

STATE OF NEW YORK

9005--B

IN ASSEMBLY

January 19, 2022

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

AN ACT to amend part E of chapter 55 of the laws of 2020, amending the state finance law relating to establishing the criminal justice discovery compensation fund; amending the criminal procedure law relating to monies recovered by county district attorneys before the filing of an accusatory instrument; and providing for the repeal of certain provisions upon expiration thereof, in relation to extending the effectiveness thereof; and to amend the judiciary law and the state finance law, in relation to monies allocated to the chief administrator of the courts and the division of criminal justice services for the purpose of completing certain reports (Part A); intentionally omitted (Part B); intentionally omitted (Part C); to repeal subdivision 9 of section 201 of the correction law relating to the parole supervision fee (Part D); intentionally omitted (Part E); intentionally omitted (Part F); to amend the tax law, in relation to suspending the transfer of monies into the emergency services revolving loan fund from the public safety communications account (Part G); intentionally omitted (Part H); to amend the executive law, in relation to awarding reimbursement for certain items of essential personal property (Part I); to amend chapter 674 of the laws of 1993, amending the public buildings law relating to value limitations on contracts, in relation to extending the effectiveness thereof (Part J); intentionally omitted (Part K); intentionally omitted (Part L); to amend chapter 396 of the laws of 2010 amending the alcoholic beverage control law relating to liquidator's permits and temporary retail permits, in relation to the effectiveness thereof (Part M); intentionally omitted (Part N); intentionally omitted (Part O); intentionally omitted (Part P); intentionally omitted (Part Q); intentionally omitted (Part R); intentionally omitted (Part S); intentionally omitted (Part T); to amend the civil service law, in relation to eligibility for shift pay differentials (Part U); intentionally omitted (Part V); intentionally omitted (Part W); to amend

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

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the state finance law, the tax law and the public authorities law, in relation to providing aid and incentives for municipalities to towns and villages; and to repeal certain provisions of the tax law relating thereto (Part X); to provide for the administration of certain funds and accounts related to the 2022-2023 budget, authorizing certain payments and transfers; to amend the state finance law, in relation to the administration of certain funds and accounts; to amend 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, in relation to the issuance of certain bonds or notes; 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 the issuance of certain bonds & notes; to amend part Y of 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 the issuance of certain bonds or notes; to amend the public authorities law, in relation to the issuance of certain bonds or notes; to amend the New York state medical care facilities finance agency act, in relation to the issuance of certain bonds or notes; to amend the New York state urban development corporation act, in relation to the issuance of certain bonds or 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 certain bonds or notes; to amend the public authorities law, in relation to the issuance of certain bonds or notes; to amend the private housing finance law, in relation to housing program bonds and notes; to amend 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, in relation to increasing the amount of authorized matching capital grants; to amend the New York state urban development corporation act, in relation to the nonprofit infrastructure capital investment program; and in relation to state-supported debt issued during the 2022 fiscal year; to amend the state finance law, in relation to payments of bonds; to amend the state finance law, in relation to the mental health services fund; to amend the state finance law, in relation to the issuance of revenue bonds; to repeal subdivisions 4 and 5 of section 16 of part T of chapter 57 of the laws of 2007, relating to providing for the administration of certain funds and accounts related to the 2007-2008 budget; and providing for the repeal of certain provisions upon expiration thereof (Part Y); intentionally omitted (Part Z); intentionally omitted (Part AA); intentionally omitted (Part BB); to amend the state finance law, in relation to the cost effectiveness of consultant contracts by state agencies and ensuring the efficient and effective use of state tax dollars (Part CC); to amend the public service law, in relation to creating the state office of the utility consumer advocate (Part DD); in relation to reviving certain oversight authority of the state comptroller (Part EE); to amend the correction law, in relation to providing voice communication services to incarcerated individuals at no cost (Part FF); to amend the county law and the judiciary law, in relation to entitled compensation for client representation (Part GG); to amend chapter 141 of the laws of 1994, amending the legislative law and the state finance law relating to the operation and administration of the legislature, in relation to extending such provisions (Part HH); and to amend the legislative law,

in relation to establishing a legislative commission on the future of the Long Island Power Authority (Part II)

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 necessary to implement the state public protection and general govern-
3 ment budget for the 2022-2023 state fiscal year. Each component is whol-
4 ly contained within a Part identified as Parts A through II. The effec-
5 tive date for each particular provision contained within such Part is
6 set forth in the last section of such Part. Any provision in any section
7 contained within a Part, including the effective date of the Part, which
8 makes a reference to a section "of this act", when used in connection
9 with that particular component, shall be deemed to mean and refer to the
10 corresponding section of the Part in which it is found. Section three of
11 this act sets forth the general effective date of this act.

12 PART A

13 Section 1. Section 3 of part E of chapter 55 of the laws of 2020,
14 amending the state finance law relating to establishing the criminal
15 justice discovery compensation fund; amending the criminal procedure law
16 relating to monies recovered by county district attorneys before the
17 filing of an accusatory instrument; and providing for the repeal of
18 certain provisions upon expiration thereof, is amended to read as
19 follows:

20 § 3. This act shall take effect immediately; provided, however, that
21 subdivision 2 of section 99-hh of the state finance law, as added by
22 section one of this act, shall expire and be deemed repealed March 31,
23 ~~2022~~ 2024, and provided, further that the amendments to section 95.00
24 of the criminal procedure law made by section two of this act shall not
25 affect the repeal of such section and shall be deemed repealed there-
26 with.

27 § 1-a. Subdivision 5 of section 216 of the judiciary law, as added by
28 section 4 of part HHH of chapter 56 of the laws of 2020, is renumbered
29 subdivision 6 and is amended to read as follows:

30 6. The chief administrator of the courts, in conjunction with the
31 division of criminal justice services, shall collect data and report
32 annually regarding the impact of article two hundred forty-five of the
33 criminal procedure law. Such data and report shall contain information
34 regarding the implementation of article two hundred forty-five of the
35 criminal procedure law, including procedures used to implement the arti-
36 cle, resources needed for implementation, monies received pursuant to
37 section ninety-nine-hh of the state finance law, including the amount of
38 money utilized for the services and expenses eligible pursuant to subdi-
39 vision three of such section, information regarding cases where discov-
40 ery obligations are not met, and information regarding case outcomes.
41 The report shall be released publicly and published on the websites of
42 the office of court administration and the division of criminal justice
43 services. The first report shall be published eighteen months after the
44 effective date of this section, and shall include data from the first
45 twelve months following the enactment of this section. Reports for
46 subsequent years shall be published annually thereafter.

§ 1-b. Subdivision 3 of section 99-hh of the state finance law, as added by section 1 of part E of chapter 55 of the laws of 2020, is amended to read as follows:

3. (a) Monies of the criminal justice discovery compensation fund, following appropriation by the legislature and allocation by the director of the budget, shall be made available for local assistance services and expenses related to discovery reform implementation, including but not limited to, digital evidence transmission technology, administrative support, computers, hardware and operating software, data connectivity, development of training materials, staff training, overtime costs, litigation readiness, and pretrial services. Eligible entities shall include, but not be limited to counties, cities with populations less than one million, and law enforcement and prosecutorial entities within towns and villages.

(b) The director of the budget shall provide the amount of the monies allocated pursuant to this section to the chief administrator of the courts and the division of criminal justice services for the purpose of completing the report required pursuant to subdivision six of section two hundred sixteen of the judiciary law.

§ 2. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after March 31, 2022.

PART B

Intentionally Omitted

PART C

Intentionally Omitted

PART D

Section 1. Subdivision 9 of section 201 of the correction law is REPEALED.

§ 2. This act shall take effect immediately.

PART E

Intentionally Omitted

PART F

Intentionally Omitted

PART G

Section 1. Paragraph (b) of subdivision 6 of section 186-f of the tax law, as amended by section 1 of part I of chapter 55 of the laws of 2020, is amended to read as follows:

(b) The sum of one million five hundred thousand dollars must be deposited into the New York state emergency services revolving loan fund annually; provided, however, that such sums shall not be deposited for

1 state fiscal years two thousand eleven--two thousand twelve, two thou-
2 sand twelve--two thousand thirteen, two thousand fourteen--two thousand
3 fifteen, two thousand fifteen--two thousand sixteen, two thousand
4 sixteen--two thousand seventeen, two thousand seventeen--two thousand
5 eighteen, two thousand eighteen--two thousand nineteen, two thousand
6 nineteen--two thousand twenty, two thousand twenty--two thousand twen-
7 ty-one [~~and~~], two thousand twenty-one--two thousand twenty-two, two
8 thousand twenty-two--two thousand twenty-three, and two thousand twen-
9 ty-three--two thousand twenty-four;

10 § 2. This act shall take effect April 1, 2022.

11 PART H

12 Intentionally Omitted

13 PART I

14 Section 1. Subdivision 8 of section 621 of the executive law, as added
15 by chapter 197 of the laws of 1983, is amended to read as follows:

16 8. "Essential personal property" shall mean articles of personal prop-
17 erty necessary and essential to the health[~~, welfare~~] or safety of the
18 victim.

19 § 2. Subdivision 9 of section 631 of the executive law, as amended by
20 chapter 487 of the laws of 2014, is amended to read as follows:

21 9. Any award made for the cost of repair or replacement of essential
22 personal property, including cash losses of essential personal property,
23 shall be limited to an amount of [~~five~~] twenty-five hundred dollars,
24 except that all cash losses of essential personal property shall be
25 limited to the amount of one hundred dollars. In the case of medically
26 necessary life-sustaining equipment which was lost or damaged as the
27 direct result of a crime, the award shall be limited to the amount of
28 ten thousand dollars.

29 § 3. This act shall take effect on the one hundred eightieth day after
30 it shall have become a law and apply to all claims filed on or after
31 such effective date.

32 PART J

33 Section 1. Section 3 of chapter 674 of the laws of 1993, amending the
34 public buildings law relating to value limitations on contracts, as
35 amended by section 2 of part HH of chapter 55 of the laws of 2019, is
36 amended to read as follows:

37 § 3. This act shall take effect immediately and shall remain in full
38 force and effect only until June 30, [~~2022~~] 2025.

39 § 2. This act shall take effect immediately.

40 PART K

41 Intentionally Omitted

42 PART L

43 Intentionally Omitted

1 PART M

2 Section 1. Section 5 of chapter 396 of the laws of 2010 amending the
3 alcoholic beverage control law relating to liquidator's permits and
4 temporary retail permits, as amended by chapter 375 of the laws of 2021,
5 is amended to read as follows:

6 § 5. This act shall take effect on the sixtieth day after it shall
7 have become a law, provided that paragraph (b) of subdivision 1 of
8 section 97-a of the alcoholic beverage control law as added by section
9 two of this act shall expire and be deemed repealed October 12, [~~2022~~]
10 2023.

11 § 2. This act shall take effect immediately.

12 PART N

13 Intentionally Omitted

14 PART O

15 Intentionally Omitted

16 PART P

17 Intentionally Omitted

18 PART Q

19 Intentionally Omitted

20 PART R

21 Intentionally Omitted

22 PART S

23 Intentionally Omitted

24 PART T

25 Intentionally Omitted

26 PART U

27 Section 1. Subdivision 6 of section 130 of the civil service law, as
28 amended by chapter 307 of the laws of 1979, is amended to read as
29 follows:

30 6. Shift pay differentials. Whenever the director finds that under
31 prevailing wage practices in private or other public employment in the
32 state, employees in a given occupation receive a higher rate of pay or

1 wage differential for a work shift other [~~than a normal day shift~~] than
2 that which is paid to employees in the same occupation [~~for a normal day~~
3 ~~shift~~], [~~he~~] the director may, subject to the approval of the director
4 of the budget, authorize a pay differential to be paid to those employ-
5 ees in positions in the same or related occupations in the state service
6 and who are [~~regularly~~] assigned to an equivalent or substantially
7 equivalent work shift, on a statewide basis, provided however, where the
8 director finds that in a particular geographical area or areas wage
9 practices would warrant a shift differential for employees in a partic-
10 ular occupation then the director may grant a work shift pay differen-
11 tial for such employees, subject to the approval of the director of the
12 budget. In determining whether to authorize a pay differential the
13 director shall consider the various duties on each shift, [~~other than~~
14 ~~the normal day shift,~~] in relation to the normal day shift. A pay
15 differential under this subdivision shall be a percentage of basic sala-
16 ry, an hourly rate, an annual rate, or a fixed dollar amount per pay
17 period, as prescribed in each case by the director of the classification
18 and compensation division subject to approval of the director of the
19 budget. Such differential shall be paid in addition to and shall not be
20 part of an employee's basic annual salary, and shall not affect or
21 impair any performance advancement payments, performance awards, longev-
22 ity payments or other rights or benefits to which an employee may be
23 entitled under the provisions of this chapter, provided, however, that
24 any differential payable pursuant to this subdivision shall be included
25 as compensation for retirement purposes. A pay differential shall be
26 terminated for any employee when [~~he~~] the employee ceases to be employed
27 in the work shift or position for which such pay differential was
28 authorized. A pay differential shall remain in effect until terminated
29 by the director of the classification and compensation division with the
30 consent of the director of the budget or until a new pay differential is
31 authorized pursuant to this subdivision. The director of the budget may
32 adopt such regulations as [~~he may deem~~] necessary to carry out the
33 provisions of this subdivision.

34 § 2. This act shall take effect immediately.

35 PART V

36 Intentionally Omitted

37 PART W

38 Intentionally Omitted

39 PART X

40 Section 1. Subparagraph (vi) of paragraph b of subdivision 10 of
41 section 54 of the state finance law, as added by section 1 of part GGG
42 of chapter 59 of the laws of 2021, is amended to read as follows:

43 (vi) Notwithstanding subparagraph (i) of this paragraph, within
44 amounts appropriated in the state fiscal year commencing April first,
45 two thousand [~~twenty-one~~] twenty-two, and annually thereafter, there
46 shall be apportioned and paid to each municipality a base level grant in
47 an amount equal to the aid received by such municipality in the state
48 fiscal year commencing April first, two thousand [~~nineteen~~] eighteen;

1 provided, however, and notwithstanding any law to the contrary, in the
2 state fiscal year commencing April first, two thousand twenty-one, and
3 annually thereafter, the town of Palm Tree shall receive a base level
4 grant of twenty-four thousand two hundred thirteen dollars, and the
5 village of Sagaponack shall receive a base level grant of two thousand
6 dollars, and the village of Woodbury shall receive a base level grant of
7 twenty-seven thousand dollars, and the village of South Blooming Grove
8 shall receive a base level grant of nineteen thousand dollars.

9 § 2. Paragraph 3 of subdivision (c) of section 1261 of the tax law, as
10 amended by section 1 of part NN of chapter 55 of the laws of 2020, is
11 amended to read as follows:

12 (3) However, the taxes, penalties and interest which (i) the county of
13 Nassau, (ii) the county of Erie, to the extent the county of Erie is
14 contractually or statutorily obligated to allocate and apply or pay net
15 collections to the city of Buffalo and to the extent that such county
16 has set aside net collections for educational purposes attributable to
17 the Buffalo school district, or the city of Buffalo or (iii) the county
18 of Erie is authorized to impose pursuant to section twelve hundred ten
19 of this article, other than such taxes in the amounts described, respec-
20 tively, in subdivisions one and two of section one thousand two hundred
21 sixty-two-e of this part, during the period that such section authorizes
22 Nassau county to establish special or local assistance programs there-
23 under, together with any penalties and interest related thereto, and
24 after the comptroller has reserved such refund fund and such costs,
25 shall, commencing on the next payment date after the effective date of
26 this sentence and of each month thereafter, until such date as (i) the
27 Nassau county interim finance authority shall have no obligations
28 outstanding, or (ii) the Buffalo fiscal stability authority shall cease
29 to exist, or (iii) the Erie county fiscal stability authority shall
30 cease to exist, be paid by the comptroller, respectively, to (i) the
31 Nassau county interim finance authority to be applied by the Nassau
32 county interim finance authority, or (ii) to the Buffalo fiscal stabili-
33 ty authority to be applied by the Buffalo fiscal stability authority, or
34 (iii) to the Erie county fiscal stability authority to be applied by the
35 Erie county fiscal stability authority, as the case may be, in the
36 following order of priority: first pursuant to the Nassau county interim
37 finance authority's contracts with bondholders or the Buffalo fiscal
38 stability authority's contracts with bondholders or the Erie county
39 fiscal stability authority's contracts with bondholders, respectively,
40 then to pay the Nassau county interim finance authority's operating
41 expenses not otherwise provided for or the Buffalo fiscal stability
42 authority's operating expenses not otherwise provided for or the Erie
43 county fiscal stability authority's operating expenses not otherwise
44 provided for, respectively, ~~then (i) for the Nassau county interim~~
45 ~~finance authority to pay to the state as soon as practicable in the~~
46 ~~months of May and December each year, the amount necessary to fulfill~~
47 ~~the town and village distribution requirement on behalf of Nassau county~~
48 ~~pursuant to paragraph five a of this subdivision, or (ii) for the~~
49 ~~Buffalo fiscal stability authority to pay to the state as soon as prac-~~
50 ~~ticable in the months of May and December each year, the percentage of~~
51 ~~the amount necessary to fulfill the town and village distribution~~
52 ~~requirement on behalf of Erie county pursuant to paragraph five a of~~
53 ~~this subdivision that equates to the percentage of the county net~~
54 ~~collections that the city of Buffalo and the Buffalo city school~~
55 ~~district, together, are due in the months of May and December each year,~~
56 ~~or (iii) for the Erie county fiscal stability authority to pay to the~~

~~state as soon as practicable in the months of May and December each year, the amount necessary to fulfill the town and village distribution requirement on behalf of Erie county pursuant to paragraph five-a of this subdivision, less the amount being paid to the state by the Buffalo fiscal stability authority in each respective month,~~ and then (i) pursuant to the Nassau county interim finance authority's agreements with the county of Nassau, which agreements shall require the Nassau county interim finance authority to transfer such taxes, penalties and interest remaining after providing for contractual or other obligations of the Nassau county interim finance authority, and subject to any agreement between such authority and the county of Nassau, to the county of Nassau as frequently as practicable; or (ii) pursuant to the Buffalo fiscal stability authority's agreements with the city of Buffalo, which agreements shall require the Buffalo fiscal stability authority to transfer such taxes, penalties and interest remaining after providing for contractual or other obligations of the Buffalo fiscal stability authority, and subject to any agreement between such authority and the city of Buffalo, to the city of Buffalo or the city of Buffalo school district, as the case may be, as frequently as practicable; or (iii) pursuant to the Erie county fiscal stability authority's agreements with the county of Erie, which agreements shall require the Erie county fiscal stability authority to transfer such taxes, penalties and interest remaining after providing for contractual or other obligations of the Erie county fiscal stability authority, and subject to any agreement between such authority and the county of Erie, to the county of Erie as frequently as practicable. During the period that the comptroller is required to make payments to the Nassau county interim finance authority described in the previous sentence, the county of Nassau shall have no right, title or interest in or to such taxes, penalties and interest required to be paid to the Nassau county interim finance authority, except as provided in such authority's agreements with the county of Nassau. During the period that the comptroller is required to make payments to the Buffalo fiscal stability authority described in the second previous sentence, the city of Buffalo and such school district shall have no right, title or interest in or to such taxes, penalties and interest required to be paid to the Buffalo fiscal stability authority, except as provided in such authority's agreements with the city of Buffalo. During the period that the comptroller is required to make payments to the Erie county fiscal stability authority described in the third previous sentence, the county of Erie shall have no right, title or interest in or to such taxes, penalties and interest required to be paid to the Erie county fiscal stability authority, except as provided in such authority's agreements with the county of Erie.

