

RESOLUTION adopting proposed amendments to the 2014-2015 Executive Budget submission (Legislative Bills S6350C, S6353C, S6354C, S6355C, S6356C, S6357C, S6358C, S6359C and S6609A)

WHEREAS, It is the intent of the Legislature to effectuate the timely passage of a State Budget; and

WHEREAS, It is the intent of the Legislature to engage in the Budget Conference Committee process, which promotes increased participation by the members of the Legislature and the public; and

WHEREAS, The Senate Finance Committee has conducted an extensive study and review of the Governor's 2014-2015 Executive Budget submission and has recommended proposed amendments to such Budget submission in the above referenced Legislative Bills and Report on the Amended Executive Budget; and

WHEREAS, Article VII of the New York State Constitution provides the framework under which the New York State Budget is submitted, amended and enacted. The New York State Courts have limited the Legislature in how it may change the appropriations bills submitted by the Governor. The Legislature can delete or reduce items of appropriation contained in the several appropriation bills submitted by the Governor in conjunction with the Executive Budget, and it can add additional items of appropriation to those bills provided that such additions are stated separately and distinctly from the original items of the bill and refer each to a single object or purpose; and

WHEREAS, An extensive study and review of the Governor's 2014-2015 Executive Budget submission has revealed that the construction of the budget bills submitted to the Legislature by the Governor constrains the Legislature in its ability to fully effectuate its intent in amending the Governor's budget submission; and

WHEREAS, The 2014-2015 Executive Budget includes funds for new programs throughout various agencies which are direct aid and grant programs, have been drafted as lump sum appropriations and are proposed to be distributed at the sole discretion of the Executive. In addition, some of these proposed initiatives would be funded by eliminating existing programs. New capital spending, distributed through regional economic development councils, is also included in the Executive proposal; and

WHEREAS, The Legislature has amended the Governor's 2014-2015 Executive Budget submission to the fullest extent possible within the authority provided to it pursuant to Section 4 of Article VII of the New York State Constitution; and

WHEREAS, The Senate, in addition to the Governor's 2014-2015 Executive Budget submission bills as amended by the Senate, does hereby provide its recommendations as to provisions in the Governor's 2014-2015 Executive Budget submission which reflect those items the Senate is constrained from effectuating as amendments to the 2014-2015 Executive Budget appended hereto; and

WHEREAS, It is the intent of the Legislature that upon the passage of the Governor's 2014-2015 Executive Budget submission as amended by the Senate, and the incorporated Report on the Amended Executive Budget may provide a basis for both houses of the Legislature to convene Committees on Conference pursuant to Joint Rule III of the Senate and Assembly for the purpose of reconciling any differences between the amendments to the Governor's budget as proposed by each house of the Legislature; now, therefore, be it

RESOLVED, That, the above referenced legislative bills (S6350C, S6353C, S6354C, S6355C, S6356C, S6357C, S6358C, S6359C and S6609A) be and are incorporated as part of this resolution and are hereby adopted

as the New York State Legislature's proposed amendments to the 2014-2015

Executive Budget Submission.

REPORT ON THE AMENDED EXECUTIVE BUDGET

ALL STATE AGENCIES AND OPERATIONS

AGING, STATE OFFICE FOR THE

State Operations (S.6350-C)

- * The Senate concurs with the Executive's proposal.

Aid to Localities (S.6353-C)

- * The Senate modifies the Executive's recommendation of \$230.1 million as follows:
 - o Provides an additional \$5 million for the Community Services for the Elderly program.
 - o Provides \$978,000 for Aging Services Grants.
 - o Denies eliminating funding for seven discrete Managed Care Consumer Assistance Programs (MCCAP) and creating a \$1.8 million competitive program, and restores funding for each program.
 - o The Senate advances legislation in S.6358-C and provides \$2 million within the Department of Health, to expand the income eligibility for the Elderly Pharmaceutical Insurance Coverage (EPIC) program to \$75,000 from the current \$35,000 level, for singles and to \$100,000 from the current \$50,000 level, for married enrollees.

ADIRONDACK PARK AGENCY

State Operations (S.6350-C)

- * The Legislature concurs with the Executive recommendation of \$5,085,400.

Capital Projects (S.6354-C)

- * The Legislature concurs with the Executive recommendation of re-appropriating previous years funding.

AGRICULTURE AND MARKETS, DEPARTMENT OF

.SO DOC S R4036

RESO TEXT

2013

State Operations (S.6350-C)

- * The Senate concurs with the Executive recommendation of \$119,709,000. However, it denies language allowing risk-based assessments within the appropriation.

Aid to Localities (S.6353-C)

- * The Senate modifies the Executive recommendation for Aid to Localities as follows:
 - o Provides the following restorations
 - \$544,000 for the Apple Growers Association;
 - \$220,000 for Dairy Profit Teams at Farm Viability;
 - \$1.1 million for the Farm Viability Institute;
 - \$100,000 for the Genesee Agriculture Academy;
 - \$20,000 for Island Harvest;
 - \$150,000 for the Turfgrass Association; and
 - \$287,000 for the Wine and Grape Foundation.
 - o Provides additional funding as follows:
 - \$150,000 for the Tractor Rollover Prevention program;
 - \$460,000 for Rabies programs at Cornell;
 - \$1,150,000 for the Cornell Animal Health Diagnostic Center;

- \$320,000 for the Berry Growers Association;
- \$75,000 for the Corn and Soybean Growers Associations;
- \$50,000 for Honeybee research at Cornell;
- \$160,000 for Hops and Barley research at Cornell;
- \$105,000 for Cornell Maple Research;
- \$175,000 for the EEE program;
- \$158,000 for FFA;
- \$500,000 for the Horticulture Society;
- \$160,000 for local fair assistance;
- \$25,000 for the low-cost vaccine program;
- \$150,000 for the Maple Producers Association;
- \$600,000 for the Northern NY Agriculture Development Program;
- \$50,000 for the Onion Growers Association;
- \$100,000 for the Vegetable Growers Association;
- \$216,000 for Farm Net
- \$100,000 for the Wood Products Council; and
- \$120,000 for Christmas Tree Growers.

Capital Projects (S.6354-C)

- * The Senate concurs with the Executive recommendation of \$5,500,000.

Article VII Proposals (S.6357-C)

- * PART J: The Senate accepts the Executive's Article VII proposal that would allow the Department of Agriculture and Markets to deny a food license renewal for applicants with more than \$2,400 in unpaid fines.
- * PART LL: The Senate advances language to develop innovation grants of up to \$50,000 for new farmers to purchase land, equipment and supplies.
- * PART NN: The Senate advances language to create a \$5 million revolving loan fund to provide start-up loans to new farmers for land and equipment purchases.
- * PART PP: The Senate advances language to develop an apprenticeship program, administered by BOCES, to provide hands-on training to aspiring young farmers.
- * PART TT: The Senate advances language requiring notification in writing to the owner/operation of a farm operation when a Freedom of Information Law request has been made for their records.
- * PART WW: The Senate advances language exempting participants in the New York State Cattle Health Assurance Program from Freedom of Information Law requests for records.
- * The Senate encourages measures to provide full service animal shelters in underserved areas of the State.

AUDIT AND CONTROL, DEPARTMENT OF

State Operations (S.6350-C)

- * The Senate modifies the Executive's recommendation of \$275,589,000 as follows:
 - o Denies \$2,500,000 for additional auditors.

Aid to Localities (S.6353-C)

- * The Senate concurs with the Executive recommendation \$32,025,000.

ALCOHOLIC BEVERAGE CONTROL BOARD

State Operations (S.6350-C)

- * The Senate concurs with the Executive appropriation level of \$18,065,000

BUDGET, DIVISION OF THE

State Operations (S.6350-C)

- * The Senate modifies the Executive recommendation for State Operations as follows:
 - o Denies \$1 million for the purpose of paying expert witness fees on behalf of the Attorney General;
 - o Restores \$10,000 for fees of the National Conference of Insurance Legislators;
 - o Restores \$469,000 for fees of the Council of State Governments; and
 - o Provides \$40,000 for fees of the National Conference of State Legislatures.

CHILDREN AND FAMILY SERVICES

.SO DOC S R4036

RESO TEXT

2013

State Operations (S.6350-C)

- * The Senate concurs with the Executive's All Funds Recommendation of \$486.27 million.

Aid To Localities (S.6353-C)

- * The Senate modifies the Executive's All Funds Recommendation of \$3.31 billion, as follows:
- * The Senate restores or adds funding to the following General Fund programs:
 - o \$132 million for child care subsidies and expansion of the Child Care Facilitated Enrollment program;
 - o \$500,000 for additional child care subsidies to Monroe County;
 - o \$5 million for post adoption services;
 - o \$2.57 million for Child Advocacy Centers;
 - o \$3.5 million for Healthy Families, NY;
 - o \$1.3 million for Youth Development Programs;
 - o \$254,000 for Runaway and Homeless Youth Act programs;
 - o \$3.65 million for Safe Harbour;
 - o \$1.75 million for Community Reinvestment;
 - o \$750,000 for NYS Alliance of Boys and Girls Clubs;
 - o \$1.28 million for 211;
 - o \$35,000 for Helen Keller - CORE Program;
 - o \$75,000 for National Federation for the Blind - Newsline;
 - o \$100,000 for Healthy Parenting and Mentoring program of WAIT House;
 - o \$350,000 for Yeled V'Yalda Early Childhood Center;
 - o \$1 million for local community services programs; and
 - o \$500,000 for Youth Services Grants.
- * The Senate denies the proposal to:
 - o Increase \$5.14 million for Close to Home services;

Capital Projects (S.6354-C)

- * The Senate concurs with the Executive's All Funds Recommendation of \$37.68 million.

Article VII Proposals (S.6356-C)

- * PART L, Subpart A: The Senate accepts the Executive's proposal to authorizes OCFS to contract with the Boards of Cooperative Educational Services (BOCES) to provide any and all educational services

at OCFS youth facilities that BOCES provides to school districts. Currently, OCFS may contract with BOCES only for special education services.

