

STATE OF NEW YORK

3313--A

2023-2024 Regular Sessions

IN SENATE

January 30, 2023

Introduced by Sen. SKOUFIS -- read twice and ordered printed, and when printed to be committed to the Committee on Disabilities -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the legislative law, the private housing finance law, the public authorities law and the New York state medical care facilities finance agency act, in relation to replacing the terms "mentally retarded" and "mental retardation" and variants thereof with "developmentally disabled" and "developmental disability"

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. That portion of subdivision 1 of section 5-a of the legis-
2 lative law entitled "ASSEMBLYMEN SERVING IN SPECIAL CAPACITY", as
3 amended by section 3 of part XX of chapter 56 of the laws of 2009, is
4 amended to read as follows:

5 ASSEMBLYMEN SERVING IN SPECIAL CAPACITY

6	Chairman of assembly ways and means committee	34,000
7	Ranking minority member of assembly ways and means	
8	committee	20,500
9	Chairman of assembly judiciary committee	18,000
10	Ranking minority member of assembly judiciary	
11	committee	11,000
12	Chairman of assembly codes committee	18,000
13	Ranking minority member of assembly codes	
14	committee	11,000
15	Chairman of assembly banks committee	15,000
16	Ranking minority member of assembly banks committee	9,500
17	Chairman of assembly committee on cities	15,000
18	Ranking minority member of assembly committee on cities	9,500

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

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1	Chairman of assembly education committee	18,000
2	Ranking minority member of assembly education committee	11,000
3	Chairman of assembly health committee	15,000
4	Ranking minority member of assembly health committee	9,500
5	Chairman of assembly local governments committee	15,000
6	Ranking minority member of assembly local governments	
7	committee	9,500
8	Chairman of assembly agriculture committee	12,500
9	Ranking minority member of assembly agriculture committee	9,000
10	Chairman of assembly economic development, job creation,	
11	commerce and industry committee	18,000
12	Ranking minority member of assembly economic development,	
13	job creation, commerce and industry committee	11,000
14	Chairman of assembly environmental conservation committee	12,500
15	Ranking minority member of assembly environmental	
16	conservation committee	9,000
17	Chairman of assembly corporations, authorities	
18	and commissions committee	15,000
19	Ranking minority member of assembly corporations,	
20	authorities, and commissions committee	9,500
21	Chairman of assembly correction committee	12,500
22	Ranking minority member of assembly correction committee	9,000
23	Chairman of assembly ethics and guidance committee	12,500
24	Ranking minority member of assembly ethics and guidance	
25	committee	9,000
26	Chairman of assembly governmental employees committee	12,500
27	Ranking minority member of assembly governmental	
28	employees committee	9,000
29	Chairman of assembly governmental operations committee	12,500
30	Ranking minority member of assembly governmental	
31	operations committee	9,000
32	Chairman of assembly housing committee	12,500
33	Ranking minority member of assembly housing committee	9,000
34	Chairman of assembly insurance committee	12,500
35	Ranking minority member of assembly insurance committee	9,000
36	Chairman of assembly labor committee	14,000
37	Ranking minority member of assembly labor committee	9,000
38	Chairman of assembly racing and wagering committee	12,500
39	Ranking minority member of assembly racing and wagering	
40	committee	9,000
41	Chairman of assembly social services committee	12,500
42	Ranking minority member of assembly social services	
43	committee	9,000
44	Chairman of assembly small business committee	12,500
45	Ranking minority member of assembly small business	
46	committee	9,000
47	Chairman of assembly transportation committee	15,000
48	Ranking minority member of assembly transportation	
49	committee	9,500
50	Chairman of assembly veterans' affairs committee	12,500
51	Ranking minority member of assembly veterans' affairs	
52	committee	9,000
53	Chairman of assembly aging committee	12,500
54	Ranking minority member of assembly aging committee	9,000
55	Chairman of the assembly alcoholism and drug abuse	

