLUDING BUT NOT LIMITED TO ACQUISITION COSTS AND OTHER STATE COSTS ASSOCIATED WITH SUCH CAPITAL PROJECTS, and the St. Regis Mohawk elementary school, the director of the budget is hereby authorized to enter into one or more service contracts with the authority and the urban development corporation, none of which shall exceed thirty years in duration, upon such terms and conditions as the director of the budget and the authority and the urban development corporation agree, so as to annually provide to the authority and the urban development corporation, in the aggregate, a sum not to exceed the principal, interest, and related expenses required for such bonds and notes. Any service contract entered into pursuant to this section shall provide that the obligation of the state to pay the amount therein provided shall not constitute a debt of the state within the meaning of any constitutional or statutory provision and shall be deemed executory only to the extent of monies available and that no liability shall be incurred by the state beyond the monies available for such purpose, subject to annual appropriation by the legislature. Any such contract or any payments made or to be made thereunder may be assigned and pledged by the authority and the urban development corporation as security for its bonds and notes, as authorized by this section.

S 48. Subdivision 1 of section 1680-r of the public authorities law, as amended by section 40 of part I of chapter 60 of the laws of 2015, is amended to read as follows:

1. Notwithstanding the provisions of any other law to the contrary, the dormitory authority and the urban development corporation are hereby authorized to issue bonds or notes in one or more series for the purpose of funding project costs for the capital restructuring financing program for health care and related facilities licensed pursuant to the public health law or the mental hygiene law and other state costs associated with such capital projects and the health care facility transformation

program. The aggregate principal amount of bonds authorized to be issued pursuant to this section shall not exceed two billion [two] FOUR hundred million dollars, excluding bonds issued to fund one or more debt service reserve funds, to pay costs of issuance of such bonds, and bonds or notes issued to refund or otherwise repay such bonds or notes previously issued. Such bonds and notes of the dormitory authority and the urban development corporation shall not be a debt of the state, and the state shall not be liable thereon, nor shall they be payable out of any funds other than those appropriated by the state to the dormitory authority and the urban development corporation for principal, interest, and related expenses pursuant to a service contract and such bonds and notes shall contain on the face thereof a statement to such effect. Except for purposes of complying with the internal revenue code, any interest income earned on bond proceeds shall only be used to pay debt service on such bonds.

S 49. Subdivision 1 of section 49 of section 1 of chapter 174 of the laws of 1968, constituting the New York state urban development corporation act, as amended by section 44 of part I of chapter 60 of the laws of 2105, is amended to read as follows:

1. Notwithstanding the provisions of any other law to the contrary, the dormitory authority and the corporation are hereby authorized to issue bonds or notes in one or more series for the purpose of funding project costs for the state and municipal facilities program and other state costs associated with such capital projects. The aggregate principal amount of bonds authorized to be issued pursuant to this section shall not exceed one billion [one] FIVE hundred [fifty-five] FORTY million dollars, excluding bonds issued to fund one or more debt service reserve funds, to pay costs of issuance of such bonds, and bonds or notes issued to refund or otherwise repay such bonds or notes previously issued. Such bonds and notes of the dormitory authority and the corporation shall not be a debt of the state, and the state shall not be liable thereon, nor shall they be payable out of any funds other than those appropriated by the state to the dormitory authority and the corporation for principal, interest, and related expenses pursuant to a service contract and such bonds and notes shall contain on the face thereof a statement to such effect. Except for purposes of complying with the internal revenue code, any interest income earned on bond proceeds shall only be used to pay debt service on such bonds.