- * PART L, Subpart B: The Senate denies the Executive's proposal to extends the authority of OCFS to identify and close juvenile justice facilities under the Close to Home initiative (60 day notice of closure waiver) from September 1, 2014 to April 30, 2015.
- * PART HH: The Senate advances legislation to require child day care providers to post a copy of the most recent inspection report.
- * PART LL: The Senate advances legislation to establish the Facilitated Enrollment program as a permanent program with authorization to: expand its child care subsidy services statewide; expand enrollment to include families with incomes up to 400% of the federal poverty level; and cap family co-payments. \$132 million is appropriated in FY 2015, increasing to \$182 million in FY 2016 for these additional child care subsidies.

CITY UNIVERSITY OF NEW YORK (CUNY)

State Operations (S.6350-C)

- * The Senate modifies the Executive recommendation for State Operations as follows:
 - o Provides \$12.5 million for contractual salary increases;
 - o Provides \$3.8 million for the Joseph Murphy Institute;
 - o Provides \$1.5 million for CUNY LEADS;
 - o Provides \$1.7 million for SEEK.

Aid to Localities (S.6353-C)

- * The Senate modifies the Executive recommendation for Aid to Localities as follows:
 - o Provides \$12.5 million for increased community college base aid;
 - o Provides \$4 million for a new community college workforce development initiative;
 - o Restores \$544,000 for childcare centers;
 - o Restores \$1.7 million for the Accelerated Study in Associate Programs.

Capital Projects (S.6354-C)

- * The Senate modifies the Executive's recommendation for Capital Projects as follows:
 - o Provides an additional \$700 million for strategic initiatives on four-year campuses.

CIVIL SERVICE, DEPARTMENT OF

State Operations (S.6350-C)

- * The Senate concurs with the Executive recommendation of \$50,420,000.

Article VII Proposals (S.6355-C)

- * PART Y: The Senate advances language to establish a commission on Management Confidential employee compensation.

COMMISSION OF CORRECTIONS, STATE

State Operations (S.6350-C)

- * The Senate concurs with the Executive recommendation of \$2.9 million.

Article VII Proposals (S.6355-C)

- * PART R: The Senate advances language to provide mandate relief to counties, by authorizing 19 year old inmates to be housed, at local option, except a city of a population of million or more, either with inmates who are 17 or 18 years old, or with inmates who are more than 19 years old.
- * PART T: The Senate advances language to allow for two or more counties to enter into a contract for the provisions of a county jail.

CORRECTIONS AND COMMUNITY SUPERVISION, DEPARTMENT OF

State Operations (S.6350-C)

- * The Senate concurs with the Executive recommendation of \$2.8 billion, with the following modifications:
 - o Restores funding of \$30 million for the full and continued operation of Butler; Mt. McGregor; Chateaugay; and Monterey Shock correctional facilities.
 - o Removes appropriation language, without prejudice, pertaining to proposed prison closures.
- * The Senate includes the following reduction:
 - o (\$7.5 million) General Fund reduction from the elimination of duplicative administrative positions in correctional facilities at certain facilities within close proximity to one another.

Aid to Localities (S.6353-C)

- * The Senate concurs with the Executive recommendation of \$31 million.

Capital Projects (S.6354-C)

- * The Senate concurs with the Executive recommendation of \$15 million.

Article VII Proposals (S.6355-C)

- * PART P: The Senate advances language to prohibit any State funds for services and expenses associated with providing college education to inmates.
- * PART U: The Senate advances language to require the Commissioner of the Department of Corrections and Community Supervision to reduce duplication of facility administrative positions for correctional facilities that are located in close proximity to one another.
- * PART V: The Senate advances language to require the Commissioner of the Department of Corrections and Community Supervision to report on the number of inmate assaults on staff and other inmates, and defines serious physical injury.
- * PART EE: The Senate advances language to require the current Adaptive Reuse Plan to be provided six months prior to the one-year prison notification statute. The Commissioner of Economic Development has not complied with current law that requires an adaptive reuse plan for proposed closures six months prior to the effective date of closure.

CRIMINAL JUSTICE SERVICES, DIVISION OF

State Operations (S.6350-C)

- * The Senate concurs with the Executive recommendation of \$68.5 million, with the following modification:
 - o Provides \$2.5 million for the creation of a Violent Felony Offender Database.

Aid to Localities (S.6353-C)

- * The Senate concurs with the Executive recommendation of \$174

million, with the following modifications:

- o Rejects the Executive recommendation, without prejudice, related to the Federal Edward Byrne Justice Assistance Grant (JAG) appropriation. Alternatively the Senate requests that the Byrne/JAG program be allocated as it has been in previous years.
- o Restores funding of \$609,000 for domestic violence programs.
- o Restores funding of \$1,891,000 for law enforcement, anti-crime, anti-violence, crime control and treatment and prevention programs.
- o Restores funding of \$500,000 for Finger Lakes Law Enforcement.
- o Restores \$650,000 and provides additional funding of \$300,000 for civil or criminal legal services for domestic violence programs with the Legal Services Assistance Account.
- o Restores \$600,000 for the Indigent Parolee Program from the Legal Services Assistance Account.
- o Provides \$2 million for criminal justice local assistance initiatives.
- o Provides \$5 million for a matching grant School Resource Officer Program.
- o Provides appropriation language, without prejudice, to require an evaluation of the effectiveness of the new Gun-Involved Violence Elimination (GIVE) Initiative.

Article VII Proposals (S.6355-C)

- * PART C: The Senate concurs with the Executive proposal to continue provisions relating to the disposition of certain monies recovered by county district attorneys.
- * PART K: The Senate advances language creating a presumption that the possession of 50 or more individual packets of heroin and/or an amount of heroin with an aggregate value of at least \$300, is possession with intent to sell, a class B felony.
- * PART L: The Senate advances language for the creation of a Violent Felony Offender Database.

COUNCIL ON THE ARTS

State Operations (S.6350-C)

- * The Senate concurs with the Executive recommendation of \$4,219,000

.SO DOC S R4036

RESO TEXT

2013

Aid to Localities (S.6353-C)

- * The Senate concurs with the Executive recommendation of \$37,464,000
- * The Senate proposes to redistribute Council on the Arts local assistance grants to achieve regional balance statewide.

DEFERRED COMPENSATION BOARD

State Operations (S.6350-C)

- * The Senate concurs with the Executive recommendation of \$892,000.

ELECTIONS, STATE BOARD OF

- * The senate is concerned about the need for increased voter privacy at polling places and will advance language to assure such privacy is granted with the ballot scanning machines.

State Operations (S.6350-C)

- * The Senate modifies the Executive recommendation of \$11.1 million, and provides \$8.8 million for the Board of Elections.

Article VII Proposals (S.6355-C)

- * PART H: The Senate proposes to modify Part H relating specifically to the Public Trust Act, the creation of an Independent Chief Enforcement Counsel, and Campaign Finance Reform and Public Campaign Finance to increased transparency and disclosure measures, provide for increased enforcement, adopt a system of public campaign finance, and strengthen provisions of the public officer's law and penal code to enhance the integrity of governmental and electoral processes in New York State.

EMPLOYEE RELATIONS, OFFICE OF

State Operations (S.6350-C)

- * The Senate concurs with the Executive recommendation of \$4,810,000.

ENERGY RESEARCH AND DEVELOPMENT AUTHORITY (NYSERDA)

State Operations (S.6350-C)

- * The Senate denies the Executive recommendation in its entirety.

Aid to Localities (S.6353-C)

- * The Senate denies the Executive recommendation in its entirety.

Capital Projects (S.6354-C)

- * The Senate denies the Executive recommendation in its entirety.

Article VII Proposals (S.6357-C)

- * PART K: The Senate rejects the proposal of the Executive to fund a portion of NYSERDA's operation and DEC's office of climate change through section 18-a assessments.
- * PART L: The Senate accepts this bill and concurs with the Executive's proposal to transfer \$913,000 from the Unrestricted Corporate Funds of the New York State Energy Research Development Authority to the General Fund to offset New York State's debt service requirements related to the Western New York Nuclear Service Center.
- * PART M: The Senate rejects the Executive's proposal to require upstate gas retail outlets to be equipped with backup power generation.
- * PART QQ: The Senate adds language to direct the New York State Energy Research and Development Authority to make payments on grants to farm operations no later than ninety days after notification of any funding award.
- * PART RR: The Senate adds language to direct the Public Service Commission to conduct a study of the economic and environmental costs and benefits of the State's net energy metering programs.

The Senate will urge NYSERDA and the Public Service Commission to study and report the impact of the Regional Greenhouse Gas Initiative assessments imposed on in-state versus out of state generators and the impacts on New York ratepayers.

The Senate will advance language to require the State study whether fees assessed and allocated outside of the budget process are having an adverse impact on New York ratepayers.

ENVIRONMENTAL CONSERVATION

State Operations (S.6350-C)

- * The Senate concurs with the Executive recommendation with the following modification:

- o Authorizes \$200,000 to analyze significant risks to the public health and the environment from leaking, large-scale, heavily contaminated, hazardous waste landfills.

Aid to Localities (S.6353-C)

- * The Senate concurs with the Executive recommendation with the following modification:
 - o Authorizes \$2,000,000 for priority dredging and invasive projects.
 - o Authorizes \$400,000 in funding for the Beacon Institute.
 - o Authorizes \$500,000 in funding for a "Sewage-Right-to-Know" program.

Capital Projects (S.6354-C)

- * The Senate concurs with the Executive recommendation with the following modifications:
 - o Denies \$106 million in new Superfund bonding authority.
 - o Restores \$793 million in Superfund bonding authority over the next seven years.