1	committee	12,500
2	Ranking minority member of the assembly	
3	alcoholism and drug abuse committee	9,000
4	Chairman of assembly committee on mental health[7	
5	mental retardation and developmental disabilities]	12,500
6	Ranking minority member of assembly committee on mental health[7	
7	mental retardation and developmental disabilities]	9,000
8	Chairman of assembly higher education committee	12,500
9	Ranking minority member of assembly higher education	
10	committee	9,000
11	Chairman of assembly real property taxation committee	12,500
12	Ranking minority member of assembly real property	
13	taxation committee	9,000
14	Chairman of assembly election law committee	12,500
15	Ranking minority member of assembly election	
16	law committee	9,000
17	Chairman of assembly children and families committee	12,500
18	Ranking minority member of assembly children	
19	and families committee	9,000
20	Chairman of assembly consumer affairs and protection	
21	committee	12,500
22	Ranking minority member of assembly consumer affairs and	
23	protection committee	9,000
24	Chairman of the assembly energy committee	12,500
25	Ranking minority member of assembly energy committee	9,000
26	Chairman of assembly tourism, parks, arts and sports development	
27	committee	12,500
28	Ranking minority member of assembly tourism, parks, arts and	
29	sports development committee	9,000
30	Chairman of assembly oversight, analysis and investigation	
31	committee	12,500
32	Ranking minority member of assembly oversight,	
33	analysis and investigation committee	9,000
34	Chairman of assembly office of state-federal relations	12,500
35	Chairman of majority house operations	12,500
36	Chairman of minority house operations	9,000
37	Co-chairman of the administrative regulations review	
38	commission	12,500

39 § 2. Paragraph a of subdivision 1 of section 47-b of the private hous-
 40 ing finance law, as amended by chapter 479 of the laws of 2022, is
 41 amended to read as follows:

42 a. "Community mental health and developmental disabilities facility"
 43 shall mean a building, a unit within a building, a laboratory, a class-
 44 room, a housing unit, a dining hall, an activities center, a library, or
 45 any structure on or improvement to real property of any kind or
 46 description, including fixtures and equipment which are an integral part
 47 of such building, unit or structure or improvement, a walkway, a roadway
 48 or a parking lot and improvements and connections for water, sewer, gas,
 49 electrical, telephone, heating, air conditioning and other utility
 50 services, or a combination of any of the foregoing, whether for patient
 51 care and treatment or staff, staff family or service use, located in a
 52 city, or in a county not wholly included within a city, authorized to
 53 provide community mental health services in accordance with the
 54 provisions of article forty-one of title E of the mental hygiene law,
 55 which is utilized or to be utilized for the administration and conduct

1 of programs for people living with either mental illness or develop-
2 mental disabilities, or both, and for the provision of services there-
3 for. A community mental health and ~~[retardation]~~ developmental disabili-
4 ties facility shall also mean and include a residential facility to be
5 operated as a community residence for the mentally disabled, and a
6 treatment facility for use in the conduct of an alcoholism treatment
7 program or of a substance abuse treatment program as defined in the
8 mental hygiene law.

9 § 3. An undesignated paragraph of paragraph (b) of subdivision 2 of
10 section 1676 of the public authorities law, as added by chapter 433 of
11 the laws of 1988, is amended to read as follows:

12 New Hope Community, Inc., a not-for-profit corporation, for the
13 financing, construction and development of residences for ~~[mentally~~
14 ~~retarded and developmentally disabled]~~ adults with a developmental disa-
15 bility on forty acres of land purchased from Leon and Dave Scharf,
16 d.b.a. New Hope Rehabilitation Center, located on State Route 52 in the
17 Town of Fallsburg, to replace existing residential facilities operated
18 by New Hope Rehabilitation Center.

19 § 4. An undesignated paragraph of paragraph (b) of subdivision 2 of
20 section 1676 of the public authorities law, as added by chapter 384 of
21 the laws of 1998, is amended to read as follows:

22 Terence Cardinal Cooke Health Care Center for the~~[7]~~ financing, refi-
23 nancing, construction, reconstruction, renovation, development, improve-
24 ment, expansion, and equipping of facilities to serve aged, disabled,
25 and chronically impaired, ~~[mentally retarded and developmentally disa-~~
26 ~~bled persons]~~ and persons who have a developmental disability.

27 § 5. An undesignated paragraph of subdivision 1 of section 1680 of the
28 public authorities law, as added by chapter 433 of the laws of 1988, is
29 amended to read as follows:

30 New Hope Community, Inc., a not-for-profit corporation, for the
31 financing, construction and development of residences for ~~[mentally~~
32 ~~retarded and developmentally disabled]~~ adults with a developmental disa-
33 bility on forty acres of land purchased from Leon and Dave Scharf,
34 d.b.a. New Hope Rehabilitation Center, located on State Route 52 in the
35 Town of Fallsburg, to replace existing residential facilities operated
36 by New Hope Rehabilitation Center.