S 50. Subdivision 1 of section 51 of section 1 of chapter 174 of the laws of 1968, constituting the New York state urban development corporation act, as added by section 26 of part I of chapter 60 of the laws of 2015, is amended to read as follows:

1. Notwithstanding the provisions of any other law to the contrary, the dormitory authority and the urban development corporation are hereby authorized to issue bonds or notes in one or more series for the purpose of funding project costs for the nonprofit infrastructure capital investment program and other state costs associated with such capital projects. The aggregate principal amount of bonds authorized to be issued pursuant to this section shall not exceed [fifty] ONE HUNDRED million dollars, excluding bonds issued to fund one or more debt service reserve funds, to pay costs of issuance of such bonds, and bonds or notes issued to refund or otherwise repay such bonds or notes previously issued. Such bonds and notes of the dormitory authority and the urban development corporation shall not be a debt of the state, and the state shall not be liable thereon, nor shall they be payable out of any funds other than those appropriated by the state to the dormitory authority

and the urban development corporation for principal, interest, and related expenses pursuant to a service contract and such bonds and notes shall contain on the face thereof a statement to such effect. Except for purposes of complying with the internal revenue code, any interest income earned on bond proceeds shall only be used to pay debt service on such bonds.

S 51. Subdivision 11 of section 5-a of chapter 35 of the laws of 1979 relating to appropriating funds to the New York state urban developmental corporation, as added by chapter 3 of the laws of 2004, is amended to read as follows:

(11) Financing agreements. The development corporation and the state, acting through the director of the budget, are hereby authorized to enter into one or more financing agreements with respect to bonds (other than hotel bonds) on the terms and conditions as the director of budget and the development corporation agree, so as to annually provide to the development corporation, in the aggregate, a sum not to exceed the annual debt service payments and related expenses (including without limitation financing costs and costs and expenses under ancillary bond facilities and development corporation credit support agreements) required for the bonds secured by a financing agreement and subject to the limitations of this section. Copies of any such agreements, including any amendments thereto shall be submitted to the state comptroller and the chairs of the assembly committee on ways and means and the senate finance committee. The obligation of the state to fund or to pay the amounts provided for in any financing agreement, as in this section provided and as shall be provided in the financing agreement, shall not constitute a debt of the state within the meaning of any constitutional or statutory provision and shall be deemed executory only to the extent of monies available; no liability shall be incurred by the state beyond the moneys available for such purpose; and such obligation is subject to annual appropriation by the legislature. The amounts paid to the development corporation pursuant to any such financing agreement shall be used by it solely to pay or provide for debt service payments and related expenses as more particularly set forth in the applicable financing agreement (including rebate to the federal government of certain earnings, if so required). The bonds for which each financing agreement is applicable (a) shall be issued with a final maturity of no more than thirty years, and (b) may be issued in one or more series in an aggregate principal amount not to exceed the sum of [$350,000,000] $1,350,000,000, excluding the amount determined by resolution of the development corporation to be required for refunding the outstanding Jacob K. Javits convention center bonds referred to in subdivision one of this section, and, excluding bonds issued to fund one or more debt service reserve funds and to pay costs of issuance of such bonds, and (c) shall be subject to the provisions of article 5-B of the state finance law. It is hereby determined and found that the development corporation, as a subsidiary of the urban development corporation, is an authorized issuer pursuant to [article] ARTICLES 5-C AND 5-F of the state finance law and that the bonds secured by a financing agreement, upon issuance in accordance with and subject to the provisions of this section, may be issued pursuant to such [article] ARTICLES.

S 52. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2016; provided, however: (a) the provisions of sections one through eight, and sections twelve through twenty of this act shall expire March 31, 2017, when upon such date the provisions of such sections shall be deemed repealed; (b)

provided, however, that the provisions of section twenty-seven-j of this act shall be deemed to have been in full force and effect on the same date and in the same manner as chapter 453 of the laws of 2015, took effect; and (c) the provisions of section forty-six of this act shall expire upon the last payment made by the comptroller pursuant to section forty-six of this act when upon such date the provisions of such section shall be deemed repealed; provided that the state comptroller shall notify the legislative bill drafting commission upon the occurrence of the last payment provided for in section forty-six of this act in order that the commission may maintain an accurate and timely effective database of the official text of the laws of the state of New York in furtherance of effectuating the provisions of section 44 of the legislative law and section 70-b of the public officers law.

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 UU of this act shall be as specifically set forth in the last section of such Parts.