.SO DOC S R4036

RESO TEXT

2013

- o Amends the Executive proposal for a new Environmental Restoration Program by authorizing a multi-year plan at \$10 million a year.
- o Increases the Environmental Protection Fund (EPF) by \$43 million for wastewater and sewage treatment capital projects raising the EPF to \$200 million a year.
- o Requests modifications to the Executive's proposal for the EPF as follows:
 - A \$900,000 increase for the Central Pine Barrens Commission;
 - A \$1,000,000 increase to \$2,300,000 for the Finger Lakes Lake Ontario Watershed Protection Alliance;
 - \$500,000 in additional funds for Soil and Water Conservation Districts to bring their funding total to \$5,000,000.
- o Authorize \$3,000,000 in funds for the Genesee County wastewater treatment facility.
- o Authorize \$250,000 in funds for Manhasset Bay Waterfront improvements.
- o Authorize \$6,700,000 in funds for EPCAL sewer plant upgrades.
- o Authorize \$7,000 in support for Town of Perry landfill capital costs.
- o Authorize \$2,000,000 for a water treatment plant in the Village of Arcade.

Article VII Proposals (S.6357-C)

- * PART H: The Senate amends the Executive's proposal to on pesticide reporting requirements by only authorizing a three year extension for product registration fees.
- * PART I: The Senate accepts the Executive's proposal to allow the use of crossbows for hunting in New York State, but denies the waiver of state documents law procurement requirements, the expansion of liability releases, and creation of three- and five- year hunting, fishing and trapping licenses. The Senate accepts the Executive's proposal to issue distinctive license plates for holders of certain sporting licenses. However as the Executive already has begun waiving statutorily required fees for such license plates before obtaining necessary authority from the Legislature, the Senate proposes

that the Executive be granted such authority retroactive to January 1, 2014.

- * PART UU: The Senate adds language to extend by two years the dead-

line for heavy-duty diesel vehicles to be retrofitted with diesel particulate filter devices as currently required by the Diesel Emission Reduction Act (DERA).

- * PART VV: The Senate adds language to lay out a repowering plan for the existing generating facility in the Village of Port Jefferson, and includes an incentive package to aid in the remediation of the footprint for the new plant.

Article VII Proposals (S.6359-C)

- * PART Q: The Senate modifies the Executive bill to propose comprehensive modifications and reforms to the State environmental remediation and redevelopment programs. The Senate modifies the Executive's bill by:
 - o Maintain as-of-right credit structures, but incorporating substantial portions of the Executive's new stringent eligibility standards to ensure, even more than the current program, that "undeserving" sites do not get into program
 - o Require applicants to prove that site is heavily contaminated by on-site generated wastes to get into the Brownfields Credit Program (BCP), and that the site must demonstrate extremely high property value distress.
 - o Proposes a new NY Rapid program for contaminated sites that do not pose a significant threat to the health and the environment. NY Rapid participants will receive a full State liability release for cleaning up these less dangerous sites, but will not be eligible for tax credits.
 - o Allow most Superfund sites into the BCP expanding the proposal to those which are currently not eligible, for sites now, and in the future, controlled by true volunteers with no connections to responsible parties.
 - o Modify current credit levels and cost bases, streamlining the oversight process for the plan for redevelopment as well as the credit application process.
 - o Allow BCP projects to apply for Excelsior credits.
 - o Establish incentives in place for the Brownfield Opportunity Area program to expedite plan designations.
 - o Accept the Executive language to extend the tax credits for ten years until December 31, 2025, on Superfund, Environmental Restoration Program, Environmental Zones, BCP fees, Hazardous Waste charges, and reporting requirements.
 - o Propose reforms to the Oil-Spill program to provide substantive liability protections to true volunteers that remediate these sites.
 - o The Senate advocates that any adopted language contemplate whether there can be additional utilization of the brownfields program to strengthen the redevelopment of affordable housing.

EXECUTIVE CHAMBER

State Operations (S.6350-C)

- * The Senate modifies the Executive's recommendation of \$17.9 million as follows:
 - o Deny \$270,000 for contractual services related to the Moreland Act.

ECONOMIC DEVELOPMENT, DEPARTMENT OF

State Operations (S.6350-C)

- * The Senate concurs with the following Executive recommendations:
 - o \$3,267,000 for the Administration Program,

- o \$14,227,000 for the Economic Development Program,
- o \$385,000 for the Clean Air Program, and
- o \$7,025,000 for the Marketing and Advertising Program

Aid to Localities (S.6353-C)

- * The Senate concurs with the following Executive recommendations:
 - o \$5,234,000 for Centers of Excellence and restores funding of \$3,489,330;
 - o \$13,818,000 for Centers of Advanced Technology;
 - o \$3,750,000 for the New York State incubators and hot spots program and adds \$2,000,000;
 - o \$5,000,000 in funding for the Market New York program and eliminates the oversight by the regional economic development councils;
 - o \$3,815,000 for local tourism matching grant and adds \$100,00 for the Catskill Association of Tourism Services;
 - o \$343,000 for the Science and Technology Law Center;
 - o \$7,470,000 for the Training and Business Assistance Program; and
 - o \$392,000 for the gateway information centers at Binghamton and Beekmantown.

EMPIRE STATE DEVELOPMENT CORPORATION

Aid to Localities (S.6353-C)

- * The Senate concurs with the Executive recommendation of \$42,935,000 for the Economic Development Program with the following modifications:
 - o Decrease funding for the Economic Development Fund by \$12,000,000.
- * The Senate provides funding for the following:
 - o \$350,000 for the Adirondack North Country Association.
 - o \$2,000,000 for military base retention efforts.
 - o \$200,000 for Center State Corporation for Economic Opportunity; and
 - o \$200,000 for Center State Corporation for Economic Opportunity.
 - o \$600,000 for Seneca Army Depot.
 - o \$5,000,000 for local economic development initiatives.
 - o \$250,000 for fishing tournament promotions.
 - o \$2,000,000 for multi-platform digital game development
 - o \$150,000 for SUNY SMARTT Laboratories
 - o \$500,000 for Veterans Entrepreneurship Centers

Capital Projects (S.6354-C)

- * The Senate concurs with the following Executive recommendations:
 - o \$10,000,000 for the Clarkson-Trudeau Partnership;
 - o \$5,000,000 for the Cornell University College of Veterinary Medicine;
 - o \$180,000,000 for the Nano Utica Project;
 - o \$55,750,000 for the New York Genome Center;
 - o \$30,000,000 for Onondaga County Revitalization projects;
 - o \$50,000,000 for the SUNY College for Nanoscale and Science Engineering; and
 - o \$680,000,000 for the Buffalo Regional Innovation Cluster with \$33,000,000 dedicated to the Western NY STAMP project.
- * The Senate denies the following Executive recommendations:
 - o \$24,000,000 for the Economic Transformation Program;
 - o \$150,000,000 for Regional Economic Development Purposes;
 - o \$55,000,000 for the NY SUNY 2020 Challenge Grant Program; and
 - o \$55,000,000 for the NY CUNY 2020 Challenge Grant Program.

Article VII Proposals (S.6357-C)

- * PART W: The Senate approves the proposal to extend the authorization for the Dormitory Authority to provide design and construction services to the Department of Environmental Conservation and the Office of Parks, Recreation, and Historic Preservation for one year.
- * PART X: The Senate denies the proposal to extend the authorization for the Dormitory Authority to create subsidiaries for two years.
- * PART Y: The Senate approves the proposal to eliminate the financing fees on health care institutions.
- * PART Z: The Senate approves the proposal to extend the Economic Development Fund for one year.
- * PART AA: The Senate approves the proposal to extend the authorization for UDC to issue loans for one year.
- * PART SS: The Senate advances language to establish the biomedical and biotechnological translational research and entrepreneurship initiative.

EDUCATION

State Operations (S6350-C)

- * The Senate concurs with the Executive recommendation of \$584.6 million.

Aid to Localities (S.6353-C)

- * The Senate includes the following modifications to the Executive's recommendations:
- o An overall increase in general support for public schools of \$811.9 million restoring \$541 million of the Gap Elimination Adjustment;
 - o The GEA restoration add is an increase of \$217 million over the Executive proposal;
 - o Rejects and repurposes \$74 million in fiscal stabilization grants to increase school aid;
 - o The Senate rejects the after school funding proposal using the casino gaming and revenue fund.

New York City - UPK and After-School

RESO	DOC	S	R4036	RESO TEXT	2013
The Senate	provides	\$540	million	to fully fund the expansion of	
universal pre-kindergarten and after-school programs in New York City in					
the 2014-15 school year. A new program will provide \$340 million for					
Universal Pre-Kindergarten, and \$200 million in new AIM funding will be					
available for the expansion of afterschool programs. Over the next five					
years the Senate commits \$2.7 billion to cover the costs of successfully					
expanding these two programs in New York City. In addition, New York					
City will receive \$20 million in unrestricted VLT Impact Aid.					

UPK Funding - \$485 million

\$340 million will be available for the City of New York in the 2014-15 school year for the implementation of a high quality, full-day Pre-K. Over the next five years, the Senate commits \$1.7 billion to fully cover the costs of the City's plan to provide free, full-day pre-K to more than 73,000 children. This new program will be financed through a specially designated reserve that will ensure a stable.

In addition, \$145 million will be made available to districts for UPK

expansion, while also leaving flexibility for the funding to be used for kindergarten and GEA restoration.

AIM Funding - \$200 million

The Senate also provides \$200 million in new Aid to Municipalities funding for the City of New York in the 2014-15, which will be available to expand after-schools program for middle school students.

Freeze Plus - NY: Helping Everybody Lower Property Taxes - \$800 million

The Senate provides \$800 million for the Freeze Plus property tax relief program. This program is structured so that districts that adhere to the 2% levy cap will have to supplant their property tax levy with State aid, freezing property taxes. Under the Freeze Plus proposal, property tax levy in districts and municipalities subject to the tax cap would be frozen.