§ 3. Paragraph 5-a of subdivision (c) of section 1261 of the tax law is REPEALED.

§ 4. Subdivision 5 of section 3657 of the public authorities law, as amended by section 3 of part NN of chapter 55 of the laws of 2020, is amended to read as follows:

5. Tax revenues received by the authority pursuant to section twelve hundred sixty-one of the tax law, together with any other revenues received by the authority, shall be applied in the following order of priority: first pursuant to the authority's contracts with bondholders, then to pay the authority's operating expenses not otherwise provided for, ~~[then to pay to the state pursuant to paragraph three of subdivision (c) of section twelve hundred sixty-one of the tax law,~~ and then, subject to the authority's agreements with the county, to transfer the

1 balance of such tax revenues not required to meet contractual or other
2 obligations of the authority to the county as frequently as practicable.
3 § 5. Subdivision 5 of section 3965 of the public authorities law, as
4 amended by section 5 of part NN of chapter 55 of the laws of 2020, is
5 amended to read as follows:

6 5. Revenues of the authority shall be applied in the following order
7 of priority: first to pay debt service or for set asides to pay debt
8 service on the authority's bonds, notes, or other obligations and to
9 replenish any reserve funds securing such bonds, notes or other obli-
10 gations of the authority in accordance with the provision of indenture
11 or bond resolution of the authority; then to pay the authority's operat-
12 ing expenses not otherwise provided for; ~~[then to pay to the state~~
13 ~~pursuant to paragraph three of subdivision (c) of section twelve hundred~~
14 ~~sixty-one of the tax law,]~~ and then, subject to the authority's agree-
15 ments with the county for itself or on behalf of any covered organiza-
16 tion to transfer as frequently as practicable the balance of revenues
17 not required to meet contractual or other obligations of the authority
18 to the county as provided in subdivision seven of this section.

19 § 6. Subdivision 5 of section 3865 of the public authorities law, as
20 amended by section 4 of part NN of chapter 55 of the laws of 2020, is
21 amended to read as follows:

22 5. Revenues of the authority shall be applied in the following order
23 of priority: first to pay debt service or for set asides to pay debt
24 service on the authority's bonds, notes, or other obligations and to
25 replenish any reserve funds securing such bonds, notes or other obli-
26 gations of the authority, in accordance with the provision of any inden-
27 ture or bond resolution of the authority; then to pay the authority's
28 operating expenses not otherwise provided for; ~~[then to pay to the state~~
29 ~~pursuant to paragraph three of subdivision (c) of section twelve hundred~~
30 ~~sixty-one of the tax law,]~~ and then, subject to the authority's agree-
31 ment with the city, for itself or on behalf of the city's dependent
32 school district and any other covered organization, to transfer as
33 frequently as practicable the balance of revenues not required to meet
34 contractual or other obligations of the authority to the city or the
35 city's dependent school district as provided in subdivision seven of
36 this section.

37 § 7. This act shall take effect July 1, 2022.

38 PART Y

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

- 43 1. DOL-Child performer protection account (20401).
- 44 2. Local government records management account (20501).
- 45 3. Child health plus program account (20810).
- 46 4. EPIC premium account (20818).
- 47 5. Education - New (20901).
- 48 6. VLT - Sound basic education fund (20904).
- 49 7. Sewage treatment program management and administration fund
50 (21000).
- 51 8. Hazardous bulk storage account (21061).
- 52 9. Utility environmental regulatory account (21064).
- 53 10. Federal grants indirect cost recovery account (21065).
- 54 11. Low level radioactive waste account (21066).

1 12. Recreation account (21067).
2 13. Public safety recovery account (21077).
3 14. Environmental regulatory account (21081).
4 15. Natural resource account (21082).
5 16. Mined land reclamation program account (21084).
6 17. Great lakes restoration initiative account (21087).
7 18. Environmental protection and oil spill compensation fund (21200).
8 19. Public transportation systems account (21401).
9 20. Metropolitan mass transportation (21402).
10 21. Operating permit program account (21451).
11 22. Mobile source account (21452).
12 23. Statewide planning and research cooperative system account
13 (21902).
14 24. New York state thruway authority account (21905).
15 25. Mental hygiene program fund account (21907).
16 26. Mental hygiene patient income account (21909).
17 27. Financial control board account (21911).
18 28. Regulation of racing account (21912).
19 29. State university dormitory income reimbursable account (21937).
20 30. Criminal justice improvement account (21945).
21 31. Environmental laboratory reference fee account (21959).
22 32. Training, management and evaluation account (21961).
23 33. Clinical laboratory reference system assessment account (21962).
24 34. Indirect cost recovery account (21978).
25 35. Multi-agency training account (21989).
26 36. Bell jar collection account (22003).
27 37. Industry and utility service account (22004).
28 38. Real property disposition account (22006).
29 39. Parking account (22007).
30 40. Courts special grants (22008).
31 41. Asbestos safety training program account (22009).
32 42. Camp Smith billeting account (22017).
33 43. Batavia school for the blind account (22032).
34 44. Investment services account (22034).
35 45. Surplus property account (22036).
36 46. Financial oversight account (22039).
37 47. Regulation of Indian gaming account (22046).
38 48. Rome school for the deaf account (22053).
39 49. Seized assets account (22054).
40 50. Administrative adjudication account (22055).
41 51. New York City assessment account (22062).
42 52. Cultural education account (22063).
43 53. Local services account (22078).
44 54. DHCR mortgage servicing account (22085).
45 55. Housing indirect cost recovery account (22090).
46 56. DHCR-HCA application fee account (22100).
47 57. Low income housing monitoring account (22130).
48 58. Corporation administration account (22135).
49 59. New York State Home for Veterans in the Lower-Hudson Valley
50 account (22144).
51 60. Deferred compensation administration account (22151).
52 61. Rent revenue other New York City account (22156).
53 62. Rent revenue account (22158).
54 63. Transportation aviation account (22165).
55 64. Tax revenue arrearage account (22168).
56 65. New York state medical indemnity fund account (22240).

1 66. Behavioral health parity compliance fund (22246).
2 67. State university general income offset account (22654).
3 68. Lake George park trust fund account (22751).
4 69. State police motor vehicle law enforcement account (22802).
5 70. Highway safety program account (23001).
6 71. DOH drinking water program account (23102).
7 72. NYCCC operating offset account (23151).
8 73. Commercial gaming regulation account (23702).
9 74. Highway use tax administration account (23801).
10 75. New York state secure choice administrative account (23806).
11 76. New York state cannabis revenue fund (24800).
12 77. Fantasy sports administration account (24951).
13 78. Highway and bridge capital account (30051).
14 79. Aviation purpose account (30053).
15 80. State university residence hall rehabilitation fund (30100).
16 81. State parks infrastructure account (30351).
17 82. Clean water/clean air implementation fund (30500).
18 83. Hazardous waste remedial cleanup account (31506).
19 84. Youth facilities improvement account (31701).
20 85. Housing assistance fund (31800).
21 86. Housing program fund (31850).
22 87. Highway facility purpose account (31951).
23 88. New York racing account (32213).
24 89. Capital miscellaneous gifts account (32214).
25 90. Information technology capital financing account (32215).
26 91. New York environmental protection and spill remediation account
27 (32219).
28 92. Mental hygiene facilities capital improvement fund (32300).
29 93. Correctional facilities capital improvement fund (32350).
30 94. New York State Storm Recovery Capital Fund (33000).
31 95. OGS convention center account (50318).
32 96. Empire Plaza Gift Shop (50327).
33 97. Centralized services fund (55000).
34 98. Archives records management account (55052).
35 99. Federal single audit account (55053).
36 100. Civil service administration account (55055).
37 101. Civil service EHS occupational health program account (55056).
38 102. Banking services account (55057).
39 103. Cultural resources survey account (55058).
40 104. Neighborhood work project account (55059).
41 105. Automation & printing chargeback account (55060).
42 106. OFT NYT account (55061).
43 107. Data center account (55062).
44 108. Intrusion detection account (55066).
45 109. Domestic violence grant account (55067).
46 110. Centralized technology services account (55069).
47 111. Labor contact center account (55071).
48 112. Human services contact center account (55072).
49 113. Tax contact center account (55073).
50 114. Department of law civil recoveries account (55074).
51 115. Executive direction internal audit account (55251).
52 116. CIO Information technology centralized services account (55252).
53 117. Health insurance internal service account (55300).
54 118. Civil service employee benefits division administrative account
55 (55301).
56 119. Correctional industries revolving fund (55350).

120. Employees health insurance account (60201).

121. Medicaid management information system escrow fund (60900).

§ 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).

§ 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, 2023, up to the unencumbered balance or the following amounts:

Economic Development and Public Authorities:

1. \$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. \$2,653,000,000 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. \$1,237,000,000 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. \$139,200,000 from the general fund to the New York state commercial gaming fund, commercial gaming revenue account (23701), as reimbursement for disbursements made from such fund for supplemental aid to education pursuant to section 97-nnn of the state finance law that are in excess of the amounts deposited in such fund for purposes pursuant to section 1352 of the racing, pari-mutuel wagering and breeding law.

4. \$496,000,000 from the general fund to the mobile sports wagering fund, education account (24955), 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 1367 of the racing, pari-mutuel wagering and breeding law.

1 5. \$7,000,000 from the interactive fantasy sports fund, fantasy sports
2 education account (24950), to the state lottery fund, education account
3 (20901), as reimbursement for disbursements made from such fund for
4 supplemental aid to education pursuant to section 92-c of the state
5 finance law.

6 6. An amount up to the unencumbered balance in the fund on March 31,
7 2023 from the charitable gifts trust fund, elementary and secondary
8 education account (24901), to the general fund, for payment of general
9 support for public schools pursuant to section 3609-a of the education
10 law.

11 7. Moneys from the state lottery fund (20900) up to an amount deposit-
12 ed in such fund pursuant to section 1612 of the tax law in excess of the
13 current year appropriation for supplemental aid to education pursuant to
14 section 92-c of the state finance law.

15 8. \$300,000 from the New York state local government records manage-
16 ment improvement fund, local government records management account
17 (20501), to the New York state archives partnership trust fund, archives
18 partnership trust maintenance account (20351).

19 9. \$900,000 from the general fund to the miscellaneous special revenue
20 fund, Batavia school for the blind account (22032).

21 10. \$900,000 from the general fund to the miscellaneous special reven-
22 ue fund, Rome school for the deaf account (22053).

23 11. \$343,400,000 from the state university dormitory income fund
24 (40350) to the miscellaneous special revenue fund, state university
25 dormitory income reimbursable account (21937).

26 12. \$8,318,000 from the general fund to the state university income
27 fund, state university income offset account (22654), for the state's
28 share of repayment of the STIP loan.

29 13. Intentionally omitted

30 14. \$7,790,000 from the miscellaneous special revenue fund, office of
31 the professions account (22051), to the miscellaneous capital projects
32 fund, office of the professions electronic licensing account (32222).

33 15. \$24,000,000 from any of the state education department's special
34 revenue and internal service funds to the miscellaneous special revenue
35 fund, indirect cost recovery account (21978).

36 16. \$4,200,000 from any of the state education department's special
37 revenue or internal service funds to the capital projects fund (30000).

38 Environmental Affairs:

39 1. \$16,000,000 from any of the department of environmental conserva-
40 tion's special revenue federal funds, and/or federal capital funds, to
41 the environmental conservation special revenue fund, federal indirect
42 recovery account (21065).

43 2. \$5,000,000 from any of the department of environmental conserva-
44 tion's special revenue federal funds, and/or federal capital funds, to
45 the conservation fund (21150) or Marine Resources Account (21151) as
46 necessary to avoid diversion of conservation funds.

47 3. \$3,000,000 from any of the office of parks, recreation and historic
48 preservation capital projects federal funds and special revenue federal
49 funds to the miscellaneous special revenue fund, federal grant indirect
50 cost recovery account (22188).

51 4. \$1,000,000 from any of the office of parks, recreation and historic
52 preservation special revenue federal funds to the miscellaneous capital
53 projects fund, I love NY water account (32212).

54 5. \$100,000,000 from the general fund to the environmental protection
55 fund, environmental protection fund transfer account (30451).

6. \$6,000,000 from the general fund to the hazardous waste remedial fund, hazardous waste oversight and assistance account (31505).

7. An amount up to or equal to the cash balance within the special revenue-other waste management & cleanup account (21053) to the capital projects fund (30000) for services and capital expenses related to the management and cleanup program as put forth in section 27-1915 of the environmental conservation law.

8. \$1,800,000 from the miscellaneous special revenue fund, public service account (22011) to the miscellaneous special revenue fund, utility environmental regulatory account (21064).

9. \$7,000,000 from the general fund to the enterprise fund, state fair account (50051).

10. \$4,000,000 from the waste management & cleanup account (21053) to the general fund.

11. \$3,000,000 from the waste management & cleanup account (21053) to the environmental protection fund transfer account (30451).

12. Up to \$10,000,000 from the general fund to the miscellaneous special revenue fund, patron services account (22163).

Family Assistance:

1. \$7,000,000 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. \$175,000,000 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 funds to the miscellaneous special revenue fund, office of temporary and disability assistance program account (21980).

6. \$35,000,000 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. \$205,000,000 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. \$5,000,000 from the miscellaneous special revenue fund, state central registry (22028), to the general fund.

10. \$900,000 from the general fund to the Veterans' Remembrance and Cemetery Maintenance and Operation account (20201).

11. \$505,000,000 from the general fund to the housing program fund (31850).

1 General Government:

2 1. \$12,000,000 from the general fund to the health insurance revolving
3 fund (55300).

4 2. \$292,400,000 from the health insurance reserve receipts fund
5 (60550) to the general fund.

6 3. \$150,000 from the general fund to the not-for-profit revolving loan
7 fund (20650).

8 4. \$150,000 from the not-for-profit revolving loan fund (20650) to the
9 general fund.

10 5. \$3,000,000 from the miscellaneous special revenue fund, surplus
11 property account (22036), to the general fund.

12 6. \$19,000,000 from the miscellaneous special revenue fund, revenue
13 arrearage account (22024), to the general fund.

14 7. \$1,826,000 from the miscellaneous special revenue fund, revenue
15 arrearage account (22024), to the miscellaneous special revenue fund,
16 authority budget office account (22138).

17 8. \$1,000,000 from the miscellaneous special revenue fund, parking
18 account (22007), to the general fund, for the purpose of reimbursing the
19 costs of debt service related to state parking facilities.

20 9. \$11,460,000 from the general fund to the agencies internal service
21 fund, central technology services account (55069), for the purpose of
22 enterprise technology projects.

23 10. \$10,000,000 from the general fund to the agencies internal service
24 fund, state data center account (55062).

25 11. \$12,000,000 from the miscellaneous special revenue fund, parking
26 account (22007), to the centralized services, building support services
27 account (55018).

