

Amend Senate S.56, Assembly A.56, A BUDGET BILL, AN ACT to amend the state finance law, in relation to expanding the use of funds deposited in the criminal justice improvement account...

Page	Line	Amendment
Page 6	Unnumbered line 30 (AN ACT CLAUSE),	After "(Part OO);" strike out "and"
Page 7	Unnumbered Line 19 (AN ACT CLAUSE),	After "(Part PP)" insert "to amend the workers' compensation law, in relation to disability payments (Part QQ)"
Page 7	Line 4,	After "through" strike out "PP" and insert "QQ"
Page 112,	Between lines 40 and 41,	<p>Insert "§ 16. Paragraph 1 of subdivision d of Section 604-b of the retirement and social security law, as amended by chapter 10 of the laws of 2000, is amended to read as follows:</p> <p>d. Vesting. 1. A participant in the twenty-five-year and age fifty-five retirement program who:</p> <p>(i) discontinues city-service and service as a member of the New York city transit authority other than by death or retirement; and</p> <p>(ii) prior to such discontinuance, completed five but less than twenty-five years of allowable service in the transit authority, <u>except that a participant in the twenty-five year retirement program who first became a member of a public retirement system of the state on or after March first, two thousand nine, shall be required to have completed ten but less than twenty-five years of allowable service in the transit authority; and</u></p> <p>(iii) has paid, prior to such discontinuance, all additional member contributions and interest, if any, required by subdivision e of this section; and</p> <p>(iv) does not withdraw in whole or in part his or her accumulated member contributions pursuant to section six hundred thirteen of this article unless such participant thereafter returns to public service and repays the amounts so withdrawn, together with interest, pursuant to such section six hundred thirteen of this article; shall be entitled to receive a deferred vested benefit as provided in section six hundred twelve of this article.</p> <p>§ 17. Paragraph 1 of subdivision d of Section 604-c of the retirement and social security law, as added by chapter 472 of the laws of 1995 and amended by chapter 659 of the laws of 1999, is amended to read as follows:</p> <p>d. Vesting. 1. A participant in the twenty-year/age fifty retirement program who:</p> <p>(i) discontinues service as a Triborough bridge and tunnel member, other than by death or retirement; and</p> <p>(ii) prior to such discontinuance, completed five but less than twenty years of credited service, <u>except that a participant in the twenty-five year retirement program who first became a member of a public retirement system of the state on or after March</u></p>

first, two thousand nine, shall be required to have completed ten but less than twenty-five years of allowable service as a Triborough bridge and tunnel member; and

(iii) has paid, prior to such discontinuance, all additional member contributions and interest (if any) required by subdivision e of this section; and

(iv) does not withdraw in whole or in part his or her accumulated member contributions pursuant to section six hundred thirteen of this article unless such participant thereafter returns to public service and repays the amounts so withdrawn, together with interest, pursuant to such section six hundred thirteen; shall be entitled to receive a deferred vested benefit as provided in this subdivision.

§18. Paragraph 1 of subdivisions d and e of Section 604-d of the retirement and social security law, as amended by chapter 659 of the laws of 1999, are amended to read as follows:

d. 1. Non-physically taxing service retirement. A participant in the age fifty-seven retirement program:

(i) who has completed five or more years of credited service, or ten or more years of credited service who first became a member of a public retirement system of the state on or after March first, two thousand nine; and

(ii) who has attained age fifty-seven; and

(iii) who, subject to the provisions of paragraph nine of subdivision f of this section, has paid, before the effective date of retirement, all additional member contributions and interest (if any) required by paragraphs one, four and five of subdivision f of this section; and

(iv) who files with the retirement system of which he or she is a member an application for service retirement setting forth at what time he or she desires to be retired; and

(v) who shall be a participant in the age fifty-seven retirement program at the time so specified for his or her retirement; shall be retired pursuant to the provisions of this paragraph affording early service retirement.

e. Vesting. 1. A participant in the age fifty-seven retirement program:

(i) who, as a participant in such retirement program, discontinues city-service (as defined in subdivision three of section 13-101 of the administrative code) or education service (as defined in paragraph thirteen of subdivision a of section six hundred four-c of this article), other than by death or retirement; and

(ii) who, prior to such discontinuance, completed five or more years of credited service, or ten or more years of credited service for a participant in the age fifty-seven retirement program who first became a member of a public retirement system of the state on or after March first, two thousand nine; and

(iii) who, subject to the provisions of paragraph ten of subdivision f of this section, has paid, prior to such discontinuance, all additional member contributions and interest (if any) required by paragraphs one, four and five of subdivision f of this section; and

(iv) who does not withdraw in whole or in part his or her accumulated member contributions pursuant to section six hundred thirteen of this article unless such participant thereafter returns to public service and repays the amounts so withdrawn, together with interest, pursuant to such section six hundred thirteen; shall be entitled to receive a deferred vested benefit as provided in this subdivision.