37 § 6. An undesignated paragraph of subdivision 1 of section 1680 of the
38 public authorities law, as added by chapter 384 of the laws of 1998, is
39 amended to read as follows:

40 Terence Cardinal Cooke Health Care Center for the financing, refinanc-
41 ing, construction, reconstruction, renovation, development, improvement,
42 expansion, and equipping of facilities to serve aged, disabled, and
43 chronically impaired, ~~[mentally retarded and developmentally disabled~~
44 ~~persons]~~ and persons who have a developmental disability.

45 § 7. Paragraphs a and b of subdivision 7 of section 9-a of section 1
46 of chapter 392 of the laws of 1973, constituting the New York state
47 medical care facilities finance agency act, paragraph a as added by
48 chapter 58 of the laws of 1987 and paragraph b as amended by chapter 506
49 of the laws of 1997, are amended to read as follows:

50 a. The agency shall have the power to acquire by lease or deed from
51 the facilities development corporation any real property acquired by the
52 corporation pursuant to the provisions of subdivision six of section
53 nine of the facilities development corporation act (i) for the purpose
54 of constructing, reconstructing, rehabilitating or improving thereon one
55 or more community mental health and ~~[retardation]~~ developmental disabil-
56 ities facilities or (ii) for the purpose of financing or refinancing the

1 acquisition, construction, reconstruction, rehabilitation or improvement
2 thereon of one or more community mental health and [~~retardation~~] devel-
3 opmental disabilities facilities, pursuant to the provisions of this act
4 and the facilities development corporation act. The agency is hereby
5 authorized to lease or sublease such real property and facilities there-
6 on to the corporation for the purpose of making the same available to a
7 city or a county not wholly within a city, for use and occupancy in
8 accordance with the provisions of a lease, sublease or other agreement
9 between the corporation and such city or county.

10 b. In the event that the agency shall fail, within five years after
11 the date of a lease or conveyance of such real property from property
12 from such city or county to the corporation, to construct, reconstruct,
13 rehabilitate or improve the community mental health and [~~retardation~~]
14 developmental disabilities facility or facility thereon for which such
15 lease or conveyance was made, as provided for in a lease, sublease or
16 other financing agreement entered into by such city or county and the
17 corporation, then, subject to the terms of any lease, sublease or other
18 financing agreement undertaken by the agency, such real property and any
19 facilities thereon shall revert to the corporation with right of re-en-
20 try thereupon, and such lease or deed shall be made subject to such
21 condition of reverter and re-entry. Provided, however, that as a condi-
22 tion precedent to the exercise of such right of re-entry the corporation
23 shall pay to the agency an amount equal to the sum of the purchase price
24 of such real property, the depreciated cost of any community mental
25 health and [~~retardation~~] developmental disabilities facility or facili-
26 ties constructed, reconstructed, rehabilitated or improved thereon and
27 all other costs of the agency incident to the acquisition of such lands
28 and the financing of construction, reconstruction, rehabilitation or
29 improvement relating to such community mental health and [~~retardation~~]
30 developmental disabilities facility or facilities, all as provided in
31 the aforesaid lease, sublease or other financing agreement entered into
32 with the corporation. It is further provided that for the Corona unit of
33 the Bernard M. Fineson developmental disabilities services office, the
34 corporation may but is not required to pay to the agency an amount less
35 than or equal to the purchase price of the real property, the depreci-
36 ated cost of the sum of the community mental health and [~~retardation~~]
37 developmental disabilities facility constructed, reconstructed, rehabil-
38 itated, demolished or improved thereon and all other costs of the agency
39 incident to the acquisition of such lands and the financing of
40 construction, reconstruction, rehabilitation, demolition or improvement
41 relating to such community mental health and [~~retardation~~] developmental
42 disabilities facility, all as provided in the aforesaid lease, sublease
43 or other financing agreement entered into with the corporation.

44 § 8. This act shall take effect immediately; provided, however, that:

45 (a) the amendments to an undesignated paragraph of paragraph (b) of
46 subdivision 2 of section 1676 of the public authorities law made by
47 section four of this act shall not affect the repeal of such undesign-
48 ated paragraph and shall be deemed repealed therewith; and

49 (b) the amendments to an undesignated paragraph of subdivision 1 of
50 section 1680 of the public authorities law made by section six of this
51 act shall not affect the repeal of such undesignated paragraph and shall
52 be deemed repealed therewith.