28 12. \$30,000,000 from the general fund to the internal service fund,
29 business services center account (55022).

30 13. \$8,000,000 from the general fund to the internal service fund,
31 building support services account (55018).

32 14. \$1,500,000 from the combined expendable trust fund, plaza special
33 events account (20120), to the general fund.

34 15. \$50,000,000 from the general fund to the New York State cannabis
35 revenue fund (24800).

36 16. \$50,000,000 from the New York State cannabis revenue fund (24800)
37 to the general fund.

38 Health:

39 1. A transfer from the general fund to the combined gifts, grants and
40 bequests fund, breast cancer research and education account (20155), up
41 to an amount equal to the monies collected and deposited into that
42 account in the previous fiscal year.

43 2. A transfer from the general fund to the combined gifts, grants and
44 bequests fund, prostate cancer research, detection, and education
45 account (20183), up to an amount equal to the moneys collected and
46 deposited into that account in the previous fiscal year.

47 3. A transfer from the general fund to the combined gifts, grants and
48 bequests fund, Alzheimer's disease research and assistance account
49 (20143), up to an amount equal to the moneys collected and deposited
50 into that account in the previous fiscal year.

51 4. \$8,750,000 from the HCRA resources fund (20800) to the miscella-
52 neous special revenue fund, empire state stem cell trust fund account
53 (22161).

54 5. \$2,000,000 from the miscellaneous special revenue fund, certificate
55 of need account (21920), to the miscellaneous capital projects fund,
56 healthcare IT capital subfund (32216).

1 6. \$2,000,000 from the miscellaneous special revenue fund, vital
2 health records account (22103), to the miscellaneous capital projects
3 fund, healthcare IT capital subfund (32216).
4 7. \$6,000,000 from the miscellaneous special revenue fund, profes-
5 sional medical conduct account (22088), to the miscellaneous capital
6 projects fund, healthcare IT capital subfund (32216).
7 8. \$112,500,000 from the HCRA resources fund (20800) to the capital
8 projects fund (30000).
9 9. \$6,550,000 from the general fund to the medical marihuana trust
10 fund, health operation and oversight account (23755).
11 10. An amount up to the unencumbered balance from the charitable gifts
12 trust fund, health charitable account (24900), to the general fund, for
13 payment of general support for primary, preventive, and inpatient health
14 care, dental and vision care, hunger prevention and nutritional assist-
15 ance, and other services for New York state residents with the overall
16 goal of ensuring that New York state residents have access to quality
17 health care and other related services.
18 11. \$500,000 from the miscellaneous special revenue fund, New York
19 State cannabis revenue fund, to the miscellaneous special revenue fund,
20 environmental laboratory fee account (21959).
21 12. An amount up to the unencumbered balance from the public health
22 emergency charitable gifts trust fund to the general fund, for payment
23 of goods and services necessary to respond to a public health disaster
24 emergency or to assist or aid in responding to such a disaster.
25 13. \$1,000,000,000 from the general fund to the health care transfor-
26 mation fund (24850).
27 Labor:
28 1. \$600,000 from the miscellaneous special revenue fund, DOL fee and
29 penalty account (21923), to the child performer's protection fund, child
30 performer protection account (20401).
31 2. \$11,700,000 from the unemployment insurance interest and penalty
32 fund, unemployment insurance special interest and penalty account
33 (23601), to the general fund.
34 3. \$50,000,000 from the DOL fee and penalty account (21923), unemploy-
35 ment insurance special interest and penalty account (23601), and public
36 work enforcement account (21998), to the general fund.
37 4. \$850,000 from the miscellaneous special revenue fund, DOL elevator
38 safety program fund (22252) to the miscellaneous special revenue fund,
39 DOL fee and penalty account (21923).
40 Mental Hygiene:
41 1. \$3,800,000 from the general fund, to the agencies internal service
42 fund, civil service EHS occupational health program account (55056).
43 2. \$2,000,000 from the general fund, to the mental hygiene facilities
44 capital improvement fund (32300).
45 3. \$20,000,000 from the opioid settlement fund (23817) to the miscel-
46 laneous capital projects fund, opioid settlement capital account.
47 4. \$20,000,000 from the miscellaneous capital projects fund, opioid
48 settlement capital account to the opioid settlement fund (23817).
49 Public Protection:
50 1. \$1,350,000 from the miscellaneous special revenue fund, emergency
51 management account (21944), to the general fund.
52 2. \$2,587,000 from the general fund to the miscellaneous special
53 revenue fund, recruitment incentive account (22171).
54 3. \$22,773,000 from the general fund to the correctional industries
55 revolving fund, correctional industries internal service account
56 (55350).

1 4. \$2,000,000,000 from any of the division of homeland security and
2 emergency services special revenue federal funds to the general fund.

3 5. \$115,420,000 from the state police motor vehicle law enforcement
4 and motor vehicle theft and insurance fraud prevention fund, state
5 police motor vehicle enforcement account (22802), to the general fund
6 for state operation expenses of the division of state police.

7 6. \$136,130,000 from the general fund to the correctional facilities
8 capital improvement fund (32350).

9 7. \$5,000,000 from the general fund to the dedicated highway and
10 bridge trust fund (30050) for the purpose of work zone safety activities
11 provided by the division of state police for the department of transpor-
12 tation.

13 8. \$10,000,000 from the miscellaneous special revenue fund, statewide
14 public safety communications account (22123), to the capital projects
15 fund (30000).

16 9. \$9,830,000 from the miscellaneous special revenue fund, legal
17 services assistance account (22096), to the general fund.

18 10. \$1,000,000 from the general fund to the agencies internal service
19 fund, neighborhood work project account (55059).

20 11. \$7,980,000 from the miscellaneous special revenue fund, finger-
21 print identification & technology account (21950), to the general fund.

22 12. \$1,100,000 from the state police motor vehicle law enforcement and
23 motor vehicle theft and insurance fraud prevention fund, motor vehicle
24 theft and insurance fraud account (22801), to the general fund.

25 13. \$14,400,000 from the general fund to the miscellaneous special
26 revenue fund, criminal justice improvement account (21945).

27 Transportation:

28 1. \$20,000,000 from the general fund to the mass transportation oper-
29 ating assistance fund, public transportation systems operating assist-
30 ance account (21401), of which \$12,000,000 constitutes the base need for
31 operations.

32 2. \$727,500,000 from the general fund to the dedicated highway and
33 bridge trust fund (30050).

34 3. \$244,250,000 from the general fund to the MTA financial assistance
35 fund, mobility tax trust account (23651).

36 4. \$5,000,000 from the miscellaneous special revenue fund, transporta-
37 tion regulation account (22067) to the dedicated highway and bridge
38 trust fund (30050), for disbursements made from such fund for motor
39 carrier safety that are in excess of the amounts deposited in the dedi-
40 cated highway and bridge trust fund (30050) for such purpose pursuant to
41 section 94 of the transportation law.

42 5. \$3,000,000 from the miscellaneous special revenue fund, traffic
43 adjudication account (22055), to the general fund.

44 6. \$5,000,000 from the miscellaneous special revenue fund, transporta-
45 tion regulation account (22067) to the general fund, for disbursements
46 made from such fund for motor carrier safety that are in excess of the
47 amounts deposited in the general fund for such purpose pursuant to
48 section 94 of the transportation law.

49 Miscellaneous:

50 1. \$250,000,000 from the general fund to any funds or accounts for the
51 purpose of reimbursing certain outstanding accounts receivable balances.

52 2. \$500,000,000 from the general fund to the debt reduction reserve
53 fund (40000).

54 3. \$450,000,000 from the New York state storm recovery capital fund
55 (33000) to the revenue bond tax fund (40152).

1 4. \$15,500,000 from the general fund, community projects account GG
2 (10256), to the general fund, state purposes account (10050).

3 5. \$100,000,000 from any special revenue federal fund to the general
4 fund, state purposes account (10050).

5 6. \$12,750,000,000 from the special revenue federal fund, ARPA-Fiscal
6 Recovery Fund (25546) to the general fund, state purposes account
7 (10050) to cover eligible costs incurred by the state.

8 § 3. Notwithstanding any law to the contrary, and in accordance with
9 section 4 of the state finance law, the comptroller is hereby authorized
10 and directed to transfer, on or before March 31, 2023:

11 1. Upon request of the commissioner of environmental conservation, up
12 to \$12,745,400 from revenues credited to any of the department of envi-
13 ronmental conservation special revenue funds, including \$4,000,000 from
14 the environmental protection and oil spill compensation fund (21200),
15 and \$1,834,600 from the conservation fund (21150), to the environmental
16 conservation special revenue fund, indirect charges account (21060).

17 2. Upon request of the commissioner of agriculture and markets, up to
18 \$3,000,000 from any special revenue fund or enterprise fund within the
19 department of agriculture and markets to the general fund, to pay appro-
20 priate administrative expenses.

21 3. Upon request of the commissioner of agriculture and markets, up to
22 \$2,000,000 from the state exposition special fund, state fair receipts
23 account (50051) to the miscellaneous capital projects fund, state fair
24 capital improvement account (32208).

25 4. Upon request of the commissioner of the division of housing and
26 community renewal, up to \$6,221,000 from revenues credited to any divi-
27 sion of housing and community renewal federal or miscellaneous special
28 revenue fund to the miscellaneous special revenue fund, housing indirect
29 cost recovery account (22090).

30 5. Upon request of the commissioner of the division of housing and
31 community renewal, up to \$5,500,000 may be transferred from any miscel-
32 laneous special revenue fund account, to any miscellaneous special
33 revenue fund.

34 6. Upon request of the commissioner of health up to \$13,694,000 from
35 revenues credited to any of the department of health's special revenue
36 funds, to the miscellaneous special revenue fund, administration account
37 (21982).

38 7. Upon the request of the attorney general, up to \$4,000,000 from
39 revenues credited to the federal health and human services fund, federal
40 health and human services account (25117) or the miscellaneous special
41 revenue fund, recoveries and revenue account (22041), to the miscella-
42 neous special revenue fund, litigation settlement and civil recovery
43 account (22117).

44 8. Upon the request of the commission of agriculture and markets, up
45 to \$3,000,000 from any special revenue fund or enterprise fund within
46 the department of agriculture and markets to the general fund, to pay
47 appropriate administrative expenses.

48 9. Upon the request of the commission of agriculture and markets, up
49 to \$2,000,000 from the state exposition special fund, state fair
50 receipts account (50051) to the miscellaneous capital projects fund,
51 state fair capital improvement account (32208).

52 § 4. On or before March 31, 2023, the comptroller is hereby authorized
53 and directed to deposit earnings that would otherwise accrue to the
54 general fund that are attributable to the operation of section 98-a of
55 the state finance law, to the agencies internal service fund, banking

1 services account (55057), for the purpose of meeting direct payments
2 from such account.

3 § 5. Notwithstanding any law to the contrary, upon the direction of
4 the director of the budget and upon requisition by the state university
5 of New York, the dormitory authority of the state of New York is
6 directed to transfer, up to \$22,000,000 in revenues generated from the
7 sale of notes or bonds, the state university income fund general revenue
8 account (22653) for reimbursement of bondable equipment for further
9 transfer to the state's general fund.

10 § 6. Notwithstanding any law to the contrary, and in accordance with
11 section 4 of the state finance law, the comptroller is hereby authorized
12 and directed to transfer, upon request of the director of the budget and
13 upon consultation with the state university chancellor or his or her
14 designee, on or before March 31, 2023, up to \$16,000,000 from the state
15 university income fund general revenue account (22653) to the state
16 general fund for debt service costs related to campus supported capital
17 project costs for the NY-SUNY 2020 challenge grant program at the
18 University at Buffalo.

19 § 7. Notwithstanding any law to the contrary, and in accordance with
20 section 4 of the state finance law, the comptroller is hereby authorized
21 and directed to transfer, upon request of the director of the budget and
22 upon consultation with the state university chancellor or his or her
23 designee, on or before March 31, 2023, up to \$6,500,000 from the state
24 university income fund general revenue account (22653) to the state
25 general fund for debt service costs related to campus supported capital
26 project costs for the NY-SUNY 2020 challenge grant program at the
27 University at Albany.

28 § 8. Notwithstanding any law to the contrary, the state university
29 chancellor or his or her designee is authorized and directed to transfer
30 estimated tuition revenue balances from the state university collection
31 fund (61000) to the state university income fund, state university
32 general revenue offset account (22655) on or before March 31, 2023.

33 § 9. Notwithstanding any law to the contrary, and in accordance with
34 section 4 of the state finance law, the comptroller is hereby authorized
35 and directed to transfer, upon request of the director of the budget, up
36 to \$1,100,588,645 from the general fund to the state university income
37 fund, state university general revenue offset account (22655) during the
38 period of July 1, 2022 through June 30, 2023 to support operations at
39 the state university.

40 § 10. Notwithstanding any law to the contrary, and in accordance with
41 section 4 of the state finance law, the comptroller is hereby authorized
42 and directed to transfer, upon request of the director of the budget, up
43 to \$48,834,000 from the general fund to the state university income
44 fund, state university general revenue offset account (22655) during the
45 period of July 1, 2022 to June 30, 2023 for general fund operating
46 support pursuant to subparagraph (4-b) of paragraph h of subdivision 2
47 of section three hundred fifty-five of the education law.

48 § 11. Notwithstanding any law to the contrary, and in accordance with
49 section 4 of the state finance law, the comptroller is hereby authorized
50 and directed to transfer, upon request of the director of the budget, up
51 to \$20,000,000 from the general fund to the state university income
52 fund, state university general revenue offset account (22655) during the
53 period of July 1, 2022 to June 30, 2023 to support operations at the
54 state university in accordance with the maintenance of effort pursuant
55 to subparagraph (4) of paragraph h of subdivision 2 of section 355 of
56 the education law.

§ 12. 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 chancellor 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, 2023.

§ 13. 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, 2023.

§ 14. 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 an amount not to exceed \$100 million from each fund.

§ 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 \$700 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 2022-23 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.

§ 16. Notwithstanding any law to the contrary, and in accordance with section 4 of the state finance law, the comptroller is hereby authorized

1 and directed to transfer, at the request of the director of the budget,
2 up to \$100 million from any non-general fund or account, or combination
3 of funds and accounts, to the miscellaneous special revenue fund, tech-
4 nology financing account (22207), the miscellaneous capital projects
5 fund, the federal capital projects account (31350), information technol-
6 ogy capital financing account (32215), or the centralized technology
7 services account (55069), for the purpose of consolidating technology
8 procurement and services. The amounts transferred to the miscellaneous
9 special revenue fund, technology financing account (22207) pursuant to
10 this authorization shall be equal to or less than the amount of such
11 monies intended to support information technology costs which are
12 attributable, according to a plan, to such account made in pursuance to
13 an appropriation by law. Transfers to the technology financing account
14 shall be completed from amounts collected by non-general funds or
15 accounts pursuant to a fund deposit schedule or permanent statute, and
16 shall be transferred to the technology financing account pursuant to a
17 schedule agreed upon by the affected agency commissioner. Transfers from
18 funds that would result in the loss of eligibility for federal benefits
19 or federal funds pursuant to federal law, rule, or regulation as assent-
20 ed to in chapter 683 of the laws of 1938 and chapter 700 of the laws of
21 1951 are not permitted pursuant to this authorization.

22 § 17. Notwithstanding any law to the contrary, and in accordance with
23 section 4 of the state finance law, the comptroller is hereby authorized
24 and directed to transfer, at the request of the director of the budget,
25 up to \$400 million from any non-general fund or account, or combination
26 of funds and accounts, to the general fund for the purpose of consol-
27 idating technology procurement and services. The amounts transferred
28 pursuant to this authorization shall be equal to or less than the amount
29 of such monies intended to support information technology costs which
30 are attributable, according to a plan, to such account made in pursuance
31 to an appropriation by law. Transfers to the general fund shall be
32 completed from amounts collected by non-general funds or accounts pursu-
33 ant to a fund deposit schedule. Transfers from funds that would result
34 in the loss of eligibility for federal benefits or federal funds pursu-
35 ant to federal law, rule, or regulation as assented to in chapter 683 of
36 the laws of 1938 and chapter 700 of the laws of 1951 are not permitted
37 pursuant to this authorization.

38 § 18. Notwithstanding any provision of law to the contrary, as deemed
39 feasible and advisable by its trustees, the power authority of the state
40 of New York is authorized and directed to transfer to the state treasury
41 to the credit of the general fund up to \$20,000,000 for the state fiscal
42 year commencing April 1, 2022, the proceeds of which will be utilized to
43 support energy-related state activities.

44 § 19. Notwithstanding any provision of law, rule or regulation to the
45 contrary, the New York state energy research and development authority
46 is authorized and directed to contribute \$913,000 to the state treasury
47 to the credit of the general fund on or before March 31, 2023.

48 § 20. Notwithstanding any provision of law, rule or regulation to the
49 contrary, the New York state energy research and development authority
50 is authorized and directed to transfer five million dollars to the cred-
51 it of the Environmental Protection Fund on or before March 31, 2023 from
52 proceeds collected by the authority from the auction or sale of carbon
53 dioxide emission allowances allocated by the department of environmental
54 conservation.