§19. Paragraph 1 of subdivision d of Section 604-e of the retirement and social security law, as added by chapter 576 of the Laws of 2000, is amended to read as follows:

d. Vesting. 1. A participant in the twenty-five year retirement program:

(i) who discontinues service as such a participant, other than by death or retirement; and

(ii) who prior to such discontinuance, completed five but less than twenty-five years of allowable service as a dispatcher member, except that a participant in the twenty-five year retirement program who first became a member of a public retirement system of the state on or after March first, two thousand nine, shall be required to have completed ten but less than twenty-five years of allowable service as a dispatcher member; and

(iii) who, subject to the provisions of paragraph seven of subdivision e of this section, has paid, prior to such discontinuance, all additional member contributions and interest (if any) required by subdivision e of this section; and

(iv) who does not withdraw in whole or in part his or her accumulated member contributions pursuant to section six hundred thirteen of this article unless such participant thereafter returns to public service and repays the amounts so withdrawn, together with interest, pursuant to such section six hundred thirteen; shall be entitled to receive a deferred vested benefit as provided in this subdivision.

§20. Paragraph 1 of subdivision d of Section 604-e of the retirement and social security law, as added by chapter 577 of the Laws of 2000, is amended to read as follows:

d. Vesting. 1. A participant in the twenty-five year retirement program:

(i) who discontinues service as such a participant, other than by death or retirement; and

(ii) who prior to such discontinuance, completed five but less than twenty-five years of allowable service as an EMT member, except that a participant in the twenty-five year retirement program who first

became a member of a public retirement system of the state on or after March first, two thousand nine, shall be required to have completed ten but less than twenty-five years of allowable service as an EMT member; and

(iii) who, subject to the provisions of paragraph seven of subdivision e of this section, has paid, prior to such discontinuance, all additional member contributions and interest (if any) required by subdivision e of this section; and

(iv) who does not withdraw in whole or in part his or her accumulated member contributions pursuant to section six hundred thirteen of this article unless such participant thereafter returns to public service and repays the amounts so withdrawn, together with interest, pursuant to such section six hundred thirteen; shall be entitled to receive a deferred vested benefit as provided in this subdivision.

§21. Paragraph 1 of subdivision d of Section 604-f of the retirement and social security law, as added by chapter 559 of the Laws of 2001, is amended to read as follows:

d. Vesting. 1. A participant in the twenty-five year retirement program:

(i) who discontinues service as such a participant, other than by death or retirement; and

(ii) who prior to such discontinuance, completed five but less than twenty-five years of credited service, except that a participant in the twenty-five year retirement program who first became a member of a public retirement system of the state on or after March first, two thousand nine, shall be required to have completed ten but less than twenty-five years of allowable service; and

(iii) who, subject to the provisions of paragraph seven of subdivision e of this section, has paid, prior to such discontinuance, all additional member contributions and interest (if any) required by subdivision e of this section; and

(iv) who does not withdraw in whole or in part his or her accumulated member contributions pursuant to section six hundred thirteen of this article unless such participant thereafter returns to public service and repays the amounts so withdrawn, together with interest, pursuant to such section six hundred thirteen; shall be entitled to receive a deferred vested benefit as provided in this subdivision.

§22. Paragraph 1 of subdivision d of Section 604-f of the retirement and social security law, as added by chapter 582 of the Laws of 2001, is amended to read as follows:

d. Vesting. 1. A participant in the twenty-five year retirement program:

(i) who discontinues service as such a participant, other than by death or retirement; and

(ii) who prior to such discontinuance, completed five but less than twenty-five years of allowable

service as a special officer, parking control specialist, school safety agent, campus peace officer or taxi and limousine inspector member, except that a participant in the twenty-five year retirement program who first became a member of a public retirement system of the state on or after March first, two thousand nine, shall be required to have completed ten but less than twenty-five years of allowable service as a special officer, parking control specialist, school safety agent, campus peace officer or taxi and limousine inspector member; and

(iii) who, subject to the provisions of paragraph seven of subdivision e of this section, has paid, prior to such discontinuance, all additional member contributions and interest, if any, required by subdivision e of this section; and

(iv) who does not withdraw in whole or in part his or her accumulated member contributions pursuant to section six hundred thirteen of this article unless such participant thereafter returns to public service and repays the amounts so withdrawn, together with interest, pursuant to such section six hundred thirteen; shall be entitled to receive a deferred vested benefit as provided in this subdivision.