- * The Senate concurs with the Executive's proposal to provide:
 - o Additional funding of \$4.5 million for nonpublic safety grants;
 - o An additional \$5.23 million in Nonpublic school aid; and
 - o A new appropriation of \$2 million to fund early college high schools programs.
- * The Senate provides additional funding for the following programs:
 - o \$38 million in nonpublic school aid;
 - o \$30 million for education grants;
 - o An additional \$20 million to fund a 3.8 percent increase for Chapter 853 schools, Special Act schools, and State-supported schools (4201's);
 - o \$20 million for Teacher Centers;
 - o \$10 million for Adult Literacy Education;
 - o Restores \$4 million in library aid and provides a \$4 million increase for a total of \$8 million;
 - o \$1,000,000 for the Council on the Humanities;
 - o \$1,000,000 for High School Equivalency Transition;
 - o \$1,000,000 for community schools.
 - o SUNY Albany Center for Autism and Related Disabilities \$500,000;
 - o An additional \$500,000 for After School Programs and Healthy Eating;
 - o An additional \$200,000 for the Onondaga, Cortland, and Madison county BOCES for the new technology initiative;
 - o National History Day \$100,000; and

Capital Projects (S6354-C)

- * The Senate concurs with the library construction grants of \$14,000,000; and
- * The Senate would consider the Smart Bond Act with the inclusion of water and sewer districts.

Article VII Proposals (S.6356-C)

- * PART A: The Senate:
 - o modifies the contract for excellence proposal to only include New York City;
 - o modifies the Executive's GEA proposal to increase the amount restored to school districts by \$217 million for a total restoration in 2014-15 school year of \$541 million. In addition the Senate phases out the GEA in the 2016-17 school year;
 - o accepts the Executive's proposal on school district reorganization allowing school districts to phase in up to ten years the tax levy impacts on the reorganized school districts;

- o accepts the Executive proposal to allow school districts to apply for waivers from special education requirements that exceed federal requirements;
- o rejects the Executive proposal making changes to pre-school special education rates and payments provisions for special education itinerant teacher services;
- o modifies the Executive proposal on after four p.m. transportation by making the provision permanent and removing the State aidable cap;
- o modifies the Executive proposal to maintain the setaside for the Consortium for Worker Education in NYC by increasing the amount to \$13 million;
- o rejects the Executive proposal to freeze school districts aid claims to November 2013;
- o rejects the Executive proposal to establish a teacher excellence fund;

* PART A-1: The Senate:

- o repeals the provision for the State to reset building aid amortization interest rates every ten years;
- o extends the supplemental valuation impact grant program providing state assistance to those school districts affected by power plant revaluations;
- o provides forgiveness from state aid reductions associated with final cost report submissions in construction projects and for inadvertent omissions related to transportation contract requirements;
- o provides for annual tuition rate increases for special act school districts, Chapter 853 and 4201 schools, and ties it to the State's Personal Income Growth Index (PIGI);
- o includes a plan to provide for a blended learning program that establishes an advisory committee to advance recommendations related to expanding on-line learning;
- o extends mandate relief provision related to the Employee Benefit Accrued Liability Reserve account which allows school districts to access any excess funds in the reserve and use it for GEA reduction;
- o extends the time frame BOCES can lease building space from ten years to twenty years;
- o provides mandate relief for school districts by making the internal control audit function optional except for those districts that have prior accounting deficiencies as identified by the State Comptroller;
- o provides mandate relief by eliminating duplicative parental consent requirements in the education law as it relates to July and August Special education programs;
- o provides mandate relief by eliminating asbestos reporting requirements beyond federal requirements;
- o extends the authorization for BOCES to contract with out of state school districts;
- o requires the commissioner to collaborate with parents, teachers, and principals to provide professional development and distribute information to schools, teachers, administrators and parents as it relates to college and career readiness standards;
- o increases over two years the charter school basic tuition amount to charter schools in the City of New York;
- o requires school districts to permit any charter school using a school district building to use such building without cost;
- o requires the City of New York to provide facilities aid to those charter schools that are adding grades, opening new charters or

who lose use of public school district space;

- o The Senate authorizes charter schools to provide (at their option) a pre-kindergarten program. Further, public schools that have a full-day pre-k program are required to pay charter schools the same amount of their expenses to provide a full-day pre-k program;
- o The Senate authorizes charters approved by the New York City Department of Education to apply to any charter entity for oversight and supervision;
- o requires that an authorized charter school must give consent to any significant change in co-location arrangements including any co-location arrangements approved prior to January 1, 2014;
- o establishes a charter school building aid program which will provide aid similar to the current program for public schools in the 2014-15 school year; and

* PART A-2:

- o establishes the Regional High School Program which provides incentives for districts to consolidate high school operations.
- * PART M: The Senate advances language which will require instruction in K-8 grades to raise awareness of child abuse and exploitation.
- * PART BB: The Senate advances language to encourage schools to provide for alternate types of recreational play spaces if the current space is in use for another purpose.
- * The Senate advances language for a study of the educational programs and fiscal conditions of East Ramapo School District.
- * The Senate proposes to enable Mayoral control of Yonkers school district.
- * The Senate advances language for instruction of students to raise awareness of child abuse and exploitation in schools.
- * The Senate advances language to permit senior citizens whose spouses are deceased to substitute a more recent income for purposes of determining eligibility for the enhanced STAR exemption.

FINANCIAL CONTROL BOARD, NEW YORK STATE

State Operations (S.6350-C)

- * The Senate concurs with the Executive's recommendation of \$3,131,700.

FINANCIAL SERVICES

State Operations (S.6350-C)

- * The Senate modifies the Executive appropriation level of \$326,630,823 as follows:
 - o Deny \$1,135,000 in assessments to fund Health Benefit Exchange employees.

Aid To Localities (S6353-C)

- * The Senate concurs with the Executive appropriation level of \$224,816,000.

Article VII Proposal (6355-C)

- * PART W: The Senate advances language to establish a quorum requirement for the New York State health care quality and cost containment commission.

Article VII Proposal (6357-C)

- * PART T: The Senate modifies the Executive's proposal related to
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comprehensive motor vehicle insurance reparation to provide No-Fault insurance reform for medical service providers. Additionally, the Senate advances language which provides for the retroactive cancellation of fraudulent auto insurance policies, and increases criminal penalties for fraudulent no-fault insurance claims.

- * PART V: The Senate modifies the Executive proposal to license title insurance agents and advances language to reform sales tax collection on title insurance products.

GAMING COMMISSION

State Operations (S.6350-C)

- * The Senate modifies the Executive appropriation level of \$114,595,000 as follows:
 - o The Senate provides \$250,000 to the Regulation of Racing Account for the purpose of Racing Fan Development.

GENERAL SERVICES, OFFICE OF

State Operations (S.6350-C)

- * The Senate amends the Executive recommendation of \$1,013,534,000 to:
 - o Provide \$7,500,000 for maintenance and other support services relating to facility space occupied by the Legislature and its administrative entities.
 - o Reduce General Fund appropriation authority for personal services in the Executive Direction Program by \$2.5 million.
 - o Reduce General Fund appropriation authority for personal services in the Real Property Management and Development Program by \$5 million.
 - o Reject \$505,000 for eight additional employees.
 - o Reject \$1,000,000 for an online catalog subscription service.

Capital Projects (S.6354-C)

- * The Senate concurs with the Executive recommendation of \$90,000,000.

Article VII Proposal (S.6355-C)

- * PART G: The Senate modifies the Executive proposal to make permanent the authorization of certain procurement options for local government entities, and to provide similar procure options for local authorities for a period of three years.
- * PART M: The Senate proposes to authorize the Commissioner of the Office of General Services to transfer certain state lands to the City of Ogdensburg.
- * PART HH: The senate advances language to require the Office of General Services to conduct a study to examine, evaluate and make recommendations relating to the feasibility and advisability of establishing an Office of Risk Assessment and Management.

Executive Budget Bill (S.6609-A)

- * The Senate modifies the Executive proposal to establish a five percent contract set aside program for service disabled veteran owned small businesses to provide express statutory clarification for improved program administration.

GENERAL STATE CHARGES

State Operations (S.6350-C)

- * The Senate modifies the Executive Recommendation of \$3,557,218,000 as follows:

- o Reduce appropriation authority for health insurance by \$69,000,000.

Article VII Proposal (S.6355-C)

- * PART E: The Senate denies the Executive's proposal to eliminate New York State reimbursement of the Income Related Medicare Adjustment (IRMAA).
- * PART O: The Senate advances legislation to establish the State's contribution rate toward the premium subscription charges for current State employees and retired State employees enrolled in a health insurance plan under the New York Health Insurance Program.
- * PART N: The Senate advances legislation to prohibit new employees of local associations from participating in the New York State and Local Employee Retirement System.

GREEN THUMB PROGRAM

State Operations (S.6350-C)

- * The Senate concurs with the Executive recommendation of \$2,964,000.

GREENWAY HERITAGE CONSERVANCY OF THE HUDSON RIVER VALLEY

State Operations (S.6350-C)

- * The Senate concurs with the Executive recommendation of \$166,000.

HEALTH, DEPARTMENT OF

State Operations (S.6350-C)

- * The Senate modifies the Executive's recommendation of \$3.2 billion as follows:
 - o Provides \$326,000 to support a not-for-profit entity in maintaining and operating the Donate Life Registry.
 - o Provides \$50,000 for costs related to required criminal background checks for adult care facilities beginning January 1, 2015.
 - o Modifies the Life Pass it On Trust Fund' to require existing monies within the fund be utilized for research, education and promotion in FY 2015.
 - o Denies the Executive's proposal to provide \$53.9 million for .SO DOC S R4036 RESO TEXT 2013 operations of the NY State of Health, the State's health benefit exchange, to adhere with Executive Order No. 42 of 2012 which asserts that no State or county tax payer dollars be used for development or operation.
 - o Denies the Executive's proposal to provide \$2.5 million for consumer assistance.

Capital Projects (S.6354-C)

- * The Senate modifies the Executive's recommendation of \$1.4 billion as follows:
 - o Denies the Executive's proposal to provide \$10 million for information technology;
 - o Denies, without prejudice, the Executive's proposal to provide \$55 million for the Statewide Health Information Network for New York (SHIN-NY);
 - o Amends the \$1.2 billion Capital Restructuring Financing Program to:
 - Include Assisted Living Providers as eligible participants;
 - Require an annual written report;

- Establish the Capital Restructuring Financing Board to determine eligibility requirements and ensure equitable statewide distribution of funds; and
- o Provides \$100 million for a Hospital Capital Financing Program.

