

A03005 Memo:

NEW YORK STATE ASSEMBLY
MEMORANDUM IN SUPPORT OF LEGISLATION
submitted in accordance with Assembly Rule III, Sec 1(f)

BILL NUMBER: A3005B

SPONSOR: Budget

TITLE OF BILL: An act to amend the executive law, in relation to authorizing the commissioner of corrections and community supervision to make the final decision on medical parole for certain eligible non-violent inmates (Part A); to amend chapter 887 of the laws of 1983, amending the correction law relating to the psychological testing of candidates, in relation to the effectiveness thereof; to amend chapter 428 of the laws of 1999, amending the executive law and the criminal procedure law relating to expanding the geographic area of employment of certain

police officers, in relation to extending the expiration of such chapter; to amend chapter 886 of the laws of 1972, amending the correction law and the penal law relating to prisoner furloughs in certain cases and the crime of absconding therefrom, in relation to the effectiveness thereof; to amend chapter 261 of the laws of 1987, amending chapters 50, 53 and 54 of the laws of 1987, the correction law, the penal law and other chapters and laws relating to correctional facilities, in relation to the effectiveness thereof; to amend chapter 339 of the laws of 1972, amending the correction law and the penal law relating to inmate work release, furlough and leave, in relation to the effectiveness thereof; to amend chapter 60 of the laws of 1994 relating to certain provisions which impact upon expenditure of certain appropriations made by chapter 50 of the laws of 1994 enacting the state operations budget, in relation to the effectiveness thereof; to amend chapter 3 of the laws of 1995,

amending the correction law and other laws relating to the incarceration fee, in relation to extending the expiration of certain provisions of such chapter; to amend chapter 62 of the laws of 2011, amending the correction law and the executive law, relating to merging the department of correctional services and division of parole into the department of corrections and community supervision, in relation to the effectiveness thereof; to amend chapter 55 of the laws of 1992, amending the tax law and other laws relating to taxes, surcharges, fees and funding, in relation to extending the expiration of certain provisions of such chapter; to amend chapter 907 of the laws of 1984, amending the correction law, the New York city criminal court act and the executive law relating to prison and jail housing and alternatives to detention and incarceration programs, in relation to extending the expiration of certain provisions of such chapter; to amend chapter 166 of the laws of 1991,

amending the tax law and other laws relating to taxes, in relation to extending the expiration of certain provisions of such chapter; to amend the vehicle and traffic law, in relation to extending the expiration of the mandatory surcharge and victim assistance fee; to amend chapter 713 of the laws of 1988, amending the vehicle and traffic law relating to the ignition interlock device program, in relation to extending the expiration thereof; to amend chapter 435 of the laws of 1997, amending the military law and other laws relating to various provisions, in relation to extending the expiration date of the merit provisions of the correction law and the penal law of such chapter; to amend chapter 412 of the laws of 1999, amending the civil practice law and rules and the court of claims act relating to prisoner litigation reform, in relation to extending the expiration of the inmate filing fee provisions of the civil practice law and rules and general filing fee provision and inmate

property claims exhaustion requirement of the court of claims act of such chapter; to amend chapter 222 of the laws of 1994 constituting the family protection and domestic violence intervention act of 1994, in relation to extending the expiration of certain provisions of the criminal procedure law requiring the arrest of certain persons engaged in family violence; to amend chapter 505 of the laws of 1985, amending the criminal procedure law relating to the use of closed-circuit television and other protective measures for certain child witnesses, in relation to extending the expiration of the provisions thereof; to amend chapter 3 of the laws of 1995, enacting the sentencing reform act of 1995, in relation to extending the expiration of certain provisions of such chapter; to amend chapter 689 of the laws of 1993 amending the criminal procedure law relating to electronic court appearance in certain counties, in relation to extending the expiration thereof; to amend chapter

688 of the laws of 2003, amending the executive law relating to enacting the interstate compact for adult offender supervision, in relation to the effectiveness thereof; to amend part H of chapter 56 of the laws of 2009, amending the correction law relating to limiting the closing of certain correctional facilities, providing for the custody by the

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department of correctional services of inmates serving definite sentences, providing for custody of federal prisoners and requiring the closing of certain correctional facilities, in relation to the effectiveness of such chapter; to amend part C of chapter 152 of the laws of 2001, amending the military law relating to military funds of the organized militia, in relation to the effectiveness thereof; to amend chapter 554 of the laws of 1986 amending the correction law and the penal law relating to providing for community treatment facilities and establishing the crime of absconding from the community treatment facility, in

relation to the effectiveness thereof; and to amend chapter 503 of the laws of 2009, relating to the disposition of monies recovered by county district attorneys before the filing of an accusatory instrument, in relation to the effectiveness thereof (Part B); relating to transferring certain employees of the division of state police to the office of general services (Part C); to amend the workers' compensation law, in relation to eliminating certain arbitration and license fees; and to repeal paragraph (c) of subdivision 1 and subparagraph (iii) of paragraph (b) of subdivision 3 of section 13-c of the workers' compensation law relating to payment of license fees (Part D); intentionally omitted (Part E); intentionally omitted (Part F); intentionally omitted (Part G); to amend the civil service law and the correction law, in relation to salaries (Part H); intentionally omitted (Part I); to amend the civil service law, in relation to authorizing the president of the state civil

service commission to establish an amnesty period to identify dependents who are ineligible for health benefits (Part J); intentionally omitted (Part K); intentionally omitted (Part L); to amend chapter 674 of the laws of 1993, amending the public buildings law relating to value limitations on contracts, in relation to extending the effectiveness thereof; and to amend the public buildings law, in relation to increasing the value limitation to six hundred thousand dollars on emergency contracts (Part M); to amend the public buildings law, in relation to increasing the threshold of small capital projects delegated by OGS to one hundred fifty thousand dollars (Part N); intentionally omitted (Part O); intentionally omitted (Part P); and intentionally omitted (Part R)

SUMMARY: This bill would enact into law major components of legislation that are necessary to implement the Public Protection and General

Government budget. Among its provisions are the following proposals:

A Modify the Commissioner of the Department of Corrections and Community Supervision to make the formal determination regarding the medical parole/release of certain non-violent offenders.

B Modify to extend various criminal justice and public safety programs that would otherwise sunset.

C Authorize the transfer of Division of State Police employees engaged in certain finance and human resource functions to the Office of General Services.

D Repeal miscellaneous fees levied by the Workers' Compensation Board while retaining the necessary functions associated with those fees.

E Intentionally omitted.

F Intentionally omitted.

G Intentionally omitted.

H Modify to phase in Management/Confidential salary parity.

I Intentionally omitted

J Modify to establish amnesty periods in the New York State Health Insurance Program.

K Intentionally omitted.

L Intentionally omitted.

M Modify to extend and increase the authority of the Office of General Services to promptly enter into construction contracts during emergencies.

N Increase the ability of the Office of General Services to delegate the responsibility of executing small capital projects to agencies and departments.

O Intentionally omitted.

P Intentionally omitted.

R Intentionally omitted.

JUSTIFICATION: This bill is necessary for the enactment of portions of the SFY 2015-16 Public Protection and General Governments budget, as contained in the State Operations, Capital Projects and Aid to Localities appropriations bills.

FISCAL IMPACT: The provisions contained in this legislation are related to appropriations proposed for SFY 2015-16.

EFFECTIVE DATE: Effective April 1, 2015, with exceptions.