§ 21. Subdivision 5 of section 97-rrr of the state finance law, as amended by section 20 of part JJJ of chapter 59 of the laws of 2021, 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 ~~twenty-one~~ twenty-two, 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 ~~[\$1,979,457,000]~~ \$1,830,985,000, 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 ~~twenty-one~~ twenty-two.

§ 22. Notwithstanding any law to the contrary, the comptroller is hereby authorized and directed to transfer, upon request of the director of the budget, on or before March 31, 2023, the following amounts from the following special revenue accounts to the capital projects fund (30000), for the purposes of reimbursement to such fund for expenses related to the maintenance and preservation of state assets:

1. \$43,000 from the miscellaneous special revenue fund, administrative program account (21982).

2. \$1,478,000 from the miscellaneous special revenue fund, helen hayes hospital account (22140).

3. \$456,000 from the miscellaneous special revenue fund, New York city veterans' home account (22141).

4. \$570,000 from the miscellaneous special revenue fund, New York state home for veterans' and their dependents at oxford account (22142).

5. \$170,000 from the miscellaneous special revenue fund, western New York veterans' home account (22143).

6. \$323,000 from the miscellaneous special revenue fund, New York state for veterans in the lower-hudson valley account (22144).

7. \$2,550,000 from the miscellaneous special revenue fund, patron services account (22163).

8. \$7,502,241 from the miscellaneous special revenue fund, state university general income reimbursable account (22653).

9. \$135,656,957 from the miscellaneous special revenue fund, state university revenue offset account (22655).

10. \$49,329,802 from the state university dormitory income fund, state university dormitory income fund (40350).

11. \$1,000,000 from the miscellaneous special revenue fund, litigation settlement and civil recovery account (22117).

§ 23. Subdivision 8 of section 53 of the state finance law, as amended by chapter 58 of the laws of 1982, is amended to read as follows:

8. Notwithstanding the foregoing provisions of this section, in addition to the restrictions set forth therein, the governor may authorize a transfer to the general fund, to a capital projects fund, or to a fund established to account for revenues from the federal government only after the approval of:

(1) the temporary president of the senate or the ~~chairman~~ chair of the senate finance committee (the "senate"); and

(2) the speaker of the assembly or the ~~chairman~~ chair of the assembly ways and means committee (the "assembly").

§ 24. Subdivision 6 of section 4 of the state finance law, as amended by section 25 of part JJ of chapter 56 of the laws of 2020, 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 [~~twenty-two~~] twenty-four.

§ 25. Subdivision 4 of section 40 of the state finance law, as amended by section 26 of part JJ of chapter 56 of the laws of 2020, 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 [~~twenty-two~~] twenty-four.

§ 26. Intentionally omitted

§ 27. Intentionally omitted

§ 28. Subdivision 4 of section 89-h of the state finance law, as amended by chapter 92 of the laws of 2021, is amended to read as follows:

4. The moneys of the medical cannabis trust fund, following appropriation by the legislature, shall be allocated upon a certificate of approval of availability by the director of the budget as follows: (a) Twenty-two and five-tenths percent of the monies shall be transferred to the counties in New York state in which the medical cannabis was manufactured and allocated in proportion to the gross sales originating from medical cannabis manufactured in each such county; (b) twenty-two and five-tenths percent of the moneys shall be transferred to the counties in New York state in which the medical cannabis was dispensed and allocated in proportion to the gross sales occurring in each such county; (c) five percent of the monies shall be transferred to the office of addiction services and supports, which shall use that revenue for additional drug abuse prevention, counseling and treatment services; (d) five percent of the revenue received by the department shall be trans-

ferred to the division of criminal justice services, which shall use that revenue for a program of discretionary grants to state and local law enforcement agencies that demonstrate a need relating to article three of the cannabis law; said grants could be used for personnel costs of state and local law enforcement agencies; and (e) forty-five percent of the monies shall be [~~transferred~~] deposited to the New York state cannabis revenue fund. For purposes of this subdivision, the city of New York shall be deemed to be a county.

§ 29. 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.

§ 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 25 of part JJJ of chapter 59 of the laws of 2021, 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 [~~nine billion one hundred thirty-nine million six hundred nineteen thousand dollars \$9,139,619,000~~] nine billion five hundred two million seven hundred thirty-nine thousand dollars \$9,502,739,000, 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

1 of corrections and community supervision; provided, however, that upon
2 any such refunding or repayment the total aggregate principal amount of
3 outstanding bonds, notes or other obligations may be greater than [~~nine~~
4 ~~billion one hundred thirty-nine million six hundred nineteen thousand~~
5 ~~dollars \$9,139,619,000~~] nine billion five hundred two million seven
6 hundred thirty-nine thousand dollars \$9,502,739,000, only if the present
7 value of the aggregate debt service of the refunding or repayment bonds,
8 notes or other obligations to be issued shall not exceed the present
9 value of the aggregate debt service of the bonds, notes or other obli-
10 gations so to be refunded or repaid. For the purposes hereof, the pres-
11 ent value of the aggregate debt service of the refunding or repayment
12 bonds, notes or other obligations and of the aggregate debt service of
13 the bonds, notes or other obligations so refunded or repaid, shall be
14 calculated by utilizing the effective interest rate of the refunding or
15 repayment bonds, notes or other obligations, which shall be that rate
16 arrived at by doubling the semi-annual interest rate (compounded semi-
17 annually) necessary to discount the debt service payments on the refund-
18 ing or repayment bonds, notes or other obligations from the payment
19 dates thereof to the date of issue of the refunding or repayment bonds,
20 notes or other obligations and to the price bid including estimated
21 accrued interest or proceeds received by the corporation including esti-
22 mated accrued interest from the sale thereof.

23 § 31. Subdivision (a) of section 27 of part Y of chapter 61 of the
24 laws of 2005, relating to providing for the administration of certain
25 funds and accounts related to the 2005-2006 budget, as amended by
26 section 26 of part JJJ of chapter 59 of the laws of 2021, is amended to
27 read as follows:

28 (a) Subject to the provisions of chapter 59 of the laws of 2000, but
29 notwithstanding any provisions of law to the contrary, the urban devel-
30 opment corporation is hereby authorized to issue bonds or notes in one
31 or more series in an aggregate principal amount not to exceed [~~three~~
32 ~~hundred seventy-four million six hundred thousand dollars \$374,600,000~~]
33 four hundred twenty-six million one hundred thousand dollars
34 \$426,100,000, excluding bonds issued to finance one or more debt service
35 reserve funds, to pay costs of issuance of such bonds, and bonds or
36 notes issued to refund or otherwise repay such bonds or notes previously
37 issued, for the purpose of financing capital projects including IT
38 initiatives for the division of state police, debt service and leases;
39 and to reimburse the state general fund for disbursements made therefor.
40 Such bonds and notes of such authorized issuer shall not be a debt of
41 the state, and the state shall not be liable thereon, nor shall they be
42 payable out of any funds other than those appropriated by the state to
43 such authorized issuer for debt service and related expenses pursuant to
44 any service contract executed pursuant to subdivision (b) of this
45 section and such bonds and notes shall contain on the face thereof a
46 statement to such effect. Except for purposes of complying with the
47 internal revenue code, any interest income earned on bond proceeds shall
48 only be used to pay debt service on such bonds.

49 § 32. Subdivision 3 of section 1285-p of the public authorities law,
50 as amended by section 27 of part JJJ of chapter 59 of the laws of 2021,
51 is amended to read as follows:

52 3. The maximum amount of bonds that may be issued for the purpose of
53 financing environmental infrastructure projects authorized by this
54 section shall be [~~seven billion one hundred thirty million ten thousand~~
55 ~~dollars \$7,130,010,000~~] eight billion one hundred forty-two million one
56 hundred ten thousand dollars \$8,142,110,000, exclusive of bonds issued

1 to fund any debt service reserve funds, pay costs of issuance of such
2 bonds, and bonds or notes issued to refund or otherwise repay bonds or
3 notes previously issued. Such bonds and notes of the corporation shall
4 not be a debt of the state, and the state shall not be liable thereon,
5 nor shall they be payable out of any funds other than those appropriated
6 by the state to the corporation for debt service and related expenses
7 pursuant to any service contracts executed pursuant to subdivision one
8 of this section, and such bonds and notes shall contain on the face
9 thereof a statement to such effect.

10 § 33. Subdivision (a) of section 48 of part K of chapter 81 of the
11 laws of 2002, relating to providing for the administration of certain
12 funds and accounts related to the 2002-2003 budget, as amended by
13 section 28 of part JJJ of chapter 59 of the laws of 2021, is amended to
14 read as follows:

15 (a) Subject to the provisions of chapter 59 of the laws of 2000 but
16 notwithstanding the provisions of section 18 of the urban development
17 corporation act, the corporation is hereby authorized to issue bonds or
18 notes in one or more series in an aggregate principal amount not to
19 exceed [~~three hundred forty-seven million five hundred thousand dollars~~
20 ~~\$347,500,000~~] three hundred eighty-three million five hundred thousand
21 dollars \$383,500,000, excluding bonds issued to fund one or more debt
22 service reserve funds, to pay costs of issuance of such bonds, and bonds
23 or notes issued to refund or otherwise repay such bonds or notes previ-
24 ously issued, for the purpose of financing capital costs related to
25 homeland security and training facilities for the division of state
26 police, the division of military and naval affairs, and any other state
27 agency, including the reimbursement of any disbursements made from the
28 state capital projects fund, and is hereby authorized to issue bonds or
29 notes in one or more series in an aggregate principal amount not to
30 exceed [~~one billion three hundred eight million six hundred eighty-six~~
31 ~~thousand dollars \$1,308,686,000~~] one billion five hundred ninety-one
32 million nine hundred eighty-six thousand dollars \$1,591,986,000, exclud-
33 ing bonds issued to fund one or more debt service reserve funds, to pay
34 costs of issuance of such bonds, and bonds or notes issued to refund or
35 otherwise repay such bonds or notes previously issued, for the purpose
36 of financing improvements to State office buildings and other facilities
37 located statewide, including the reimbursement of any disbursements made
38 from the state capital projects fund. Such bonds and notes of the corpo-
39 ration shall not be a debt of the state, and the state shall not be
40 liable thereon, nor shall they be payable out of any funds other than
41 those appropriated by the state to the corporation for debt service and
42 related expenses pursuant to any service contracts executed pursuant to
43 subdivision (b) of this section, and such bonds and notes shall contain
44 on the face thereof a statement to such effect.

45 § 34. Paragraph (c) of subdivision 19 of section 1680 of the public
46 authorities law, as amended by section 29 of part JJJ of chapter 59 of
47 the laws of 2021, is amended to read as follows:

48 (c) Subject to the provisions of chapter fifty-nine of the laws of two
49 thousand, the dormitory authority shall not issue any bonds for state
50 university educational facilities purposes if the principal amount of
51 bonds to be issued when added to the aggregate principal amount of bonds
52 issued by the dormitory authority on and after July first, nineteen
53 hundred eighty-eight for state university educational facilities will
54 exceed [~~fifteen billion five hundred fifty-five million eight hundred~~
55 ~~sixty-four thousand dollars \$15,555,864,000~~] seventeen billion six
56 hundred one million eight hundred sixty-four thousand dollars

1 \$17,601,864,000; provided, however, that bonds issued or to be issued
2 shall be excluded from such limitation if: (1) such bonds are issued to
3 refund state university construction bonds and state university
4 construction notes previously issued by the housing finance agency; or
5 (2) such bonds are issued to refund bonds of the authority or other
6 obligations issued for state university educational facilities purposes
7 and the present value of the aggregate debt service on the refunding
8 bonds does not exceed the present value of the aggregate debt service on
9 the bonds refunded thereby; provided, further that upon certification by
10 the director of the budget that the issuance of refunding bonds or other
11 obligations issued between April first, nineteen hundred ninety-two and
12 March thirty-first, nineteen hundred ninety-three will generate long
13 term economic benefits to the state, as assessed on a present value
14 basis, such issuance will be deemed to have met the present value test
15 noted above. For purposes of this subdivision, the present value of the
16 aggregate debt service of the refunding bonds and the aggregate debt
17 service of the bonds refunded, shall be calculated by utilizing the true
18 interest cost of the refunding bonds, which shall be that rate arrived
19 at by doubling the semi-annual interest rate (compounded semi-annually)
20 necessary to discount the debt service payments on the refunding bonds
21 from the payment dates thereof to the date of issue of the refunding
22 bonds to the purchase price of the refunding bonds, including interest
23 accrued thereon prior to the issuance thereof. The maturity of such
24 bonds, other than bonds issued to refund outstanding bonds, shall not
25 exceed the weighted average economic life, as certified by the state
26 university construction fund, of the facilities in connection with which
27 the bonds are issued, and in any case not later than the earlier of
28 thirty years or the expiration of the term of any lease, sublease or
29 other agreement relating thereto; provided that no note, including
30 renewals thereof, shall mature later than five years after the date of
31 issuance of such note. The legislature reserves the right to amend or
32 repeal such limit, and the state of New York, the dormitory authority,
33 the state university of New York, and the state university construction
34 fund are prohibited from covenanting or making any other agreements with
35 or for the benefit of bondholders which might in any way affect such
36 right.

37 § 35. Paragraph (c) of subdivision 14 of section 1680 of the public
38 authorities law, as amended by section 30 of part JJJ of chapter 59 of
39 the laws of 2021, is amended to read as follows:

40 (c) Subject to the provisions of chapter fifty-nine of the laws of two
41 thousand, (i) the dormitory authority shall not deliver a series of
42 bonds for city university community college facilities, except to refund
43 or to be substituted for or in lieu of other bonds in relation to city
44 university community college facilities pursuant to a resolution of the
45 dormitory authority adopted before July first, nineteen hundred eighty-
46 five or any resolution supplemental thereto, if the principal amount of
47 bonds so to be issued when added to all principal amounts of bonds
48 previously issued by the dormitory authority for city university commu-
49 nity college facilities, except to refund or to be substituted in lieu
50 of other bonds in relation to city university community college facili-
51 ties will exceed the sum of four hundred twenty-five million dollars and
52 (ii) the dormitory authority shall not deliver a series of bonds issued
53 for city university facilities, including community college facilities,
54 pursuant to a resolution of the dormitory authority adopted on or after
55 July first, nineteen hundred eighty-five, except to refund or to be
56 substituted for or in lieu of other bonds in relation to city university

1 facilities and except for bonds issued pursuant to a resolution supple-
2 mental to a resolution of the dormitory authority adopted prior to July
3 first, nineteen hundred eighty-five, if the principal amount of bonds so
4 to be issued when added to the principal amount of bonds previously
5 issued pursuant to any such resolution, except bonds issued to refund or
6 to be substituted for or in lieu of other bonds in relation to city
7 university facilities, will exceed [~~nine billion six hundred sixty-one~~
8 ~~million thirty thousand dollars \$9,661,030,000~~] eleven billion three
9 hundred one million one hundred twenty-six thousand dollars
10 \$11,301,126,000. The legislature reserves the right to amend or repeal
11 such limit, and the state of New York, the dormitory authority, the city
12 university, and the fund are prohibited from covenanting or making any
13 other agreements with or for the benefit of bondholders which might in
14 any way affect such right.

15 § 36. Subdivision 10-a of section 1680 of the public authorities law,
16 as amended by section 31 of part JJJ of chapter 59 of the laws of 2021,
17 is amended to read as follows:

18 10-a. Subject to the provisions of chapter fifty-nine of the laws of
19 two thousand, but notwithstanding any other provision of the law to the
20 contrary, the maximum amount of bonds and notes to be issued after March
21 thirty-first, two thousand two, on behalf of the state, in relation to
22 any locally sponsored community college, shall be [~~one billion sixty-six~~
23 ~~million two hundred fifty-seven thousand dollars \$1,066,257,000~~] one
24 billion one hundred twenty-three million one hundred forty thousand
25 dollars \$1,123,140,000. Such amount shall be exclusive of bonds and
26 notes issued to fund any reserve fund or funds, costs of issuance and to
27 refund any outstanding bonds and notes, issued on behalf of the state,
28 relating to a locally sponsored community college.