§23. Paragraph 1 of subdivision d of Section 604-g of the retirement and social security law is amended to read as follows:

d. Vesting. 1. A participant in the twenty-five year/age fifty retirement program:

(i) who discontinues service as such a participant, other than by death or retirement; and

(ii) who prior to such discontinuance, completed five but less than twenty-five years of credited service, except that a participant in the twenty-five year retirement program who first became a member of a public retirement system of the state on or after March first, two thousand nine, shall be required to have completed ten but less than twenty-five years of allowable service; and

(iii) who, subject to the provisions of paragraph seven of subdivision e of this section, has paid, prior to such discontinuance, all additional member contributions and interest (if any) required by subdivision e of this section; and

(iv) who does not withdraw in whole or in part his or her accumulated member contributions pursuant to section six hundred thirteen of this article unless such participant thereafter returns to public service and repays the amounts so withdrawn, together with interest, pursuant to such section six hundred thirteen; shall be entitled to receive a deferred vested benefit as provided in this subdivision.

§24. Paragraph 1 of subdivision d of Section 604-h of the retirement and social security law is amended to read as follows:

d. Vesting. 1. A participant in the twenty-five year retirement program:

		<p>(i) who discontinues service as such a participant, other than by death or retirement; and</p> <p>(ii) who prior to such discontinuance, completed five but less than twenty-five years of credited service, <u>except that a participant in the twenty-five year retirement program who first became a member of a public retirement system of the state on or after March first, two thousand nine, shall be required to have completed ten but less than twenty-five years of allowable service;</u> and</p> <p>(iii) who, subject to the provisions of paragraph seven of subdivision e of this section, has paid, prior to such discontinuance, all additional member contributions and interest (if any) required by subdivision e of this section; and</p> <p>(iv) who does not withdraw in whole or in part his or her accumulated member contributions pursuant to section six hundred thirteen of this article unless such participant thereafter returns to public service and repays the amounts so withdrawn, together with interest, pursuant to such section six hundred thirteen; shall be entitled to receive a deferred vested benefit as provided in this subdivision.</p> <p>§25. Paragraph 1 of subdivision d of Section 13-157.4 of the administrative code of the city of New York is amended to read as follows:</p> <p>d. Vesting. 1. A participant in the twenty year retirement program who:</p> <p>(i) discontinues service as an investigator member, other than by death or retirement; and</p> <p>(ii) prior to such discontinuance, completed five but less than twenty years of service as a police officer, as defined in paragraph (g) of subdivision thirty-four of section 1.20 of the criminal procedure law, <u>except that a participant in the twenty-five year retirement program who first became a member of a public retirement system of the state on or after March first, two thousand nine, shall be required to have completed ten but less than twenty-five years of allowable service as a police officer, as defined in paragraph (g) of subdivision thirty-four of section 1.20 of the criminal procedure law;</u> and</p> <p>(iii) does not withdraw in whole or in part his or her accumulated member contributions pursuant to section 13-141 of this chapter, shall be entitled to receive a deferred vested benefit as provided in this subdivision."</p>
Page 112,	Line 41,	After "§" strike out "16" and insert "26"
Page 113,	Unnumbered line 34,	Before "million" strike out "\$2" and insert "\$10" and after "approximately" strike out "\$2" and insert "\$10"
Page 113,	Unnumbered line 36,	After "achieve" strike out "\$20" and insert "\$100"
Page 113,	Unnumbered line 38,	Before "million" strike out "\$40" and insert "\$200"
Page 117,	Line 35,	After " <u>ten</u> " insert " <u>or more</u> "

Page 117,	Line 53,	After " <u>contributed.</u> " insert " <u>Notwithstanding any other provision of law to the contrary, where a New York city police or fire revised plan member is otherwise entitled under applicable provisions of law to a return of his or her member contributions, or a benefit is otherwise payable under applicable provisions of law which includes an actuarial equivalent of his or her member contributions, such member contributions shall be credited with interest at the rate of five percent per annum compounded annually.</u> "
Page 118,	Line 49,	After " <u>reason</u> " strike out " <u>whosoever</u> " and insert " <u>whatsoever</u> "
Page 126,	Line 34,	After " <u>twenty</u> " insert " <u>or more</u> "
Page 127,	Between lines 41 and 42	Insert " <u>g. Disability benefits; New York city department of correction. A member of the uniformed force of the New York city department of correction who is a New York city uniformed correction or sanitation revised plan member may be eligible for ordinary disability benefits under the terms and conditions set forth in section five hundred six of this chapter or for accidental disability benefits under the terms and conditions set forth in section five hundred seven of this chapter, provided, however, that any such member who is retired pursuant to this subdivision under the terms and conditions set forth in section five hundred six or five hundred seven of this chapter shall not be eligible for escalation of benefits pursuant to section five hundred ten of this chapter, and provided further that the cost-of-living adjustment provisions set forth in section 13-696 of the administrative code of the city of New York shall not be applicable to a retirement for ordinary or accident disability pursuant to this subdivision.</u> "
Page 130,	Between lines 26 and 27,	<p>Insert "§ 32-a. Subdivision 87 of section 13-101 of the administrative code of the city of New York, as added by chapter 114 of the laws of 1989, is amended to read as follows:</p> <p>87. "Contributing uniformed force member". With respect to any payroll period as to which the status of a uniformed force member as to required member contributions is to be determined, the term "contributing uniformed force member" shall mean any uniformed force member other than:</p> <p>(a) a uniformed force member who, not being a Tier III member (as defined subdivision seventy-three of this section) or a Tier IV member (as defined in subdivision seventy-six of this section), is not required to contribute during such payroll period because of his or her currently effective election to discontinue member contributions (i) pursuant to subdivision b of section 13-225 of the code and paragraph two of subdivision i of section 13-155 of this chapter or paragraph two of subdivision i of section 13-156 of this chapter or paragraph two of subdivision j of section 13-157 of this chapter or (ii) pursuant to subdivision c of section 13-125 of</p>