Aid to Localities (S.6353-C)

- * The Senate modifies the Executive's recommendation of \$123.6 billion as follows:

Public Health

- o Denies the Executive's proposal to consolidate 36 public health programs into 10 competitive pools, and restores funding for each program at FY 2014 Enacted Budget levels.
- o Denies the Executive's proposal to eliminate reimbursement for Prenatal Services in the General Public Health Works (GPHW) Program and restores \$2 million.
- o Denies the Executive's proposal to increase HIV Regional Targeted Services by \$1.3 million.
- o Denies the Executive's proposal to freeze rates and transfer the rate setting process for Child Health plus from the Department of Financial Services to the Department of Health and restores \$16.8 million.
- o Eliminates funding for the Falls Prevention Program, as funding for the program has never been expended, and repurposes to partially fund elder health initiatives.
- o Restores funding for the following programs:
 - \$550,000- Women's Health Initiatives;
 - \$316,700- Maternity and Early Childhood Foundation;
 - \$125,000- Alzheimer's Disease Resource Center; and
 - \$120,000- Comprehensive Care Centers for Eating Disorders.
- o Increases funding for the following programs or initiatives:
 - \$6.5 million- Spinal Cord Injury Research Board;
 - \$2.8 million- Doctors Across New York (DANY);
 - \$2.0 million- Elderly Pharmaceutical Insurance Coverage (EPIC) expansion;
 - \$1.8 million- Rape Crisis Centers;
 - \$1.0 million- Elder Health Initiatives; and
 - \$650,000-Upstate Poison Control Center.
- o Provides funding for the following programs or initiatives:
 - \$9.5 million- Hospital Transition Fund;
 - \$1 million- Children's Environmental Health Centers;
 - \$995,000- Healthcare Initiatives;
 - \$600,000-New Alternatives for Children;
 - \$500,000- Lyme and Tick Borne Illness Prevention and Treatment;
 - \$500,000- Pharmaceutical Take Back;
 - \$450,000- Opioid Drug Addiction Prevention and Treatment; and
 - \$250,000- Mobile Dental Unit.

Medicaid

- o Denies the Executive's proposal to establish a two-year Medicaid budget, and reduces Medicaid appropriation authority to reflect one year of spending.
- o Denies the Executive's proposals to:
 - Limit Nursing Home Case Mix Index (CMI) growth at two percent for a six month period- restores \$21.5 million;
 - Eliminate Spousal Refusal provisions- restores \$10 million;
 - Authorize Prior Approval for "Off-Label" Drug Use- restores \$9.9 million;

- Authorize Minimum Supplemental Rebates- restores \$1.4 million;
- Eliminate "Prescriber Prevails" for Federal Drug Administration (FDA)-A-Rated drugs- restores \$206,000;
- Coordinate Health Homes with the criminal justice system and achieves savings of \$2.5 million;
- Establish Regional Health Information Collaboratives (RHICs) and achieves savings of \$2.5 million;
- Establish a Consumer Assistance Program and achieves savings of \$200,000; and
- Fund the Statewide Health Information Network for New York (SHIN-NY) and achieves savings of \$2 million.
- o Modifies the Executive's proposals to eliminate e-prescribing incentives to align the effective date with the implementation of I-STOP e-prescribing requirements and partially restores \$1.1 million.
- o Modifies the Executive's proposal to amend the Nurse Practice Act to access enhanced Federal Financial Participation (FFP) associated with the Community First Choice Option, beginning .SO DOC S R4036 RESO TEXT 2013 October 1, 2014, and achieves \$170.0 million in additional federal funds in FY 2015.
- o Advances legislation to:
 - Restore "Prescriber Prevails" for all drug classes under managed care and provides \$1.1 million;
 - Repeal the authority of the Commissioner to utilize an Average Acquisition Cost (AAC) methodology to determine rates of payments for drugs under Medicaid and to establish amounts of payments for the Cost of Dispensing (COD), and provides \$41.0 million; and
 - Provide supplemental Medicaid rates for ambulance providers, and provides \$3 million.
- o Modifies the Executive's proposal to authorize \$2 billion in spending associated with the 1115 Medicaid Redesign Team (MRT) Waiver in FY 2015 to reflect the recent agreement with Centers for Medicare and Medicaid Services (CMS) that authorized \$8 billion in reinvestment over five years as opposed to \$10 billion. The Senate:
 - Provides three distinct appropriations, totaling \$1.6 billion, for each component of the MRT Waiver;
 - Establishes an 1115 Waiver Distribution Review Council to make recommendations on proposed expenditures;
 - Requires an equitable statewide distribution of 1115 Waiver funds to the extent possible; and
 - Allows spending only pursuant to a chapter of the laws of 2014.
- o Modifies the Medicaid Supportive Housing program to require up to \$20 million be authorized to fund four demonstration programs in counties with populations less than two million.

Article VII Proposals (S.6358-C)

- * PART A: The Senate modifies the Executive's proposal to make changes to the Public Health Law as follows:
 - o The Senate denies the proposals that would:
 - Amend the General Public Health Works (GPHW) program to restrict reimbursements to local health departments for prenatal care to instances where services were provided to uninsured women;
 - Amend consent provisions for HIV testing and authorize providers and health departments to share certain data;

- Streamline the certificate of need (CON) process for hospitals and diagnostic and treatment centers that provide primary care or are undertaking limited construction projects;
 - Reduce the look-back period for the character and competence review for Article 28 facilities from ten to seven years if the Public Health and Health Planning Council (PHHPC) has previously reviewed an individual;
 - Reorganize provisions regarding PHHPC's review of transfers of voting rights or ownership interest in operator entities established under Articles 28 or 36;
 - Require accreditation and registration of Urgent Care Centers, and limit the use of such title;
 - Expand the scope of provisions regulating Office-Based Surgery (OBS) to address procedures conducted under various types of anesthesia, and anesthesia-only services, and to require registration with the Department of Health (DOH);
 - Repeal the authority of the Commissioner to authorize Upgraded Diagnostic and Treatment Centers in rural areas to provide limited emergency services; and
 - Reduce the look-back period for character and competence review for adult care facilities and assisted living residences from ten to seven years.
- o The Senate modifies the proposals to:
- Amend the Health Research Science Board (HRSB) on breast cancer research by maintaining regional representation on the board and requiring the board to meet at least four times per year;
 - Expand the Scope of the Breast, Cervical and Ovarian Cancer Detection and Education Program Advisory Council to include prostate or testicular cancer within its scope by requiring the Council to make recommendations for grants from the New York State Prostate and Testicular Cancer Research and Education Fund;
 - Authorize use of funds from the New York State Prostate Cancer Research, Detection and Education Fund by requiring monies within the fund be expended following the recommendations by the Cancer Detection and Education Program Advisory Council, and by requiring an annual written report to the Legislature;
 - Establish a \$1.2 billion bonded Capital Restructuring Financing Program by establishing the Capital Restructuring Financing Board to evaluate applications and make award determinations, requiring Public Authorities Control Board approval of all awards, requiring prior notification to the Legislature of awards, and requiring an annual written report to the Legislature;
 - Expand the Health Facility Restructuring Program to include not-for-profit residential health care facilities, not-for-profit diagnostic and treatment centers, and other not-for-profit health care entities in restructuring operations and finances by expanding eligibility to include all residential health care facilities, expanding reporting, and prohibiting loans from being made unless five day notification has been provided;
 - Authorize a private equity demonstration program to encourage the investment of private capital in health care

- facilities by expanding the demonstration from five to ten business corporations and expiring the demonstration program in five years;
- Authorize the establishment of limited health care services clinics in retail settings by expanding eligible operators of such clinics to include hospitals and federally qualified health centers, and require notification be provided to the local community board in cities with a population of one million or more;
- Allow DOH to contract out the operation and marketing of the New York State Donate Life Registry by authorizing a multi-year contract and financing the contract pursuant to an appropriation in FY 2015; and
- Authorize DOH to utilize "Life Pass It On" funds collected by the Department of Motor Vehicles (DMV) to fund the contract for the operation and marketing of the New York State Donate Life Registry by requiring the fund be used for promotion and education in FY 2015, authorizing funds to be used for the contract beginning in FY 2016, and requiring an annual written report to the Legislature.
- o The Senate advances legislation to:
 - Require adult care facilities to conduct a criminal history record check of prospective direct care employees using procedures and standards set forth in Article 28-E of the Public Health Law;
 - Require the State or its designated fiscal agent to be the payer of first instance to Early Intervention providers, require payment in full at the State approved Early Intervention rate within thirty days of receipt of the initial claim, and make the State or its designated fiscal agent responsible for pursuing all appeals of payment denials by all third-party payers;
 - Improve the Certificate of Need process by:
- * Authorizing the Commissioner to accept accreditation of a clinical laboratory by an organization with deeming status granted by the Centers for Medicare and Medicaid Services as evidence of compliance with pertinent Public Health Law requirements;
- * Authorizing the submission of a written certification by an architect or engineer licensed by the State of New York to constitute a fulfillment of the certification requirement, where the Commissioner has determined such written certification can be accepted;
- * Establishing timeframes for the DOH to review applications for construction; and by
- * Authorizing the Commissioner to accept behavioral health accreditation by the Joint Commission or by an organization with deeming status granted by the Centers for Medicare and Medicaid Services as evidence of compliance with pertinent Mental Hygiene Law requirements for certain providers of service;
- Health Systems Agencies (HSAs);
- Establish requirements for the registration of out-of-state drug compounding facilities that are currently registered by the Food and Drug Administration (FDA) within the State Education Department and require a report to the Legislature evaluating the effectiveness of the registration and oversight process within 18 months;
- Expand the income eligibility for the Elderly Pharmaceutical Insurance Coverage (EPIC) program to \$75,000 from the current \$35,000 level, for singles and to \$100,000 from