29 § 37. Subdivision 1 of section 17 of part D of chapter 389 of the laws
30 of 1997, relating to the financing of the correctional facilities
31 improvement fund and the youth facility improvement fund, as amended by
32 section 32 of part JJJ of chapter 59 of the laws of 2021, is amended to
33 read as follows:

34 1. Subject to the provisions of chapter 59 of the laws of 2000, but
35 notwithstanding the provisions of section 18 of section 1 of chapter 174
36 of the laws of 1968, the New York state urban development corporation is
37 hereby authorized to issue bonds, notes and other obligations in an
38 aggregate principal amount not to exceed [~~eight hundred seventy-six~~
39 ~~million fifteen thousand dollars \$876,015,000~~] nine hundred eleven
40 million seven hundred fifteen thousand dollars \$911,715,000, which
41 authorization increases the aggregate principal amount of bonds, notes
42 and other obligations authorized by section 40 of chapter 309 of the
43 laws of 1996, and shall include all bonds, notes and other obligations
44 issued pursuant to chapter 211 of the laws of 1990, as amended or
45 supplemented. The proceeds of such bonds, notes or other obligations
46 shall be paid to the state, for deposit in the youth facilities improve-
47 ment fund, to pay for all or any portion of the amount or amounts paid
48 by the state from appropriations or reappropriations made to the office
49 of children and family services from the youth facilities improvement
50 fund for capital projects. The aggregate amount of bonds, notes and
51 other obligations authorized to be issued pursuant to this section shall
52 exclude bonds, notes or other obligations issued to refund or otherwise
53 repay bonds, notes or other obligations theretofore issued, the proceeds
54 of which were paid to the state for all or a portion of the amounts
55 expended by the state from appropriations or reappropriations made to
56 the office of children and family services; provided, however, that upon

1 any such refunding or repayment the total aggregate principal amount of
2 outstanding bonds, notes or other obligations may be greater than [~~eight~~
3 ~~hundred seventy-six million fifteen thousand dollars \$876,015,000~~] nine
4 hundred eleven million seven hundred fifteen thousand dollars
5 \$911,715,000, only if the present value of the aggregate debt service of
6 the refunding or repayment bonds, notes or other obligations to be
7 issued shall not exceed the present value of the aggregate debt service
8 of the bonds, notes or other obligations so to be refunded or repaid.
9 For the purposes hereof, the present value of the aggregate debt service
10 of the refunding or repayment bonds, notes or other obligations and of
11 the aggregate debt service of the bonds, notes or other obligations so
12 refunded or repaid, shall be calculated by utilizing the effective
13 interest rate of the refunding or repayment bonds, notes or other obli-
14 gations, which shall be that rate arrived at by doubling the semi-annual
15 interest rate (compounded semi-annually) necessary to discount the debt
16 service payments on the refunding or repayment bonds, notes or other
17 obligations from the payment dates thereof to the date of issue of the
18 refunding or repayment bonds, notes or other obligations and to the
19 price bid including estimated accrued interest or proceeds received by
20 the corporation including estimated accrued interest from the sale ther-
21 eof.

22 § 38. Paragraph b of subdivision 2 of section 9-a of section 1 of
23 chapter 392 of the laws of 1973, constituting the New York state medical
24 care facilities finance agency act, as amended by section 33 of part JJJ
25 of chapter 59 of the laws of 2021, is amended to read as follows:

26 b. The agency shall have power and is hereby authorized from time to
27 time to issue negotiable bonds and notes in conformity with applicable
28 provisions of the uniform commercial code in such principal amount as,
29 in the opinion of the agency, shall be necessary, after taking into
30 account other moneys which may be available for the purpose, to provide
31 sufficient funds to the facilities development corporation, or any
32 successor agency, for the financing or refinancing of or for the design,
33 construction, acquisition, reconstruction, rehabilitation or improvement
34 of mental health services facilities pursuant to paragraph a of this
35 subdivision, the payment of interest on mental health services improve-
36 ment bonds and mental health services improvement notes issued for such
37 purposes, the establishment of reserves to secure such bonds and notes,
38 the cost or premium of bond insurance or the costs of any financial
39 mechanisms which may be used to reduce the debt service that would be
40 payable by the agency on its mental health services facilities improve-
41 ment bonds and notes and all other expenditures of the agency incident
42 to and necessary or convenient to providing the facilities development
43 corporation, or any successor agency, with funds for the financing or
44 refinancing of or for any such design, construction, acquisition, recon-
45 struction, rehabilitation or improvement and for the refunding of mental
46 hygiene improvement bonds issued pursuant to section 47-b of the private
47 housing finance law; provided, however, that the agency shall not issue
48 mental health services facilities improvement bonds and mental health
49 services facilities improvement notes in an aggregate principal amount
50 exceeding [~~ten billion four hundred seventy-six million seven hundred~~
51 ~~seventy-three thousand dollars \$10,476,773,000~~] ten billion nine hundred
52 ninety-two million six hundred thirty-three thousand dollars
53 \$10,992,633,000, excluding mental health services facilities improvement
54 bonds and mental health services facilities improvement notes issued to
55 refund outstanding mental health services facilities improvement bonds
56 and mental health services facilities improvement notes; provided,

1 however, that upon any such refunding or repayment of mental health
2 services facilities improvement bonds and/or mental health services
3 facilities improvement notes the total aggregate principal amount of
4 outstanding mental health services facilities improvement bonds and
5 mental health facilities improvement notes may be greater than [~~ten~~
6 ~~billion four hundred seventy six million seven hundred seventy three~~
7 ~~thousand dollars \$10,476,773,000~~] ten billion nine hundred eighty-two
8 million six hundred thirty-three thousand dollars \$10,982,633,000, only
9 if, except as hereinafter provided with respect to mental health
10 services facilities bonds and mental health services facilities notes
11 issued to refund mental hygiene improvement bonds authorized to be
12 issued pursuant to the provisions of section 47-b of the private housing
13 finance law, the present value of the aggregate debt service of the
14 refunding or repayment bonds to be issued shall not exceed the present
15 value of the aggregate debt service of the bonds to be refunded or
16 repaid. For purposes hereof, the present values of the aggregate debt
17 service of the refunding or repayment bonds, notes or other obligations
18 and of the aggregate debt service of the bonds, notes or other obli-
19 gations so refunded or repaid, shall be calculated by utilizing the
20 effective interest rate of the refunding or repayment bonds, notes or
21 other obligations, which shall be that rate arrived at by doubling the
22 semi-annual interest rate (compounded semi-annually) necessary to
23 discount the debt service payments on the refunding or repayment bonds,
24 notes or other obligations from the payment dates thereof to the date of
25 issue of the refunding or repayment bonds, notes or other obligations
26 and to the price bid including estimated accrued interest or proceeds
27 received by the authority including estimated accrued interest from the
28 sale thereof. Such bonds, other than bonds issued to refund outstanding
29 bonds, shall be scheduled to mature over a term not to exceed the aver-
30 age useful life, as certified by the facilities development corporation,
31 of the projects for which the bonds are issued, and in any case shall
32 not exceed thirty years and the maximum maturity of notes or any
33 renewals thereof shall not exceed five years from the date of the
34 original issue of such notes. Notwithstanding the provisions of this
35 section, the agency shall have the power and is hereby authorized to
36 issue mental health services facilities improvement bonds and/or mental
37 health services facilities improvement notes to refund outstanding
38 mental hygiene improvement bonds authorized to be issued pursuant to the
39 provisions of section 47-b of the private housing finance law and the
40 amount of bonds issued or outstanding for such purposes shall not be
41 included for purposes of determining the amount of bonds issued pursuant
42 to this section. The director of the budget shall allocate the aggregate
43 principal authorized to be issued by the agency among the office of
44 mental health, office for people with developmental disabilities, and
45 the office of addiction services and supports, in consultation with
46 their respective commissioners to finance bondable appropriations previ-
47 ously approved by the legislature.

48 § 39. Subdivision (a) of section 28 of part Y of chapter 61 of the
49 laws of 2005, relating to providing for the administration of certain
50 funds and accounts related to the 2005-2006 budget, as amended by
51 section 34 of part JJJ of chapter 59 of the laws of 2021, is amended to
52 read as follows:

53 (a) Subject to the provisions of chapter 59 of the laws of 2000, but
54 notwithstanding any provisions of law to the contrary, one or more
55 authorized issuers as defined by section 68-a of the state finance law
56 are hereby authorized to issue bonds or notes in one or more series in

1 an aggregate principal amount not to exceed [~~one hundred seventy-two~~
2 ~~million dollars \$172,000,000~~] one hundred ninety-seven million dollars
3 \$197,000,000, excluding bonds issued to finance one or more debt service
4 reserve funds, to pay costs of issuance of such bonds, and bonds or
5 notes issued to refund or otherwise repay such bonds or notes previously
6 issued, for the purpose of financing capital projects for public
7 protection facilities in the Division of Military and Naval Affairs,
8 debt service and leases; and to reimburse the state general fund for
9 disbursements made therefor. Such bonds and notes of such authorized
10 issuer shall not be a debt of the state, and the state shall not be
11 liable thereon, nor shall they be payable out of any funds other than
12 those appropriated by the state to such authorized issuer for debt
13 service and related expenses pursuant to any service contract executed
14 pursuant to subdivision (b) of this section and such bonds and notes
15 shall contain on the face thereof a statement to such effect. Except for
16 purposes of complying with the internal revenue code, any interest
17 income earned on bond proceeds shall only be used to pay debt service on
18 such bonds.

19 § 40. Section 53 of section 1 of chapter 174 of the laws of 1968,
20 constituting the New York state urban development corporation act, as
21 amended by section 35 of part JJJ of chapter 59 of the laws of 2021, is
22 amended to read as follows:

23 § 53. 1. Notwithstanding the provisions of any other law to the
24 contrary, the dormitory authority and the urban development corporation
25 are hereby authorized to issue bonds or notes in one or more series for
26 the purpose of funding project costs for the acquisition of equipment,
27 including but not limited to the creation or modernization of informa-
28 tion technology systems and related research and development equipment,
29 health and safety equipment, heavy equipment and machinery, the creation
30 or improvement of security systems, and laboratory equipment and other
31 state costs associated with such capital projects. The aggregate princi-
32 pal amount of bonds authorized to be issued pursuant to this section
33 shall not exceed [~~two hundred ninety-three million dollars \$293,000,000~~]
34 three hundred ninety-three million dollars \$393,000,000, excluding bonds
35 issued to fund one or more debt service reserve funds, to pay costs of
36 issuance of such bonds, and bonds or notes issued to refund or otherwise
37 repay such bonds or notes previously issued. Such bonds and notes of the
38 dormitory authority and the urban development corporation shall not be a
39 debt of the state, and the state shall not be liable thereon, nor shall
40 they be payable out of any funds other than those appropriated by the
41 state to the dormitory authority and the urban development corporation
42 for principal, interest, and related expenses pursuant to a service
43 contract and such bonds and notes shall contain on the face thereof a
44 statement to such effect. Except for purposes of complying with the
45 internal revenue code, any interest income earned on bond proceeds shall
46 only be used to pay debt service on such bonds.

47 2. Notwithstanding any other provision of law to the contrary, in
48 order to assist the dormitory authority and the urban development corpo-
49 ration in undertaking the financing for project costs for the acquisi-
50 tion of equipment, including but not limited to the creation or modern-
51 ization of information technology systems and related research and
52 development equipment, health and safety equipment, heavy equipment and
53 machinery, the creation or improvement of security systems, and labora-
54 tory equipment and other state costs associated with such capital
55 projects, the director of the budget is hereby authorized to enter into
56 one or more service contracts with the dormitory 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 dormitory authority and the urban development corporation agree, so as to annually provide to the dormitory 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 dormitory authority and the urban development corporation as security for its bonds and notes, as authorized by this section.

§ 41. 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 36 of part JJJ of chapter 59 of the laws of 2021, 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 [~~twelve billion two hundred sixty million five hundred twenty-eight thousand dollars \$12,260,528,000~~] thirteen billion one hundred fifty-three million eight hundred eighty-one thousand dollars \$13,153,881,000 cumulatively by the end of fiscal year [~~2021-22~~] 2022-23. For purposes of this subdivision, such projects shall be deemed to include capital grants to cities, towns and villages for the reimbursement of eligible capital costs of local highway and bridge projects within such municipality, where allocations to cities, towns and villages are based on the total number of New York or United States or interstate signed touring route miles for which such municipality has capital maintenance responsibility, and where such eligible capital costs include the costs of construction and repair of highways, bridges, highway-railroad crossings, and other transportation facilities for projects with a service life of ten years or more.

§ 42. Subdivision 1 of section 1689-i of the public authorities law, as amended by section 37 of part JJJ of chapter 59 of the laws of 2021, 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 [~~two hundred ninety-nine million dollars \$299,000,000~~] three hundred thirty-three million dollars \$333,000,000.

§ 43. Section 44 of section 1 of chapter 174 of the laws of 1968, constituting the New York state urban development corporation act, as

1 amended by section 38 of part JJJ of chapter 59 of the laws of 2021, is
2 amended to read as follows:

3 § 44. Issuance of certain bonds or notes. 1. Notwithstanding the
4 provisions of any other law to the contrary, the dormitory authority and
5 the corporation are hereby authorized to issue bonds or notes in one or
6 more series for the purpose of funding project costs for the regional
7 economic development council initiative, the economic transformation
8 program, state university of New York college for nanoscale and science
9 engineering, projects within the city of Buffalo or surrounding envi-
10 rons, the New York works economic development fund, projects for the
11 retention of professional football in western New York, the empire state
12 economic development fund, the clarkson-trudeau partnership, the New
13 York genome center, the cornell university college of veterinary medi-
14 cine, the olympic regional development authority, projects at nano
15 Utica, onondaga county revitalization projects, Binghamton university
16 school of pharmacy, New York power electronics manufacturing consortium,
17 regional infrastructure projects, high tech innovation and economic
18 development infrastructure program, high technology manufacturing
19 projects in Chautauqua and Erie county, an industrial scale research and
20 development facility in Clinton county, upstate revitalization initi-
21 ative projects, downstate revitalization initiative, market New York
22 projects, fairground buildings, equipment or facilities used to house
23 and promote agriculture, the state fair, the empire state trail, the
24 moynihan station development project, the Kingsbridge armory project,
25 strategic economic development projects, the cultural, arts and public
26 spaces fund, water infrastructure in the city of Auburn and town of
27 Owasco, a life sciences laboratory public health initiative, not-for-
28 profit pounds, shelters and humane societies, arts and cultural facili-
29 ties improvement program, restore New York's communities initiative,
30 heavy equipment, economic development and infrastructure projects,
31 Roosevelt Island operating corporation capital projects, Lake Ontario
32 regional projects, Pennsylvania station and other transit projects and
33 other state costs associated with such projects. The aggregate principal
34 amount of bonds authorized to be issued pursuant to this section shall
35 not exceed [~~eleven billion two hundred seventy-nine million two hundred~~
36 ~~two thousand dollars \$11,279,202,000~~] thirteen billion nine hundred
37 sixty million nine hundred two thousand dollars \$13,960,902,000, exclud-
38 ing bonds issued to fund one or more debt service reserve funds, to pay
39 costs of issuance of such bonds, and bonds or notes issued to refund or
40 otherwise repay such bonds or notes previously issued. Such bonds and
41 notes of the dormitory authority and the corporation shall not be a debt
42 of the state, and the state shall not be liable thereon, nor shall they
43 be payable out of any funds other than those appropriated by the state
44 to the dormitory authority and the corporation for principal, interest,
45 and related expenses pursuant to a service contract and such bonds and
46 notes shall contain on the face thereof a statement to such effect.
47 Except for purposes of complying with the internal revenue code, any
48 interest income earned on bond proceeds shall only be used to pay debt
49 service on such bonds.

50 2. Notwithstanding any other provision of law to the contrary, in
51 order to assist the dormitory authority and the corporation in undertak-
52 ing the financing for project costs for the regional economic develop-
53 ment council initiative, the economic transformation program, state
54 university of New York college for nanoscale and science engineering,
55 projects within the city of Buffalo or surrounding environs, the New
56 York works economic development fund, projects for the retention of

1 professional football in western New York, the empire state economic
2 development fund, the clarkson-trudeau partnership, the New York genome
3 center, the cornell university college of veterinary medicine, the olym-
4 pic regional development authority, projects at nano Utica, onondaga
5 county revitalization projects, Binghamton university school of pharma-
6 cy, New York power electronics manufacturing consortium, regional
7 infrastructure projects, New York State Capital Assistance Program for
8 Transportation, infrastructure, and economic development, high tech
9 innovation and economic development infrastructure program, high tech-
10 nology manufacturing projects in Chautauqua and Erie county, an indus-
11 trial scale research and development facility in Clinton county, upstate
12 revitalization initiative projects, downstate revitalization initiative,
13 market New York projects, fairground buildings, equipment or facilities
14 used to house and promote agriculture, the state fair, the empire state
15 trail, the moynihan station development project, the Kingsbridge armory
16 project, strategic economic development projects, the cultural, arts and
17 public spaces fund, water infrastructure in the city of Auburn and town
18 of Owasco, a life sciences laboratory public health initiative, not-for-
19 profit pounds, shelters and humane societies, arts and cultural facili-
20 ties improvement program, restore New York's communities initiative,
21 heavy equipment, economic development and infrastructure projects,
22 Roosevelt Island operating corporation capital projects, Lake Ontario
23 regional projects, Pennsylvania station and other transit projects and
24 other state costs associated with such projects the director of the
25 budget is hereby authorized to enter into one or more service contracts
26 with the dormitory authority and the corporation, none of which shall
27 exceed thirty years in duration, upon such terms and conditions as the
28 director of the budget and the dormitory authority and the corporation
29 agree, so as to annually provide to the dormitory authority and the
30 corporation, in the aggregate, a sum not to exceed the principal, inter-
31 est, and related expenses required for such bonds and notes. Any service
32 contract entered into pursuant to this section shall provide that the
33 obligation of the state to pay the amount therein provided shall not
34 constitute a debt of the state within the meaning of any constitutional
35 or statutory provision and shall be deemed executory only to the extent
36 of monies available and that no liability shall be incurred by the state
37 beyond the monies available for such purpose, subject to annual appro-
38 priation by the legislature. Any such contract or any payments made or
39 to be made thereunder may be assigned and pledged by the dormitory
40 authority and the corporation as security for its bonds and notes, as
41 authorized by this section.