		<p>this chapter; [and]</p> <p>(b) a uniformed force member who is not required to contribute during such payroll period because he or she is a Tier III member who, having contributed for thirty years, has discontinued member contributions pursuant to subdivision a of section five hundred seventeen of the retirement and social security law; <u>and</u></p> <p><u>(c) a uniformed force member who is not required to contribute during such payroll period because he or she is a New York city uniformed correction or sanitation revised plan member (as defined in paragraph two of subdivision a of section six hundred four-j of the retirement and social security law) who, having contributed for twenty-five years, has discontinued member contributions pursuant to subdivision a of section six hundred thirteen of the retirement and social security law."</u></p>
Page 194,	Between lines 53 and 54,	<p>Insert: "\$1a. 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:</p> <ol style="list-style-type: none"> 1. Federal USDA-food and nutrition services fund (261). 2. Federal health and human services fund (265). 3. Federal education grants fund (267). 4. Federal block grant fund (269). 5. Federal operating grants fund (290). 6. Federal capital projects fund (291)."
Page 196,	Between lines 50 and 51,	<p>Insert: "13. \$3,000,000 from the hazardous waste remedial fund (312) site investigation and construction account (01), to the general fund.</p> <p>14. \$20,000,000 from the hazardous waste remedial fund (312) oversight and assistance account (05), to the general fund."</p>
Page 197,	Line 20,	After "6." strike out "\$41,000,000" and insert "\$141,000,000"
Page 198,	Between lines 21 and 22,	Insert: "24. \$13,000 from the agency enterprise fund (331) training materials account (07), to the general fund."
Page 198,	Line 43	Strike out "\$15,000,000" and insert "\$16,580,000"
Page 199,	Between Lines 31 and 32,	<p>Insert "10. \$1,250,000 from the miscellaneous new york state agency fund (169), medical assistance account to the department of health miscellaneous special revenue fund (339), third party health insurance account (35).</p> <p>11. \$3,700,000 from the miscellaneous new york state agency fund (169), medical assistance account to the office of medicaid inspector general miscellaneous</p>

		special revenue fund (339), recoveries and revenue account(C9)."
Page 200,	Between lines 54 and 55,	Insert: "17. \$600,000 from the agency enterprise fund (331) farm program account (FM), to the general fund."
Page 201,	Between lines 54 and 55,	"6. Upon request of the director of the budget, up to <u>\$20,000,000 from the miscellaneous special revenue fund (339), statewide public safety communications account (LZ), to the general fund.</u> "
Page 205,	Line 23,	Strike out "(Intentionally omitted)" and insert "In accordance with section 4 of the state finance law, upon request of the director of the budget, the comptroller is hereby authorized and directed to transfer from the community projects fund to the general fund - state purposes account on or before March 31, 2010 the following amounts: Forty-five million dollars (\$45,000,000) as follows: twenty-two million five-hundred thousand dollars (\$22,500,000) from account AA, and twenty-two million five-hundred thousand dollars (\$22,500,000) from account CC."
Page 226,	Between lines 27 and 28,	Insert "\$56-a. The state comptroller is hereby authorized and directed to establish a separate account within the miscellaneous state special revenue fund other (339), to be known as the public safety communications escrow account. The state comptroller is further authorized and directed to deposit into such account any monies received as a result of actions taken by the state under the contract for development of the statewide wireless network to recover funds owed to the state."
Page 226,	Between lines 39 and 40,	Insert "New Part QQ (LBD 70051-01-9)"
Page 226,	Line 50,	After "through" strike out "PP" and insert "QQ"