- the current \$50,000 level, for married enrollees;
- Eliminate survey duplication related to hospital outpatient mental health services;
- Restrict regulations requiring the reduction of the mental health census of adult homes, and establish a workgroup to study and report on the transition of persons with serious mental illness to the most integrated setting appropriate; and
- Require health care providers and practitioners to provide contact information for the NY Connects: Choices for Long Term Care Program.
- o The Senate maintains that in cities with a population of one million or more, the appropriateness of locating a health facility in a geographic area must be taken into consideration in the process of project planning, including projects undertaken within the last State fiscal year.
- o The Senate has concerns about the availability of out-of-network health insurance coverage options to consumers. Insurance plans outside of any established health insurance marketplace must offer out-of-network options, regardless of whether they are made available within an established marketplace.
- * PART B: The Senate modifies the Executive's proposal to extend provisions of the Health Care Reform Act as follows:
 - o The Senate modifies the proposals to:
 - Permanently extend Health Care Initiatives and Tobacco Control and Insurance Initiatives Pools and fund programs subject to appropriation by extending authorization for three years and discretely lining out funding levels for each program in statute;
 - Permanently extend the authorization for Area Health Education Centers (AHEC), the Empire Clinical Research Investigator Program (ECRIP) and the Doctors Across New York program and funds by extending authorization for three years and discretely lining out funding levels for each program in statute;
 - Suspend the reconciliation of collections for the Covered Lives Assessment in excess of the current statewide limit of \$1.045 billion by denying, without prejudice, the use of \$55 million to support the Statewide Health Information Network of New York (SHIN-NY); and
 - Extend the Excess Medical Malpractice Coverage Pool by requiring 1,000 additional policies for excess coverage or equivalent excess coverage be purchased.
- * PART C: The Senate modifies the Executive's proposal to make statutory changes necessary to continue implementing Medicaid Redesign Team recommendations as follows:
 - o The Senate denies the proposals that would:
 - Eliminate "prescriber prevails" provisions in Medicaid fee-for-service for drugs that have available multi-source and generically equivalent drugs;
 - Eliminate "prescriber prevails" provisions in Medicaid managed care programs for atypical antipsychotic therapeutic drugs that have available multi-source and generically equivalent drugs;
 - Authorize the Commissioner to require manufacturers of brand name drugs utilized in the Medicaid fee-for-service pharmacy program that are eligible for reimbursement to provide a minimum supplemental rebate to the State;

- Allow the Commissioner or managed care providers to require prior authorization for certain drugs where there is evidence of significant prescribing for a non-medically indicated, or "off label," use;
- Permit the Commissioners of DOH, the Office of Mental Health (OMH), the Office of Alcoholism and Substance Abuse Services (OASAS), and the Office of Persons with Developmental Disabilities (OPWDD) to promulgate emergency regulations regarding Medicaid coverage of outpatient services;
- Require spousal support for the costs of community-based long-term care;
- Authorize the Office of the Medicaid Inspector General (OMIG) and DOH to jointly develop pre-claim review requirements for certain home health care participating providers;
- Authorize the Commissioner of the Office of Temporary Disability Assistance (OTDA) to allow contracted staff to conduct fair hearings procedures;
- Limit nursing home case mix index increases to a maximum of two percent every six months;
- Authorize the Commissioner to periodically update the base year for inpatient psychiatric facilities, specialty inpatient facilities, and inpatient detoxification units;
- Delay the effective date for the inpatient hospital base year update to a period after April 1, 2014;
- Extend the Medicaid Global Cap through March 31, 2016;
- Authorize DOH to require counties that have implemented mandatory managed care programs to utilize the State's contracted enrollment broker;
- Authorize the Commissioner to distribute \$5 million in health home infrastructure grants to establish linkages between health homes and the criminal justice system;
- Authorize Article 28 hospitals that are deemed "certified application counselors" to enroll individuals presumptively eligible for Medicaid;
- Authorize DOH to amend or enter into new contracts without a competitive bid or request for proposal process relating to integrated eligibility and financial management systems serving State health and human service systems; and
- Transfer rate-making authority for Child Health Plus (CHP) from the Department of Financial Services to DOH; sunset the subsidy reduction for CHP payments insurers to March 31, 2014; implement a one year rate freeze; and allow DOH to contract with an independent actuary to determine future reimbursement methodologies.

o The Senate modifies the proposals to:

- Eliminate "prescriber prevails" provisions in Medicaid managed care programs for multiple classes of drugs that have available multi-source and generically equivalent drugs by expanding the authorization of "prescriber prevails" provisions in Medicaid managed care to all drug classes;
- Authorize the Commissioner of Health to require prior authorization for fee-for-service drugs meeting the Clinical Drug Review Program (CDRP) criteria until the Drug Utilization Review (DUR) Board has an opportunity to evaluate the drug by prohibiting such authority and requiring the DUR Board to convene monthly and review all therapeutic

tic classes on an annual basis;

- Change the threshold for early refill availability without prior authorization from when a patient has less than 25 percent remaining to when a patient has less than a six day supply remaining based on prescribed dosing by increasing the threshold to when a patient has less than a ten day supply;
- Eliminate State incentive payments to providers for e-prescribing by amending the effective date to coincide with the implementation of I-STOP e-prescribing requirements;
- Authorize the reinvestment of savings already generated by the closure of inpatient psychiatric services or other reductions in bed capacity at voluntary hospitals into inpatient and community-based programs by requiring a reinvestment plan be submitted to the Legislature 30 days prior to the allocation of funds, and requiring a detailed annual written report to the Legislature;
- Authorize reinvestment of savings resulting from the transition of behavioral health populations to managed care into

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- community-based services by, eliminating a proposed grant of authority to utilize emergency regulations, requiring a reinvestment plan be submitted to the Legislature 30 days prior to the allocation of funds, and requiring a detailed annual written report to the Legislature;
- Authorize the Commissioners of DOH and OMH to establish by regulation, integrated mental health and physical health services in a primary care setting by expanding the regulations to include OASAS services, eliminating a proposed grant of authority to utilize emergency regulations, requiring a detailed annual written report to the Legislature, and sunseting the pilot on March 31, 2017;
- Broaden existing authority that allows the Commissioner of OASAS to transfer funds to DOH for the purpose of reimbursing chemical dependency programs to also allow the Commissioner of OMH to transfer funds to DOH for the purpose of increasing rates for ambulatory behavioral health care by eliminating a proposed grant of authority to utilize emergency regulations and requiring a detailed annual written report be submitted to the Legislature;
- Authorize the Commissioner to distribute appropriated Health Home funds for infrastructure, training, and other preparations for the transition of behavioral health services to Medicaid managed care by requiring a spending plan be submitted to the Legislature 30 days prior to the allocation of funds;
- Require the nursing home fee-for-service rate be the guaranteed rate of payment in the absence of a negotiated rate of payment between a resident health care facility and a managed care plan by exempting post-acute care services;
- Modify proposals to establish exceptions to the Nurse Practice Act for home health aides by requiring such exceptions to be tied to the Community First Choice Option program, and to require that parameters be established in a memorandum of understanding;
- Broaden the definition of provider participation in Developmental Disabilities Individual Support and Care Coordination Organizations (DISCOs) to include Managed Long Term Care Plans and Managed Care Organizations by establishing

additional requirements;

- Authorize the Commissioner to adjust inpatient and outpatient Medicaid rates and methodology of payment to prevent a net growth in overall Medicaid expenditures due to the implementation of the International Classification of Diseases Version 10 (ICD-10) coding system by clarifying that the implementation will produce no aggregate net increase or decrease in the overall Medicaid expenditures when compared to the previous twelve month period;
- Establish a methodology for distributing available savings under the Medicaid Global Cap to eligible Medicaid providers by requiring 70 percent of savings be allocated to providers based on the prior three years of utilization and requiring the remaining 30 percent be transferred to the Global Cap Reserve Fund;
- Broaden the authority of DOH to amend existing contracts without engaging in a competitive bid or request for proposal process by exempting contracts related to the Delivery System Reform Incentive Plan (DSRIP), Medicaid redesign team supportive housing initiatives, activities to facilitate the transition of vulnerable populations to managed care, and oversight, rate-setting and other program operations activities related to managed care plans by authorizing the exemption only to the extent necessary and sunseting March 31, 2015;
- Restore the two percent Medicaid provider payment reduction by requiring the restoration to be provided in the same manner in which it was implemented in FY 2012;
- Amend provisions relating to Health Homes to allow DOH to distribute funds for purposes including member engagement, workforce training, and implementation of health information technology systems without oversight by the State Comptroller's Office by requiring a detailed annual written report to the Legislature;
- Authorize the Commissioner to distribute \$5 million to promote the transition of children in foster care to Medicaid managed care programs without oversight by the State Comptroller's Office by requiring a detailed annual written report to the Legislature;
- Permit the Commissioner to take actions to review the eligibility of Medicaid recipients, including contracting to address duplicative client identification numbers issued as the State transitions Medicaid enrollment functions to New York State of Health by limiting such actions to the

contract, and improving transparency with regard to the abbreviated bidding process proposed;

- Provide the Commissioners of DOH, OMH, OASAS, and OPWDD authority to waive regulations to allow providers participating under the Delivery System Reform Incentive Payments (DSRIP) program to avoid duplicative requirements by requiring a detailed annual written report to the Legislature to more permanently and uniformly address redundant regulatory requirements;
- Allow DOH, notwithstanding State Finance Law, to enter into contracts to implement Medicaid 1115 Waiver or Partnership Plan initiatives without competitive bid or request for proposal processes by requiring notification to the Legislature within 30 days of the contract award detailing the

selection and an annual report detailing the timeliness of payments;