42 § 44. Subdivision 1 of section 386-b of the public authorities law, as
43 amended by section 39 of part JJJ of chapter 59 of the laws of 2021, is
44 amended to read as follows:

45 1. Notwithstanding any other provision of law to the contrary, the
46 authority, the dormitory authority and the urban development corporation
47 are hereby authorized to issue bonds or notes in one or more series for
48 the purpose of financing peace bridge projects and capital costs of
49 state and local highways, parkways, bridges, the New York state thruway,
50 Indian reservation roads, and facilities, and transportation infrastruc-
51 ture projects including aviation projects, non-MTA mass transit
52 projects, and rail service preservation projects, including work appur-
53 tenant and ancillary thereto. The aggregate principal amount of bonds
54 authorized to be issued pursuant to this section shall not exceed [~~eight~~
55 ~~billion eight hundred thirty-nine million nine hundred sixty-three thou-~~
56 ~~sand dollars \$8,839,963,000~~] ten billion one hundred forty-seven million

eight hundred sixty-three thousand dollars \$10,147,863,000, 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.

§ 45. Paragraph (a) of subdivision 2 of section 47-e of the private housing finance law, as amended by section 40 of part JJJ of chapter 59 of the laws of 2021, 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 [~~seven billion five hundred forty-five million one hundred seven thousand dollars \$7,545,107,000~~] fourteen billion seven hundred seventy-five million five hundred eleven thousand dollars \$14,775,511,000, 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.

§ 46. Subdivision 1 of section 50 of section 1 of chapter 174 of the laws of 1968, constituting the New York state urban development corporation act, as amended by section 41 of part JJJ of chapter 59 of the laws of 2021, 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 undertaken by or on behalf of the state education department, special act school districts, state-supported schools for the blind and deaf, approved private special education schools, non-public schools, community centers, day care facilities, residential camps, day camps, Native American Indian Nation schools, 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 hundred thirty-six million dollars \$236,000,000~~] three hundred one million seven hundred thousand dollars \$301,700,000, 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 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.

§ 47. 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 42 of part JJJ of chapter 59 of the laws of 2021, 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 [~~nine hundred seventy-four million two hundred fifty-four thousand dollars \$974,254,000~~] one billion one hundred twenty-five million sixty-six thousand dollars \$1,125,066,000 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 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.

§ 48. Paragraph (b) of subdivision 1 of section 385 of the public authorities law, as amended by section 43 of part JJJ of chapter 59 of the laws of 2021, is amended to read as follows:

(b) The authority is hereby authorized, as additional corporate purposes thereof solely upon the request of the director of the budget: (i) to issue special emergency highway and bridge trust fund bonds and notes for a term not to exceed thirty years and to incur obligations secured by the moneys appropriated from the dedicated highway and bridge trust fund established in section eighty-nine-b of the state finance law; (ii) to make available the proceeds in accordance with instructions provided by the director of the budget from the sale of such special emergency highway and bridge trust fund bonds, notes or other obligations, net of all costs to the authority in connection therewith, for the purposes of financing all or a portion of the costs of activities for which moneys in the dedicated highway and bridge trust fund estab-

lished in section eighty-nine-b of the state finance law are authorized to be utilized or for the financing of disbursements made by the state for the activities authorized pursuant to section eighty-nine-b of the state finance law; and (iii) to enter into agreements with the commissioner of transportation pursuant to section ten-e of the highway law with respect to financing for any activities authorized pursuant to section eighty-nine-b of the state finance law, or agreements with the commissioner of transportation pursuant to sections ten-f and ten-g of the highway law in connection with activities on state highways pursuant to these sections, and (iv) to enter into service contracts, contracts, agreements, deeds and leases with the director of the budget or the commissioner of transportation and project sponsors and others to provide for the financing by the authority of activities authorized pursuant to section eighty-nine-b of the state finance law, and each of the director of the budget and the commissioner of transportation are hereby authorized to enter into service contracts, contracts, agreements, deeds and leases with the authority, project sponsors or others to provide for such financing. The authority shall not issue any bonds or notes in an amount in excess of [~~eighteen billion one hundred fifty million dollars \$18,150,000,000~~] nineteen billion nine hundred thirty-two million nine hundred twenty thousand dollars \$19,932,920,000, plus a principal amount of bonds or notes: (A) to fund capital reserve funds; (B) to provide capitalized interest; and, (C) to fund other costs of issuance. In computing for the purposes of this subdivision, the aggregate amount of indebtedness evidenced by bonds and notes of the authority issued pursuant to this section, as amended by a chapter of the laws of nineteen hundred ninety-six, there shall be excluded the amount of bonds or notes issued that would constitute interest under the United States Internal Revenue Code of 1986, as amended, and the amount of indebtedness issued to refund or otherwise repay bonds or notes.

§ 49. Subdivision 1 of section 386-a of the public authorities law, as amended by section 44 of part JJJ of chapter 59 of the laws of 2021, 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 assisting the metropolitan transportation authority in the financing of transportation facilities as defined in subdivision seventeen of section twelve hundred sixty-one of this chapter or other capital projects. The aggregate principal amount of bonds authorized to be issued pursuant to this section shall not exceed twelve billion five hundred fifteen million eight hundred fifty-six thousand dollars \$12,515,856,000, 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. Notwithstanding any other provision of law to the contrary, including the limitations contained in subdivision four of

1 section sixty-seven-b of the state finance law, (A) any bonds and notes
2 issued prior to April first, two thousand [~~twenty-two~~] twenty-three
3 pursuant to this section may be issued with a maximum maturity of fifty
4 years, and (B) any bonds issued to refund such bonds and notes may be
5 issued with a maximum maturity of fifty years from the respective date
6 of original issuance of such bonds and notes.

7 § 50. Subdivision 1 of section 1680-r of the public authorities law,
8 as amended by section 47 of part JJJ of chapter 59 of the laws of 2021,
9 is amended to read as follows:

10 1. Notwithstanding the provisions of any other law to the contrary,
11 the dormitory authority and the urban development corporation are hereby
12 authorized to issue bonds or notes in one or more series for the purpose
13 of funding project costs for the capital restructuring financing program
14 for health care and related facilities licensed pursuant to the public
15 health law or the mental hygiene law and other state costs associated
16 with such capital projects, the health care facility transformation
17 programs, the essential health care provider program, and other health
18 care capital project costs. The aggregate principal amount of bonds
19 authorized to be issued pursuant to this section shall not exceed [~~three~~
20 ~~billion fifty-three million dollars \$3,053,000,000~~] four billion six
21 hundred fifty-three million dollars \$4,653,000,000, excluding bonds
22 issued to fund one or more debt service reserve funds, to pay costs of
23 issuance of such bonds, and bonds or notes issued to refund or otherwise
24 repay such bonds or notes previously issued. Such bonds and notes of the
25 dormitory authority and the urban development corporation shall not be a
26 debt of the state, and the state shall not be liable thereon, nor shall
27 they be payable out of any funds other than those appropriated by the
28 state to the dormitory authority and the urban development corporation
29 for principal, interest, and related expenses pursuant to a service
30 contract and such bonds and notes shall contain on the face thereof a
31 statement to such effect. Except for purposes of complying with the
32 internal revenue code, any interest income earned on bond proceeds shall
33 only be used to pay debt service on such bonds.

34 § 51. Subdivision 1 of section 1680-k of the public authorities law,
35 as amended by section 62 of part BBB of chapter 59 of the laws of 2018,
36 is amended to read as follows:

37 1. Subject to the provisions of chapter fifty-nine of the laws of two
38 thousand, but notwithstanding any provisions of law to the contrary, the
39 dormitory authority is hereby authorized to issue bonds or notes in one
40 or more series in an aggregate principal amount not to exceed forty
41 million [~~seven hundred fifteen thousand dollars~~] eight hundred thirty
42 thousand dollars (\$40,830,000) excluding bonds issued to finance one or
43 more debt service reserve funds, to pay costs of issuance of such bonds,
44 and bonds or notes issued to refund or otherwise repay such bonds or
45 notes previously issued, for the purpose of financing the construction
46 of the New York state agriculture and markets food laboratory. Eligible
47 project costs may include, but not be limited to the cost of design,
48 financing, site investigations, site acquisition and preparation, demo-
49 lition, construction, rehabilitation, acquisition of machinery and
50 equipment, and infrastructure improvements. Such bonds and notes of such
51 authorized issuers shall not be a debt of the state, and the state shall
52 not be liable thereon, nor shall they be payable out of any funds other
53 than those appropriated by the state to such authorized issuers for debt
54 service and related expenses pursuant to any service contract executed
55 pursuant to subdivision two of this section and such bonds and notes
56 shall contain on the face thereof a statement to such effect. Except for

1 purposes of complying with the internal revenue code, any interest
2 income earned on bond proceeds shall only be used to pay debt service on
3 such bonds.

4 § 52. Paragraph (b) of subdivision 3 and clause (B) of subparagraph
5 (iii) of paragraph (j) of subdivision 4 of section 1 of part D of chap-
6 ter 63 of the laws of 2005 relating to the composition and responsibil-
7 ities of the New York state higher education capital matching grant
8 board, as amended by section 7 of part K of chapter 39 of the laws of
9 2019, are amended to read as follows:

10 (b) Within amounts appropriated therefor, the board is hereby author-
11 ized and directed to award matching capital grants totaling [~~three~~
12 ~~hundred million dollars, \$300,000,000~~] three hundred sixty million
13 dollars \$360,000,000. Each college shall be eligible for a grant award
14 amount as determined by the calculations pursuant to subdivision five of
15 this section. In addition, such colleges shall be eligible to compete
16 for additional funds pursuant to paragraph (h) of subdivision four of
17 this section.

18 (B) The dormitory authority shall not issue any bonds or notes in an
19 amount in excess of [~~three hundred million dollars, \$300,000,000~~] three
20 hundred sixty million dollars \$360,000,000 for the purposes of this
21 section; excluding bonds or notes issued to fund one or more debt
22 service reserve funds, to pay costs of issuance of such bonds, and bonds
23 or notes issued to refund or otherwise repay such bonds or notes previ-
24 ously issued. Except for purposes of complying with the internal revenue
25 code, any interest on bond proceeds shall only be used to pay debt
26 service on such bonds.

27 § 53. Subdivision 1 of section 51 of section 1 of chapter 174 of the
28 laws of 1968, constituting the New York state urban development corpo-
29 ration act, as amended by section 42-c of part XXX of chapter 59 of the
30 laws of 2017, is amended to read as follows:

31 1. Notwithstanding the provisions of any other law to the contrary,
32 the dormitory authority and the urban development corporation are hereby
33 authorized to issue bonds or notes in one or more series for the purpose
34 of funding project costs for the nonprofit infrastructure capital
35 investment program and other state costs associated with such capital
36 projects. The aggregate principal amount of bonds authorized to be
37 issued pursuant to this section shall not exceed [~~one hundred twenty~~
38 ~~million dollars~~] one hundred seventy million dollars \$170,000,000,
39 excluding bonds issued to fund one or more debt service reserve funds,
40 to pay costs of issuance of such bonds, and bonds or notes issued to
41 refund or otherwise repay such bonds or notes previously issued. Such
42 bonds and notes of the dormitory authority and the urban development
43 corporation shall not be a debt of the state, and the state shall not be
44 liable thereon, nor shall they be payable out of any funds other than
45 those appropriated by the state to the dormitory authority and the urban
46 development corporation for principal, interest, and related expenses
47 pursuant to a service contract and such bonds and notes shall contain on
48 the face thereof a statement to such effect. Except for purposes of
49 complying with the internal revenue code, any interest income earned on
50 bond proceeds shall only be used to pay debt service on such bonds.

51 § 54. Intentionally omitted.

52 § 54-a. Notwithstanding the provisions of any other law to the contra-
53 ry, the dormitory authority and the urban development corporation are
54 hereby authorized to issue bonds or notes in one or more series for the
55 purpose of funding project costs for the child care facilities develop-
56 ment program and other state costs associated with such capital

1 projects. The aggregate principal amount of bonds authorized to be
2 issued pursuant to this section shall not exceed two hundred million
3 dollars \$200,000,000, excluding bonds issued to fund one or more debt
4 service reserve funds, to pay costs of issuance of such bonds, and bonds
5 or notes issued to refund or otherwise repay such bonds or notes previ-
6 ously issued. Such bonds and notes of the dormitory authority and the
7 urban development corporation shall not be a debt of the state, and the
8 state shall not be liable thereon, nor shall they be payable out of any
9 funds other than those appropriated by the state to the dormitory
10 authority and the urban development corporation for principal, interest,
11 and related expenses pursuant to a service contract and such bonds and
12 notes shall contain on the face thereof a statement to such effect.
13 Except for purposes of complying with the internal revenue code, any
14 interest income earned on bond proceeds shall only be used to pay debt
15 service on such bonds.

16 § 54-b. Notwithstanding the provisions of any other law to the contra-
17 ry, the dormitory authority and the urban development corporation are
18 hereby authorized to issue bonds or notes in one or more series for the
19 purpose of funding project costs for equipment and facilities related to
20 veteran's programs and other state costs associated with such capital
21 projects. The aggregate principal amount of bonds authorized to be
22 issued pursuant to this section shall not exceed ten million dollars
23 \$10,000,000, excluding bonds issued to fund one or more debt service
24 reserve funds, to pay costs of issuance of such bonds, and bonds or
25 notes issued to refund or otherwise repay such bonds or notes previously
26 issued. Such bonds and notes of the dormitory authority and the urban
27 development corporation shall not be a debt of the state, and the state
28 shall not be liable thereon, nor shall they be payable out of any funds
29 other than those appropriated by the state to the dormitory authority
30 and the urban development corporation for principal, interest, and
31 related expenses pursuant to a service contract and such bonds and notes
32 shall contain on the face thereof a statement to such effect. Except for
33 purposes of complying with the internal revenue code, any interest
34 income earned on bond proceeds shall only be used to pay debt service on
35 such bonds.

36 § 55. Intentionally omitted.

37 § 55-a. Notwithstanding the provisions of any other law to the contra-
38 ry, the dormitory authority and the urban development corporation are
39 hereby authorized to issue bonds or notes in one or more series for the
40 purpose of funding project costs for equipment related to county
41 probation, parole and reentry programs and other state costs associated
42 with such capital projects. The aggregate principal amount of bonds
43 authorized to be issued pursuant to this section shall not exceed fifty
44 million dollars \$50,000,000, excluding bonds issued to fund one or more
45 debt service reserve funds, to pay costs of issuance of such bonds, and
46 bonds or notes issued to refund or otherwise repay such bonds or notes
47 previously issued. Such bonds and notes of the dormitory authority and
48 the urban development corporation shall not be a debt of the state, and
49 the state shall not be liable thereon, nor shall they be payable out of
50 any funds other than those appropriated by the state to the dormitory
51 authority and the urban development corporation for principal, interest,
52 and related expenses pursuant to a service contract and such bonds and
53 notes shall contain on the face thereof a statement to such effect.
54 Except for purposes of complying with the internal revenue code, any
55 interest income earned on bond proceeds shall only be used to pay debt
56 service on such bonds.

§ 55-b. 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 equipment for municipal police departments 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 ten million dollars \$10,000,000, 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 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.

§ 55-c. 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 local fairs 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 five million dollars \$5,000,000, 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 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.

§ 55-d. 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 agriculture Cornell farmland research programs 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 five million dollars \$5,000,000, 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 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

1 income earned on bond proceeds shall only be used to pay debt service on
2 such bonds.

3 § 56. Section 1 of chapter 174 of the laws of 1968, constituting the
4 New York state urban development corporation act, is amended by adding a
5 new section 58 to read as follows:

6 § 58. Gateway project. 1. Findings and declaration of need. The state
7 of New York finds and determines that providing funding for the passen-
8 ger rail transportation project commonly known as the gateway project,
9 is needed to preserve and improve the functionality and strengthen the
10 resiliency of long-distance and commuter rail infrastructure between the
11 state of New York and the state of New Jersey.

12 2. Definitions. When used in this section:

13 "Commission" shall mean the gateway development commission, a bi-state
14 commission and a body corporate and politic established by the state of
15 New Jersey and the state of New York, acting in the public interest and
16 exercising essential governmental functions in accordance with the Gate-
17 way development commission act, and any successor thereto.

18 "Federal transportation loan" shall mean one or more loans made to the
19 commission to finance the Hudson tunnel project under or pursuant to any
20 U.S. Department of Transportation program or act, including but not
21 limited to the Railroad Rehabilitation & Improvement Financing Program
22 or the Transportation Infrastructure Finance and Innovation Act, which
23 loan or loans are related to the state capital commitment.

24 "Gateway development commission act" shall mean chapter 108 of the
25 laws of New York, 2019, as amended.

26 "Gateway project" shall mean the passenger rail and related infras-
27 tructure projects undertaken by the commission, including the hudson
28 tunnel project.

29 "Hudson tunnel project" shall mean the project consisting of
30 construction of a tunnel connecting the states of New York and New
31 Jersey and the completion of certain ancillary facilities including
32 construction of concrete casing at Hudson Yards in Manhattan, New York
33 and the rehabilitation of the existing North River Tunnels.

34 "State capital commitment" shall mean an aggregate principal amount
35 not to exceed \$2,350,000,000, plus any interest costs, including capi-
36 talized interest, and related expenses and fees payable by the state of
37 New York to the commission under one or more service contracts or other
38 agreements pursuant to this section, as well as any expenses of the
39 state incurred in connection therewith.

40 "Related expenses and fees" shall mean commitment fees and other
41 ancillary costs, expenses and fees incurred, and to become due and paya-
42 ble, by the commission in connection with the Federal transportation
43 loan.

44 3. Notwithstanding any other provision of law to the contrary, in
45 order to provide for the payment for the state capital commitment, the
46 director of the budget is hereby authorized to enter into one or more
47 service contracts or other agreements with the commission, none of which
48 shall exceed the maximum duration of the Federal transportation loan,
49 upon such terms and conditions as the director of the budget and commis-
50 sion agree, so as to provide to the commission, for each state fiscal
51 year, a sum not to exceed the amount required for the payment of the
52 state capital commitment for such fiscal year. Any such service contract
53 or other agreement shall provide that the obligation of the state to pay
54 the amount therein provided shall not constitute a debt of the state
55 within the meaning of any constitutional or statutory provision and
56 shall be deemed executory only to the extent of monies available, that

no liability shall be incurred by the state beyond the monies available for such purpose, and that such obligation is subject to annual appropriation by the legislature. Any such service contract or other agreement and any payments made or to be made thereunder may be assigned and pledged by the commission as security for the repayment by the commission of the Federal transportation loan.

4. The director of the budget is also authorized to enter into such other agreements and to take or cause to be taken such additional actions as are necessary or desirable to effectuate the purposes of the transactions contemplated by the state capital commitment provided for herein and the service contract or other agreement authorized by subdivision 3 of this section.

§ 57. Subdivisions 4 and 5 of section 16 of part T of chapter 57 of the laws of 2007, relating to providing for the administration of certain funds and accounts related to the 2007-2008 budget, are REPEALED.

§ 58. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2022; provided, however, that the provisions of sections one, one-a, two, three, four, five, six, seven, eight, thirteen, fourteen, fifteen, sixteen, seventeen, eighteen, nineteen, twenty, twenty-two, and twenty-three of this act shall expire March 31, 2023 when upon such date the provisions of such sections shall be deemed repealed; provided, further, that the amendments to section 89-h of the state finance law made by section twenty-eight of this act shall not affect the repeal of such section and shall be deemed repealed therewith.

PART Z

Intentionally Omitted

PART AA

Intentionally Omitted

PART BB

Intentionally Omitted

PART CC

Section 1. Section 163 of the state finance law is amended by adding a new subdivision 16 to read as follows:

16. Consultant services. a. Before a state agency enters into a contract for consultant services which is anticipated to cost more than one million dollars in a twelve month period the state agency shall conduct a cost comparison review to determine whether the services to be provided by the consultant can be performed at equal or lower cost by utilizing state employees, unless the contract meets one of the exceptions set forth in paragraph g of this subdivision. As used in this section, the term "consultant services" shall mean any contract entered into by a state agency for analysis, evaluation, research, training, data processing, computer programming, the design, development and

1 implementation of technology, communications or telecommunications
2 systems or the infrastructure pertaining thereto, including hardware and
3 software, engineering including inspection and professional design
4 services, health services, mental health services, accounting, auditing,
5 or similar services and such services that are substantially similar to
6 and in lieu of services provided, in whole or in part, by state employ-
7 ees, but shall not include legal services or services in connection with
8 litigation including expert witnesses and shall not include contracts
9 for construction of public works. For purposes of this subdivision, the
10 costs of performing the services by state employees shall include any
11 salary, pension costs, all other benefit costs, costs that are required
12 for equipment, facilities and all other overhead. The costs of consult-
13 ant services shall include the total cost of the contract including
14 costs that are required for equipment, facilities and all other overhead
15 and any continuing state costs directly associated with a contractor
16 providing a contracted function including, but not limited to, those
17 costs for inspection, supervision, monitoring of the contractor's work
18 and any pro rata share of existing costs or expenses, including adminis-
19 trative salaries and benefits, rent, equipment costs, utilities and
20 materials. The cost comparison shall be expressed where feasible as an
21 hourly rate, or where such a calculation is not feasible, as a total
22 estimated cost for the anticipated term of the contract.

23 b. Prior to entering any consultation services contract for the priva-
24 tization of a state service that is not currently privatized, the state
25 agency shall develop a cost comparison review in accordance with the
26 provisions of paragraph a of this subdivision.

27 c. (i) If such cost comparison review identifies a cost savings to the
28 state of ten percent or more, and such consultant services contract will
29 not diminish the quality of such service, the state agency shall develop
30 a business plan, in accordance with the provisions of paragraph d of
31 this subdivision, in order to evaluate the feasibility of entering any
32 such contract and to identify the potential results, effectiveness and
33 efficiency of such contract.

34 (ii) If such cost comparison review identifies a cost savings of less
35 than ten percent to the state and such consultant services contract will
36 not diminish the quality of such service, the state agency may develop a
37 business plan, in order to evaluate the feasibility of entering any such
38 contract and to identify the potential results, effectiveness and effi-
39 ciency of such contract, provided there is a significant public policy
40 reason to enter into such consultant services contract.

41 (iii) If any such proposed consultant services contract would result
42 in the layoff, transfer or reassignment of fifty or more state agency
43 employees, after consulting with the potentially affected bargaining
44 units, if any, the state agency shall notify the state employees of such
45 bargaining unit, after such cost comparison review is completed. Such
46 state agency shall provide an opportunity for said employees to reduce
47 the costs of conducting the operations to be privatized and provide
48 reasonable resources for the purpose of encouraging and assisting such
49 state employees to organize and submit a bid to provide the services
50 that are the subject of the potential consultant services contact.

51 d. Any business plan developed by a state agency for the purpose of
52 complying with paragraph c of this subdivision shall include: (i) the
53 cost comparison review as described in paragraph b of this subdivision,
54 (ii) a detailed description of the service or activity that is the
55 subject of such business plan, (iii) a description and analysis of the
56 state agency's current performance of such service or activity, (iv) the

1 goals to be achieved through the proposed consultant services contract
2 and the rationale for such goals, (v) a description of available options
3 for achieving such goals, (vi) an analysis of the advantages and disad-
4 vantages of each option, including, at a minimum, potential performance
5 improvements and risks attendant to termination of the contract or
6 rescission of such contract, (vii) a description of the current market
7 for the services or activities that are the subject of such business
8 plan, (viii) an analysis of the quality of services as gauged by stand-
9 ardized measures and key performance requirements including compen-
10 sation, turnover, and staffing ratios, (ix) a description of the specif-
11 ic results based performance standards that shall, at a minimum be met,
12 to ensure adequate performance by any party performing such service or
13 activity, (x) the projected time frame for key events from the beginning
14 of the procurement process through the expiration of a contract, if
15 applicable, (xi) a specific and feasible contingency plan that addresses
16 contractor nonperformance and a description of the tasks involved in and
17 costs required for implementation of such plan, and (xii) a transition
18 plan, if appropriate, for addressing changes in the number of agency
19 personnel, affected business processes, employee transition issues, and
20 communications with affected stakeholders, such as agency clients and
21 members of the public, if applicable. Such transition plan shall contain
22 a reemployment and retraining assistance plan for employees who are not
23 retained by the state or employed by the contractor. If any part of such
24 business plan is based upon evidence that the state agency is not suffi-
25 ciently staffed to provide the services required by the consultant
26 services contract, the state agency shall also include within such busi-
27 ness plan a recommendation for remediation of the understaffing to allow
28 such services to be provided directly by the state agency in the future.

29 e. Upon the completion of such business plan, the state agency shall
30 submit the business plan to the state comptroller.

31 f. (i) Not later than sixty days after receipt of any business plan,
32 the state comptroller shall transmit a report detailing its review,
33 evaluation and disposition regarding such business plan to the state
34 agency that submitted such cost comparison review. Such sixty-day period
35 may be extended for an additional thirty days upon a showing of good
36 cause.

37 (ii) The state comptroller's report shall include the business plan
38 prepared by the state agency, the reasons for approval or disapproval,
39 any recommendations or other information to assist the state agency in
40 determining if additional steps are necessary to move forward with a
41 consultant services contract.

42 (iii) If the state comptroller does not act on a business plan submit-
43 ted by a state agency within ninety days of receipt of such business
44 plan, such business plan shall be deemed approved.

45 g. A cost comparison shall not be required if the contracting agency
46 demonstrates:

47 (i) the services are incidental to the purchase of real or personal
48 property; or

49 (ii) the contract is necessary in order to avoid a conflict of inter-
50 est on the part of the agency or its employees; or

51 (iii) the services are of such a highly specialized nature that it is
52 not feasible to utilize state employees to perform them or require
53 special equipment that is not feasible for the state to purchase or
54 lease; or

55 (iv) the services are of such an urgent nature that it is not feasible
56 to utilize state employees; or

(v) the services are anticipated to be short term and are not likely to be extended or repeated after the contract is completed; or
(vi) a quantifiable improvement in services that cannot be reasonably duplicated.

h. Nothing in this section shall be deemed to authorize a state agency to enter into a contract which is otherwise prohibited by law.

i. All documents related to the cost comparison and business plan required by this subdivision and the determinations made pursuant to paragraph g of this subdivision shall be public records subject to disclosure pursuant to article six of the public officers law.

§ 2. On or before December 31, 2023 the state comptroller shall prepare a report, to be delivered to the governor, the temporary president of the senate and the speaker of the assembly. Such report shall include, but need not be limited to, an analysis of the effectiveness of the cost comparison review program and an analysis of the cost savings associated with performing such cost comparison.

§ 3. This act shall take effect on the ninetieth day after it shall have become a law and shall apply to all contracts solicited or entered into by state agencies after the effective date of this act; provided, however, the amendments to section 163 of the state finance law made by section one of this act shall not affect the repeal of such section and shall be deemed repealed therewith.

PART DD

Section 1. The public service law is amended by adding a new article 1-A to read as follows:

ARTICLE 1-A

THE STATE OFFICE OF THE UTILITY CONSUMER ADVOCATE

Section 28-a. Definitions.

28-b. Establishment of the state office of the utility consumer advocate.

28-c. Powers of the state office of the utility consumer advocate.

28-d. Reports.

§ 28-a. Definitions. When used in this article: (a) "Department" means the department of public service.

(b) "Commission" means the public service commission.

(c) "Residential utility customer" means any person who is sold or offered for sale residential utility service by a utility company.

(d) "Utility company" means any person or entity operating an agency for public service, including, but not limited to, those persons or entities subject to the jurisdiction, supervision and regulations prescribed by or pursuant to the provisions of this chapter.

§ 28-b. Establishment of the state office of the utility consumer advocate. There is established the state office of the utility consumer advocate to represent the interests of residential utility customers. The utility consumer advocate shall be appointed by the governor to a term of six years, upon the advice and consent of the senate. The utility consumer advocate shall possess knowledge and experience in matters affecting residential utility customers and shall be responsible for the direction, control, and operation of the state office of the utility consumer advocate, including its hiring of staff and retention of experts for analysis and testimony in proceedings. The utility consumer advocate shall not be removed for cause, but may be removed only after notice and opportunity to be heard, and only for permanent disability,

1 malfeasance, a felony, or conduct involving moral turpitude. Exercise of
2 independent judgment in advocating positions on behalf of residential
3 utility customers shall not constitute cause for removal of the utility
4 consumer advocate.

5 § 28-c. Powers of the state office of the utility consumer advocate.
6 The state office of the utility consumer advocate shall have the power
7 and duty to: (a) initiate, intervene in, or participate on behalf of
8 residential utility customers in any proceedings before the commission,
9 the federal energy regulatory commission, the federal communications
10 commission, federal, state and local administrative and regulatory agen-
11 cies, and state and federal courts in any matter or proceeding that may
12 substantially affect the interests of residential utility customers,
13 including, but not limited to, a proposed change of rates, charges,
14 terms and conditions of service, the adoption of rules, regulations,
15 guidelines, orders, standards or final policy decisions where the utili-
16 ty consumer advocate deems such initiation, intervention or partic-
17 ipation to be necessary or appropriate;

18 (b) represent the interests of residential utility customers of the
19 state before federal, state and local administrative and regulatory
20 agencies engaged in the regulation of energy, telecommunications, water,
21 and other utility services, and before state and federal courts in
22 actions and proceedings to review the actions of utilities or orders of
23 utility regulatory agencies. Any action or proceeding brought by the
24 utility consumer advocate before a court or an agency shall be brought
25 in the name of the state office of the utility consumer advocate. The
26 utility consumer advocate may join with a residential utility customer
27 or group of residential utility customers in bringing an action;

28 (c) (i) in addition to any other authority conferred upon the utility
29 consumer advocate, he or she is authorized, and it shall be his or her
30 duty to represent the interests of residential utility customers as a
31 party, or otherwise participate for the purpose of representing the
32 interests of such customers before any agencies or courts. He or she may
33 initiate proceedings if in his or her judgment doing so may be necessary
34 in connection with any matter involving the actions or regulation of
35 public utility companies whether on appeal or otherwise initiated. The
36 utility consumer advocate may monitor all cases before regulatory agen-
37 cies in the United States, including the federal communications commis-
38 sion and the federal energy regulatory commission that affect the inter-
39 ests of residential utility customers of the state and may formally
40 participate in those proceedings which in his or her judgment warrants
41 such participation.

42 (ii) the utility consumer advocate shall exercise his or her independ-
43 ent discretion in determining the interests of residential utility
44 customers that will be advocated in any proceeding, and determining
45 whether to participate in or initiate any proceeding and, in so deter-
46 mining, shall consider the public interest, the resources available, and
47 the substantiality of the effect of the proceeding on the interest of
48 residential utility customers;

49 (d) request and receive from any state or local authority, agency,
50 department or division of the state or political subdivision such
51 assistance, personnel, information, books, records, other documentation
52 and cooperation necessary to perform its duties; and

53 (e) enter into cooperative agreements with other government offices to
54 efficiently carry out its work.

55 § 28-d. Reports. On July first, two thousand twenty-three and annually
56 thereafter, the state office of the utility consumer advocate shall

1 issue a report to the governor and the legislature, and make such report
2 available to the public free of charge on a publicly available website,
3 containing, but not limited to, the following information:

4 (a) all proceedings that the state office of the utility consumer
5 advocate participated in and the outcome of such proceedings, to the
6 extent of such outcome and if not confidential;

7 (b) estimated savings to residential utility consumers that resulted
8 from intervention by the state office of the utility consumer advocate;
9 and

10 (c) policy recommendations and suggested statutory amendments that the
11 state office of the utility consumer advocate deems necessary.

12 § 2. This act shall take effect on the first of April next succeeding
13 the date on which it shall have become a law.

14 PART EE

15 Section 1. Notwithstanding the provisions of article 5 of the general
16 construction law, the oversight authority of the state comptroller
17 relating to the approval or pre-approval of any contract or procurement
18 subject to the provisions of sections 112 and 163 of the state finance
19 law are hereby revived and shall continue in full force and effect as
20 such provisions existed on March 1, 2011.

21 § 2. This act shall take effect immediately; provided, however, that
22 it shall not apply to review of existing contracts and solicitations or
23 transactions thereunder, including renewals, extensions, continuous
24 periodic recruitments, assignments and non-significant amendments of
25 such existing contracts and solicitations.

26 PART FF

27 Section 1. Section 623 of the correction law, as amended by chapter
28 322 of the laws of 2021, is amended to read as follows:

29 § 623. [~~Incarcerated individual telephone~~] Voice communication
30 services for incarcerated individuals. 1. [~~Telephone~~] Voice communi-
31 cation services contracts for incarcerated individuals in state correc-
32 tional facilities shall be subject to the procurement provisions as set
33 forth in article eleven of the state finance law [~~provided, however,~~
34 ~~that when determining the best value of such telephone service, the~~
35 ~~lowest possible cost to the telephone user shall be emphasized~~].

36 2. [~~The department shall make available either a "prepaid" or "collect~~
37 ~~call" system, or a combination thereof, for telephone service. Under the~~
38 ~~"prepaid" system, funds may be deposited into an account in order to pay~~
39 ~~for station to station calls, provided that nothing in this subdivision~~
40 ~~shall require the department to provide or administer a prepaid system.~~
41 ~~Under a "collect call" system, call recipients are billed for the cost~~
42 ~~of an accepted telephone call initiated by an incarcerated individual.~~
43 ~~Under such "collect call" system, the provider of incarcerated individ-~~
44 ~~ual telephone service, as an additional means of payment, must permit~~
45 ~~the recipient of incarcerated individual calls to establish an account~~
46 ~~with such provider in order to deposit funds to pay for such collect~~
47 ~~calls in advance~~] State agencies charged with the operation and manage-
48 ment of state correctional facilities and juvenile detention facilities
49 shall provide persons in their custody and confined in a correctional or
50 detention facility with voice communication service at a minimum of
51 ninety minutes per day and ensure sufficient infrastructure to meet this
52 baseline. The commissioner may supplement voice communication service

1 with other advanced communication services, including, but not limited
2 to, video communication and electronic mail services. To the extent that
3 the commissioner provides such voice communication service or any other
4 advanced communication service, each such service shall be provided free
5 of charge to the person initiating and the person receiving the communi-
6 cation.