- Provide that the Commissioner may authorize 6,000 assisted living program (ALP) beds pursuant to a seven year, as opposed to five year, plan by requiring an annual written report to the Legislature detailing the number of assisted living program beds made available by count, the number of vacant assisted living beds by county, and any other information deemed necessary and appropriate;
 - Extend for three years, through March 31, 2017, authority to stipulate a minimum level of \$51 million in gross savings from inpatient hospitals related to potentially preventable negative outcomes (PPNOs) by extending for one year through March 31, 2015; and
 - Establish the State Health Innovation Plan account.
- o The Senate advances legislation to:
- Require a monthly accounting of the state Medicaid Global Cap that includes detailed reporting of price, utilization and other one-time initiatives by category of spending;
 - Require the Division of the Budget and DOH to, upon submission of the Executive Budget, provide the Legislature a detailed accounting of the State Medicaid global cap on the close out of the prior year, a current year re-estimate and a prospective five-year estimate;
 - Prohibit Average Acquisition Cost (AAC), as determined by Department of Health surveys, from being used by DOH as a method for establishing a maximum acquisition cost for pharmacy reimbursement;
 - Eliminate the authority of the Commissioner to change the rate of payment for the Cost of Dispensing (COD) of drugs;
 - Require DOH to establish a Medicaid global budget as the mechanism for payment for acute care children's hospitals;
 - Authorize the Commissioner to establish a disability clinician advisory group to advise the Commissioner and the Department of Education on the effects of proposed regulations or statute and the impact of fiscal proposals on individuals with disabilities;
 - Codify the existing Vital Access Provider (VAP) program in statute to authorize the Commissioner to grant approval of a temporary adjustment to the non-capital components of rates, or make temporary lump-sum Medicaid payments, to eligible providers;
 - Remove the authority of the Commissioner to reduce or eliminate the payment factor for return on or return of equity in the capital cost component of Medicaid rates of payment for services provided by residential health care facilities;
 - Maintain a nursing home's eligibility for quality pool payments in certain specific instances if the facility properly reported an incident and had not received a survey citation establishing the facility's culpability;
 - Establish a Medicaid drug rebate remittance demonstration program to validate existing Medicaid drug rebate claims;
 - Require the Medicaid transportation manager to offer counties the opportunity to coordinate services and give priority to the use of available local public transportation services in non-emergency Medicaid transportation contracts;
 - Clarify that the OMIG provide quarterly in-person briefings

to the Legislature on the activities of the office, and require the OMIG to submit a quarterly accounting of all recoveries and a projection of their impact on the Medicaid Cap;

- Authorize reimbursements to general hospital outpatient clinics and diagnostic and treatment centers for the provision of offsite primary care services to individuals who, due to their medical condition, are unable to receive the services on premises;
- Exempt school-based health centers from transitioning to managed care;
- Establish a three year rural dentistry pilot program to evaluate the quality of care provided through a mobile dental unit, to evaluate the cost savings achieved through targeted oral health initiatives in rural areas, and to determine provider shortage in rural areas;
- Establish the 1115 Waiver Distribution Review Council to review and make recommendations on proposed expenditures of 1115 waiver funding prior to the approval of a project plan;
- Establish the Hospital-Homecare-Physician Collaboration Program;
- Direct the Commissioner to promulgate regulations related to managed long term care plans and home care providers delineating plan-provider responsibilities and to require the Commissioner to make recommendations to the Legislature regarding the feasibility and appropriateness of creating system-wide efficiencies through the establishment of certain payment practices;
- Maintain the home and community based care workgroup to make recommendations regarding state and federal regulations and the alignment of functions between managed care entities and home and community based providers;
- Require DOH to provide a written annual Health Care Restructuring Report to the Legislature; and
- Require DOH to provide the Legislature with any documents relating to State Plan Amendment applications or revisions within five business days of submission.

.SO DOC o The Senate continues to be concerned with the transition of
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nursing homes from the fee-for-service Medicaid program to managed long term care. The Senate continues to review the Executive's proposal to establish a standard wage including, whether the current wage rates are adequate, the long term effect of the

proposal on the wages of nursing home employees, and whether the proposal would impact the fiscal viability of the state's more than 600 nursing homes. The Executive proposal lacks significant detail on the methodology that would be employed to establish the standard wage for nursing homes, including the adequacy of funding to support the proposal.

- o The Senate continues to review the Executive's proposal to authorize the establishment of a basic health program in New York state. In integrating a new program within the State's vast public health system, it is incumbent upon the decision makers of the state to ensure the program is appropriate, cost effective and sustainable. A complete analysis of the program's financial impact on the State, and the program's relationship with existing health coverage programs and the uninsured is due to be published in the coming weeks. The Senate will conduct a

careful analysis of the report and other recently released materials prior to determining whether establishing a basic health program is in the best interest of the state.

- o The Senate continues to review funding to support the Medicaid primary care rate increase. Although federal law provided for the increase of Medicaid rates to equal Medicare rates, federal funding for this will cease on January 1, 2015. As the state looks to expand primary care and continue the transition to Medicaid managed care, adequate rates are essential. The Senate continues to explore avenues of funding to support the existing rates from January 1, 2015 through March 31, 2015.
 - o The Senate remains concerned about the long term adequacy of funding made available within the Medicaid Global Cap to support wage requirements of the Home Care Wage Parity Law. The Senate continues to analyze options to ensure funding made available for increased Medicaid rates are passed on to providers for payment of wages.
 - o The Senate continues to have concerns regarding the implementation of the current law related to ensuring consumers have the option to access covered medication from a local network participating pharmacy.
 - o The Senate remains committed to reviewing the Entertainment Worker Demonstration Program to ensure a smooth transition for those employees to new coverage beyond July 1, 2014.
 - o The Senate exempts honorably discharged military veterans, their widow or spouse, and eligible Gold Star parents in State veterans homes or adult day care at State veterans homes from transitioning into a Medicaid managed care or Medicaid long term care plan.
- * PART H: The Senate denies the Executive's proposal to authorize the Department of Health and the Dormitory Authority of the State of New York to consolidate Wadsworth, Department of Environmental Conservation and other State and Local laboratories using an alternative financing mechanism through a public/private partnership.

Article VII Proposals (S.6357-C)

- * PART U: Modifies the Executive's proposal to establish protections against surprise medical bills and requirements for out-of-network coverage by:
- o Requiring insurers that offer out-of-network benefits to provide significant coverage of the usual and customary costs of out-of-network health services, and requiring those same insurers to offer at least one benefit option that covers 80 percent of usual and customary costs;
 - o Setting a base year of 2012 for the establishment of usual and customary costs for out-of-network rates;
 - o Eliminating the proposed requirement that physicians include a claim form for third party payers with their patient bills;
 - o Requiring the independent dispute entity to utilize state licensed physicians in the same or similar specialty of care as the physician that is involved in a dispute resolution;
 - o Including referrals without written patient consent in the definition of a "surprise bill;" and
 - o Stipulating that regardless of the outcome of a dispute resolution, a physician's payment for out-of-network services will not be less than 80 percent of the usual and customary costs; the provision does not apply to a patient who does not have any insurance coverage.

HEALTH INSURANCE CONTINGENCY RESERVE

State Operations (S.6350-C)

- * The Senate concurs with the Executive recommendation of \$687,605,000.

HIGHER EDUCATION SERVICES CORPORATION (HESC)

State Operations (S.6350-C)

- * The Senate concurs with the Executive's proposal of \$87.7 million.

Aid to Localities (S.6353-C)

- * The Senate modifies the Executive recommendation as follows:
 - o Denies \$8 million for STEM scholarships;
 - o Provides an additional \$500,000 for social worker loan forgiveness; and
 - o Provides \$100,000 for farmer loan forgiveness.

Article VII Proposals (S.6357-C)

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- * PART G: The Senate denies the Executive proposal to create a new Science, Technology, Engineering and Mathematics scholarship;
 - * PART U: The Senate advances language to include all counties within the Social Worker Loan Forgiveness program;
 - * PART V: The Senate advances language to increase the maximum tuition assistance award from \$5,000 to \$6,470 and the maximum income ceiling from \$80,000 to \$100,000;
 - * PART W: The Senate advances language to create a \$15 million revolving loan fund to help relieve graduates of high-interest private loans.
 - * PART X: The Senate advances language which would allow families establish accounts to pre-pay for tuition in a manner similar to 529 college savings plans and double the tax exemption for 529 account contributions;
 - * PART AA: The Senate advances language to enhance student lending transparency by increasing reporting standards that students must receive.
 - * PART DD: The Senate advances language to develop a loan forgiveness plan for farmers;
 - * The Senate expresses support for the expansion of tax credits for graduate level students.

HOMELAND SECURITY AND EMERGENCY SERVICES, DIVISION OF

State Operations (S.6350-C)

- * The Senate concurs with the Executive recommendation of \$67 million.

Aid to Localities (S.6353-C)

- * The Senate concurs with the Executive recommendation of \$853 million, with the following modifications:
 - o The Senate denies an additional \$15 million for Interoperable Communications grants for unidentified future projects, a duplicative capital appropriation is also denied. Funding would be based on a study to be conducted in the spring of 2014.

Capital Projects (S.6354-C)

- * The Senate concurs with the Executive recommendation of \$137 million, with the following modifications:
 - o The Senate concurs with the Executive's new \$15 million capital funding for the College of Emergency Preparedness, Homeland

Security and Cybersecurity, provided that the College of Emergency Preparedness, Homeland Security and Cybersecurity will be sited in Syracuse New York upon agreement with SUNY regarding joint governance.

- o The Senate denies \$15 million in capital funding for future Interoperable Communications Grant Program. Funding would be based on a study to be conducted in the spring of 2014.
- o The Senate provides \$10 million in capital funding for the State Fire Academy of Science, located in Montour Falls.
- o Modifies appropriation language, without prejudice, pertaining to the development of centralized State public safety training facilities.

Article VII Proposals (S.6355-C)

- * PART D: The Senate modifies the Executive's proposal that would deny the annual transfer of \$1.5 million for four years, from the State Public Safety Communications Account to the Emergency Services Revolving Loan Fund, to two years.
- * PART Z: The Senate advances legislation to include the Executive's new funding of \$10 million annually for expenses associated with the operation of Public Safety Answering Points (PSAPs). In addition, a technical change is made to conform the account within existing statute.
- * PART AA: The Senate advances language to identify the New York State Fire Science Academy at Montour Falls within the Homeland Security provisions of the Executive Law, recognizes its purpose, role and the state investment in the facility, and prohibits public monies to be used to either relocate the New York State Preparedness Center from Oriskany to Montour Falls, or to relocate the New York State Fire Science Academy from Montour Falls to Oriskany.
- * PART FF: The Senate advances language to establish a Supplemental State Disaster Aid Program to provide disaster aid, when federal disaster aid is unavailable; to provide for assessment relief for flood victims in certain disaster areas caused by the June 20, 2013 to August 9, 2013 flooding (Oneida, Herkimer, Madison, Montgomery, Tompkins, Cortland Chemung, Schuyler, Steuben and Niagara Counties); to provide for an income tax credit for flood victims in such disaster areas caused by the June 20, 2013 to August 9, 2013 flooding; and to establish an Upstate Flood Mitigation Program to address issues that concerning flooding in any upstate county.