7 3. ~~[The department shall not accept or receive revenue in excess of~~
8 ~~its reasonable operating cost for establishing and administering such~~
9 ~~telephone system services as provided in subdivisions one and two of~~
10 ~~this section]~~ No state agency shall receive revenue from the provision
11 of voice communication services or any other communication services to
12 any person confined in a state correctional or detention facility.

13 4. Nothing in this section shall be construed to limit, replace or
14 prevent in-person visitation between persons confined in a state correc-
15 tional or detention facility and relatives, friends or any other persons
16 approved to visit such person.

17 5. The department shall establish rules and regulations or depart-
18 mental procedures to ensure that any ~~[incarcerated individual phone call~~
19 ~~system]~~ voice communication services for incarcerated individuals estab-
20 lished by this section provides reasonable security measures to preserve
21 the safety and security of each correctional facility, all staff and all
22 persons outside a facility who may receive incarcerated individual
23 ~~[phone calls]~~ voice communication services for incarcerated individuals.

24 § 2. This act shall take effect April 1, 2023 and shall apply to any
25 new or renewal contract for voice communication services for incarcerat-
26 ed individuals or other advanced communication services entered into on
27 or after such date and provided further that any new or renewal contract
28 for voice communication services for incarcerated individuals or other
29 advanced communication services entered into prior to April 1, 2023
30 shall not run past March 31, 2023.

31 PART GG

32 Section 1. Section 722-b of the county law, as amended by section 2 of
33 part J of chapter 62 of the laws of 2003, is amended to read as follows:

34 § 722-b. Compensation and reimbursement for representation. 1. All
35 counsel assigned in accordance with a plan of a bar association conform-
36 ing to the requirements of section seven hundred twenty-two of this
37 article whereby the services of private counsel are rotated and coordi-
38 nated by an administrator shall at the conclusion of the representation
39 receive:

40 (a) for representation of a person entitled to representation by law
41 who is initially charged with a misdemeanor or lesser offense and no
42 felony, compensation for such misdemeanor or lesser offense represen-
43 tation at a rate of ~~[sixty]~~ one hundred twenty dollars per hour for time
44 expended in court or before a magistrate, judge or justice, and ~~[sixty]~~
45 one hundred twenty dollars per hour for time reasonably expended out of
46 court, and shall receive reimbursement for expenses reasonably incurred;
47 and

48 (b) for representation of a person in all other cases governed by this
49 article, including all representation in an appellate court, compen-
50 sation at a rate of ~~[seventy-five]~~ one hundred fifty dollars per hour
51 for time expended in court before a magistrate, judge or justice and
52 ~~[seventy-five]~~ one hundred fifty dollars per hour for time reasonably
53 expended out of court, and shall receive reimbursement for expenses
54 reasonably incurred.

2. [~~Except as provided in this section, compensation for time expended in providing representation.~~

~~(a) pursuant to paragraph (a) of subdivision one of this section shall not exceed two thousand four hundred dollars; and~~

~~(b) pursuant to paragraph (b) of subdivision one of this section shall not exceed four thousand four hundred dollars.~~

~~3. For representation on an appeal, compensation and reimbursement shall be fixed by the appellate court. For all other representation, compensation and reimbursement shall be fixed by the trial court judge. In extraordinary circumstances a trial or appellate court may provide for compensation in excess of the foregoing limits and for payment of compensation and reimbursement for expenses before the completion of the representation.~~

~~4.]~~ Each claim for compensation and reimbursement shall be supported by a sworn statement specifying the time expended, services rendered, expenses incurred and reimbursement or compensation applied for or received in the same case from any other source. No counsel assigned hereunder shall seek or accept any fee for representing the party for whom he or she is assigned without approval of the court as herein provided.

§ 2. Section 722-e of the county law, as amended by section 11 of part VVV of chapter 59 of the laws of 2017, is amended to read as follows:

§ 722-e. Expenses. 1. All expenses for providing counsel and services other than counsel hereunder shall be a county charge or in the case of a county wholly located within a city a city charge to be paid out of an appropriation for such purposes. Provided, however, that any such additional expenses incurred for the provision of counsel and services as a result of the implementation of a plan established pursuant to subdivision four of section eight hundred thirty-two of the executive law, including any interim steps taken to implement such plan, shall be reimbursed by the state to the county or city providing such services. Such plans shall be submitted by the office of indigent legal services to the director of the division of budget for review and approval. However, the director's approval shall be limited solely to the plan's projected fiscal impact of the required appropriation for the implementation of such plan, and his or her approval shall not be unreasonably withheld. The state shall appropriate funds sufficient to provide for the reimbursement required by this section.

2. All expenses for providing counsel and services pursuant to paragraph (a) of subdivision one of section seven hundred twenty-two-b of this article in excess of sixty dollars per hour and paragraph (b) of subdivision one of section seven hundred twenty-two-b of this article in excess of seventy-five dollars per hour shall be funded by the state.

§ 3. Subdivision 3 of section 35 of the judiciary law, as amended by section 5 of part J of chapter 62 of the laws of 2003, is amended to read as follows:

3. No counsel assigned pursuant to this section shall seek or accept any fee for representing the person for whom he or she is assigned without approval of the court as herein provided. Whenever it appears that such person is financially able to obtain counsel or make partial payment for the representation, counsel may report this fact to the court and the court may terminate the assignment or authorize payment, as the interests of justice may dictate, to such counsel. Counsel assigned hereunder shall at the conclusion of the representation receive compensation at a rate of [~~seventy-five~~] one hundred fifty dollars per hour for time expended in court, and [~~seventy-five~~] one hundred fifty

1 dollars per hour for time reasonably expended out of court, and shall
2 receive reimbursement for expenses reasonably incurred. For represen-
3 tation upon a hearing, compensation and reimbursement shall be fixed by
4 the court wherein the hearing was held [~~and such compensation shall not~~
5 ~~exceed four thousand four hundred dollars. For representation in an~~
6 ~~appellate court, compensation and reimbursement shall be fixed by such~~
7 ~~court and such compensation shall not exceed four thousand four hundred~~
8 ~~dollars. In extraordinary circumstances the court may provide for~~
9 ~~compensation in excess of the foregoing limits~~].

10 § 4. Section 35 of the judiciary law is amended by adding a new subdi-
11 vision 9 to read as follows:

12 9. All expenses for providing counsel and services pursuant to subdi-
13 vision three of this section shall be funded by the state.

14 § 5. This act shall take effect April 1, 2022. Effective immediately,
15 the addition, amendment, and/or repeal of any rule or regulation neces-
16 sary for the implementation of this act on its effective date are
17 authorized to be made and completed on or before such effective date.

18 PART HH

19 Section 1. Section 13 of chapter 141 of the laws of 1994, amending the
20 legislative law and the state finance law relating to the operation and
21 administration of the legislature, as amended by section 1 of part MMM
22 of chapter 59 of the laws of 2021, is amended to read as follows:

23 § 13. This act shall take effect immediately and shall be deemed to
24 have been in full force and effect as of April 1, 1994, provided that,
25 the provisions of section 5-a of the legislative law as amended by
26 sections two and two-a of this act shall take effect on January 1, 1995,
27 and provided further that, the provisions of article 5-A of the legisla-
28 tive law as added by section eight of this act shall expire June 30,
29 ~~[2022]~~ 2023 when upon such date the provisions of such article shall be
30 deemed repealed; and provided further that section twelve of this act
31 shall be deemed to have been in full force and effect on and after April
32 10, 1994.

33 § 2. This act shall not supersede the findings and determinations made
34 by the compensation committee as authorized pursuant to part HHH of
35 chapter 59 of the laws of 2018 unless a court of competent jurisdiction
36 determines that such findings and determinations are invalid or other-
37 wise not applicable or in force.

38 § 3. This act shall take effect immediately, provided, however, if
39 this act shall take effect on or after June 30, 2022, this act shall be
40 deemed to have been in full force and effect on and after June 30, 2022.

41 PART II

42 Section 1. The legislative law is amended by adding a new section 83-n
43 to read as follows:

44 § 83-n. Legislative commission on the future of the Long Island Power
45 Authority. 1. The legislature hereby finds and declares that chapter 517
46 of the laws of 1986 created the Long Island Power Authority (LIPA). Said
47 authority was created, in part, because the decisions by LILCO, the
48 private utility that provided electricity to Long Island and part of
49 Queens, "to commence construction of the Shoreham nuclear power plant
50 and thereafter to continue such construction were imprudent". Further,
51 the legislature found in chapter 517 of the laws of 1986 that "a situ-
52 ation threatening the economy, health and safety exists in the service

1 area". One of the two express purposes of the act was the closure of the
2 Shoreham nuclear power plant. In 1992, LIPA bought the Shoreham nuclear
3 power plant. The plant was fully decommissioned in 1994.

4 The second purpose of such chapter 517 was to replace LILCO with a
5 publicly owned power authority. The legislature found that "There is a
6 lack of confidence that the needs of the residents and of commerce and
7 industry in the service area for electricity can be supplied in a reli-
8 able, efficient and economic manner by the Long Island lighting company
9 (hereinafter referred to as "LILCO")" and "Such matters of state concern
10 best can be dealt with by replacing such investor owned utility with a
11 publicly owned power authority."

12 In 1995, LIPA replaced LILCO as the electric company for its service
13 area. However, LIPA was never established as a true "publicly owned
14 power authority" as originally envisioned by the State Legislature.
15 Rather, since 1995, LIPA has opted for a third-party management model
16 whereby LIPA contracts its responsibility to manage the utility to a
17 private, investor owned utility company.

18 LIPA is the only utility in the nation that is operated under a third-
19 party management model. This model has repeatedly failed its customers.
20 There has been a lack of transparency, oversight, and accountability.
21 This failure has been most dramatically evidenced in the unacceptable
22 storm response by LIPA and its third-party contractors during Superstorm
23 Sandy in 2012 and Tropical Storm Isaias in 2020.

24 After more than 25 years of unsatisfactory management under the third-
25 party management model, a better alternative must be implemented. That
26 inquiry must begin with the original intent of chapter 517 of the laws
27 of 1986, whereby LIPA was to directly manage and operate the utility as
28 a true public power utility. Initial investigations by LIPA after Trop-
29 ical Storm Isaias in 2020-2021 indicate that both ratepayer savings and
30 increased management efficiencies could be achieved through the public
31 power model.

32 Consequently, it is the purpose of this section to implement the
33 original vision for LIPA intended by chapter 517 of the laws of 1986, as
34 a publicly owned power company. The legislature hereby creates a
35 commission to provide the legislature with the specific actions, legis-
36 lation, and timeline necessary to restructure LIPA into a true publicly
37 owned power authority. The public must participate in that process so
38 that the new LIPA becomes transparent with proper oversight and account-
39 ability. The legislative commission shall submit its final report to the
40 legislature no later than April first, two thousand twenty-three.

41 2. A legislative commission is hereby established to investigate and
42 report to the legislature on the establishment of a public power model
43 for the operation of LIPA, whereby the authority would directly operate
44 the utility as a true public power authority. The commission shall
45 report to the legislature on the specific actions, legislation, and
46 timeline necessary to restructure LIPA into a true publicly owned power
47 authority. The commission shall consider: (a) the method of governance
48 of the public authority; (b) improved transparency, accountability, and
49 public involvement; (c) improved reliability of the system; (d) the
50 impact on electric rates; (e) improved storm response; (f) the powers
51 required by LIPA to more effectively operate the utility; (g) the over-
52 sight role of the department of public service and the public service
53 commission over LIPA's operation; (h) the impact on existing bonded
54 indebtedness; (i) improved long term energy planning; (j) compliance
55 with the goals of the New York state climate leadership and community
56 protection act; (k) increased reliance on renewable energy sources to

1 produce electricity; (l) taxation and payments in lieu of taxes; (m) the
2 special needs of communities that are or have been impacted by the
3 siting of power generating facilities; and (n) any other matter relevant
4 to the establishment of a public power model for the operation of LIPA.
5 In its report to the legislature, the commission shall provide for the
6 implementation of the public power model by LIPA no later than December
7 thirty-first, two thousand twenty-five.

8 3. The commission shall consist of eight members to be appointed as
9 follows: three members of the senate shall be appointed by the temporary
10 president of the senate; three members of the assembly shall be
11 appointed by the speaker of the assembly; one member of the senate shall
12 be appointed by the minority leader of the senate; and one member of the
13 assembly shall be appointed by the minority leader of the assembly. Any
14 vacancy that occurs in the commission shall be filled in the same manner
15 in which the original appointment was made. Co-chairs of the commission
16 shall be designated by the temporary president of the senate and the
17 speaker of the assembly, respectively. No member, officer, or employee
18 of the commission shall be disqualified from holding any other public
19 office or employment, nor shall he or she forfeit any such office or
20 employment by reason of his or her appointment hereunder, notwithstand-
21 ing the provisions of any general, special, or local law, ordinance, or
22 city charter.

23 4. The commission shall establish an advisory committee to actively
24 assist and advise the commission in the preparation of the public power
25 report required to be prepared pursuant to this section. The committee
26 shall consist of not more than fifteen members which shall include but
27 not be limited to representatives of organizations and institutions
28 representing business, labor, local government, Indian nations and
29 tribes, economic development, environmental, energy, social justice,
30 consumer, civic, school districts or higher education interests. The
31 committee by a majority vote shall elect a chairperson. The commission
32 shall meet periodically with the advisory committee, make available
33 working draft and other documents, and shall provide services to the
34 advisory committee as are necessary and appropriate to carry out its
35 functions under this section. Members of the advisory committee shall be
36 residents of the service area.

37 5. The commission may employ and at pleasure remove such personnel as
38 it may deem necessary for the performance of the commission's functions
39 and fix their compensation within the amount appropriated therefor. The
40 commission may hold public and private hearings and otherwise have all
41 of the powers of a legislative committee under this chapter. The members
42 of the commission shall receive no compensation for their services,
43 except as provided pursuant to section five-a of this chapter, but shall
44 be allowed their actual and necessary expenses incurred in the perform-
45 ance of their duties hereunder.

46 6. Employees of the commission shall be considered to be employees of
47 the legislature for all purposes.

48 7. The commission may request and shall receive from any subdivision,
49 department, board, bureau, commission, office, agency or other instru-
50 mentality of the state or of any political subdivision thereof, includ-
51 ing but not limited to the department of public service and the public
52 service commission, such facilities, assistance and data as it deems
53 necessary or desirable for the proper execution of its powers and
54 duties. The office of the state comptroller may, at its discretion,
55 provide to the commission such facilities, assistance, and data as may
56 be requested by the commission.

1 8. The commission is hereby authorized and empowered to make and sign
2 any agreements, and to do and perform any acts that may be necessary,
3 desirable or proper to carry out the purposes and objectives set forth
4 in this section.

5 9. The commission shall hold at least one public hearing with a public
6 comment period in each of the counties comprising the service area of
7 the Long Island Power Authority on the establishment of public power by
8 September thirtieth, two thousand twenty-two and before issuing a draft
9 report.

10 10. No later than December thirty-first, two thousand twenty-two, the
11 commission shall issue a draft report to the members of the legislature
12 regarding the establishment of a public power model for the Long Island
13 Power Authority. The commission shall hold at least one public hearing
14 with a public comment period in each of the counties comprising the
15 service area of the Long Island Power Authority on the draft report no
16 later than February fifteenth, two thousand twenty-three and before
17 issuing a final report.

18 11. No later than February first, two thousand twenty-three, the comp-
19 troller shall have the discretion to review the draft report and issue
20 to the legislature any recommendations relative to the findings
21 contained in the draft report which relates to the establishment of a
22 public power model for the Long Island Power Authority.

23 12. No later than April first, two thousand twenty-three, the commis-
24 sion shall issue a final report to the members of the legislature
25 regarding the establishment of a public power model for the Long Island
26 Power Authority. Such report shall provide any legislation required to
27 implement the public power model.

28 § 2. Severability clause. If any clause, sentence, paragraph, subdivi-
29 sion, section or part of this act shall be adjudged by any court of
30 competent jurisdiction to be invalid, such judgment shall not affect,
31 impair, or invalidate the remainder thereof, but shall be confined in
32 its operation to the clause, sentence, paragraph, subdivision, section
33 or part thereof directly involved in the controversy in which such judg-
34 ment shall have been rendered. It is hereby declared to be the intent of
35 the legislature that this act would have been enacted even if such
36 invalid provisions had not been included herein.

37 § 3. This act shall take effect immediately; provided, however, that
38 the amendments to article 5-A of the legislative law made by section one
39 of this act shall survive the repeal of such article as provided in
40 section 13 of chapter 141 of the laws of 1994, as amended.

41 § 2. Severability clause. If any clause, sentence, paragraph, subdivi-
42 sion, section or part of this act shall be adjudged by any court of
43 competent jurisdiction to be invalid, such judgment shall not affect,
44 impair, or invalidate the remainder thereof, but shall be confined in
45 its operation to the clause, sentence, paragraph, subdivision, section
46 or part thereof directly involved in the controversy in which such judg-
47 ment shall have been rendered. It is hereby declared to be the intent of
48 the legislature that this act would have been enacted even if such
49 invalid provisions had not been included herein.

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