HOUSING AND COMMUNITY RENEWAL

State Operations (S.6350-C)

- * The Senate concurs with the Executive Budget Recommendation of \$86.7 million.
- * Provided that no appropriation or reappropriation may be used to fund oversight entities if not specifically identified in such appropriation or reappropriation.

Aid To Localities (S.6353-C)

- * The Senate modifies the Executive's All Funds Recommendation of \$86.83 million as follows:
 - o The Senate restores funding:
 - \$1.59 million for the Neighborhood Preservation Program; and
 - \$665,000 for the Rural Preservation Program.

Capital Projects (S.6354-C)

- o The Senate concurs with the Executive's All Funds Recommendation

of \$91.2 million.

Article VII Proposals (S.6356-C)

- * PART K: The Senate modifies the Executive proposal to utilize excess Mortgage Insurance Fund reserves for certain programs. Specifically, the Senate rejects \$32,000,000 of the Executive's proposal for the rehabilitation of Mitchell Lama housing projects. Significant investment of State and federal resources is being requested for the improvement and redevelopment of these properties. The Senate concurs with the Executive's underlying goal of housing preservation. However, until such time as New York State Homes and Community Renewal provides a detailed response to the Senate's request for specific information related to these properties, it is unable to consider the significant commitment of resources and broader housing policy considerations related to this proposal.
- * PART DD: The Senate advances legislation to create the Access to Home for Heroes Program to assist disabled veterans and veterans with disabilities with the cost of making accessibility modifications to their dwelling units.
- * PART EE: The Senate advances legislation for the creation of an Affordable Housing Task Force mandated to catalogue vacant or underutilized public properties that are suitable for affordable housing development and investigate any statutory or regulatory changes that would facilitate the increased development of affordable housing statewide.
- * PART FF: The Senate advances legislation to increase in the income threshold to \$50,000 for the Senior Citizen Rent Increase Exemption (SCRIE).
- * PART GG: The Senate advances legislation for the creation of a Mitchell Lama 2020 Housing Trust Fund Program to address community redevelopment and reinvestment, affordable housing construction, and the maintenance of existing affordable housing, for working families, seniors, and veterans.

HUDSON RIVER VALLEY GREENWAY COMMUNITIES COUNCIL

State Operations (S.6350-C)

- * The Senate concurs with the Executive recommendation of \$185,000.

Aid to Localities (S.6353-C)

- * The Senate concurs with the Executive recommendation of \$136,000.

HUMAN RIGHTS

State Operations (S.6350-C)

- * The Senate concurs with the Executive's All Funds Recommendation of \$18.01 million.

INDIGENT LEGAL SERVICES, OFFICE OF

State Operations (S.6350-C)

- * The Senate concurs with the Executive recommendation of \$1.8 million.

Aid to Localities (S.6353-C)

- * The Senate concurs with the Executive recommendation of \$81 million and restores:
 - o \$4 million of funding for indigent defense services for upstate counties that have a high volume of indigent defense caseloads.

INFORMATION TECHNOLOGY SERVICES, OFFICE OF

State Operations (S.6350-C)

- * The Senate modifies the Executive recommendation of \$799,727,000 as follows:
 - o Reject \$3,200,000 for 41 additional employees.

Capital Projects (S.6354-C)

- * The Senate concurs with the Executive recommendation of \$115,700,000.

Article VII Proposal (S.6355-C)

- * PART F: The Senate modifies the Executive's proposal to authorize 300 term appointments relating to technology positions as follows:
 - o deny 300 term appointments relating to technology positions;
 - o deny the exemption of term employees hired pursuant to Chapter 500 of the Laws of 2009 from the two year prohibition on practicing before a state entity or receiving compensation for services rendered on behalf of anyone in relation to a matter pending before such agency.

INSPECTOR GENERAL, OFFICE OF THE STATE

State Operations (S.6350-C)

- * The Senate concurs with the Executive recommendation of \$6.9 million.

INSURANCE AND SECURITIES FUNDS RESERVE GUARANTEE

State Operations (S.6350-C)

- * The Senate concurs with the Executive recommendation of \$1,605,000,000.

INTEREST ON LAWYERS ACCOUNT

State Operations (S.6350-C)

- * The Senate concurs with the Executive recommendation of \$1.8 million.

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Aid to Localities (S.6353-C)

- * The Senate concurs with the Executive recommendation of \$45 million.

JUDICIAL CONDUCT, COMMISSION ON

State Operations (S.6350-C)

- * The Senate modifies the Executive recommendation as follows:
 - o Provides \$270,000 increase for personal and nonpersonal service spending.

JUDICIAL NOMINATIONS, COMMISSION ON

State Operations (S.6350-C)

- * The Senate concurs with the Executive recommendation of \$30,000.

JUDICIAL SCREENING COMMITTEES

State Operations (S.6350-C)

- * The Senate concurs with the Executive recommendation of \$38,000.

LABOR, DEPARTMENT OF

State Operations (S.6350-C)

- * The Senate concurs with the Executive recommendation of \$702,946,000.

Aid to Localities (S.6353-C)

- * The Senate amends the Executive recommendation of \$3,872,983,000 as follows:
 - o Provide \$500,000 for solar energy maintenance training;
 - o Provide \$31,000,000 for Paid Family Medical Leave;
 - o Restore \$500,000 for Brooklyn Chamber Jobs 2013;
 - o Restore \$750,000 for the Chamber On-the-Job training program;
 - o Restore \$600,000 for the Displaced Homemaker Program
 - o Restore \$155,000 for the New York Council on Occupational Safety and Health (NYCOSH) located on Long Island;
 - o Restore \$400,000 for Building Trades Pre-Apprenticeship Programs (BTPAP);
 - o Restore \$4,000,000 for the New York State American Federation of Labor and Congress of Industrial Organization (AFL-CIO) Workforce Development Institute (WDI);
 - o Provide \$3,000,000 in additional funding for the WDI;
 - o Restore \$50,000 for the Rochester tooling and machining Institute, Inc.;
 - o Restore \$100,000 for Hillside Works Inc.;
 - o Restore \$250,000 for the Summer of Opportunity Youth Employment Program - Rochester;
 - o Restore \$300,000 for Project RISE - Referral, Information, Services, Employment that will be funded through existing reappropriations;
 - o Provide \$600,000 for the Worker Institute;
 - o Provide \$201,000 for the Western New York Committee on Occupational Safety and Health (WNYCOSH);
 - o Provide \$300,000 for leadership programs through the AFL-CIO in conjunction with the Cornell University; and,
 - o Provide \$1,600,000 for other workforce development initiatives.

Article VII (S.6356-C)

- * PART O: The Senate proposes legislation relating to the number of hours employees may work in the hospitality industry.

Article VII (S.6357-C)

- * PART JJ: The Senate proposes exempting contractors from certain asbestos fees and the requirement that owners of homes condemned due to disasters pay a \$200 fixed notification fee.

LABOR MANAGEMENT COMMITTEES

State Operations (S.6350-C)

- * The Senate concurs with the Executive recommendation of \$35,741,000.

LEGISLATURE AND JUDICIARY (S.6351)

Judiciary

- * The Senate concurs with the Executive recommendation of \$1.75 billion with the belief that the \$17 million increase for indigent legal services in New York City should be reduced for the purposes of staying within the Executive's recommended cap of a two percent

spending increase.

- * The Senate expresses support for an increase of Family Court Judges.

Legislature (S.6351)

- * The Senate concurs with the Executive recommendation of \$217.8 million.

LAW, DEPARTMENT OF

State Operations (S.6350-C)

- * The Senate concurs with the Executive recommendation of \$223.9 million in operating aid and \$9 million in capital projects. However it rejects language allowing \$5.2 million in credits for prior-year expenses.
- * The Senate expresses its desire for additional transparency and oversight in the disbursement of grants awarded on behalf of the Attorney General as the result of legal actions taken by the State.
- * The Senate modifies the appropriations within the Department of Law in order to appropriate the proceeds of the multi-state settlement

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entered into with J.P. Morgan Chase.

- o This settlement provides New York with \$613 million over several years. Pursuant to Article VII of the State Constitution, Court of Appeals precedents including *Anderson v. Reagan*, and Executive and State Finance Law, these funds from the settlement are required to be deposited into the general fund, and appropriated therefrom in accordance with the terms of Article VII.
- o The Senate proposes to dedicate the funding from this settlement to the purposes outlined in the settlement, including providing support for affordable housing, including expanding the creation of affordable housing projects under the Mitchell-Lama 2020 program, further ensuring continued resources are available to existing community redevelopment and reinvestment programs, affordable housing construction, and the maintenance of existing affordable housing, to ensure that New York remains affordable for New York's working families, its seniors, and its veterans returning from overseas.
- o To further ameliorate the effects of the foreclosure crisis, especially on New York's active duty military members and veter-

ans, the Senate further proposes to provide funding for the following programs that will assist with housing construction, remediation and anti-blight efforts. These programs include the: Low Income Housing Trust Fund, Rural and Urban Community Investment Fund, New York Main Street Program, Access to Home Program, Access to Home for Heroes Program, Residential Emergency Services to Offer (Home) Repairs to the Elderly (RESTORE) Program, Homes for Working Families Program, Affordable Housing Corporation, Rural Area Revitalization Program, the Adirondack Community Housing Trust and the Isaiah 61 Project. In this regard, as well as to promote the interests of the investing public and avoid preventable foreclosures the Senate also proposes to fund the State's network of Rural and Neighborhood Preservation Companies.

LIEUTENANT GOVERNOR, OFFICE OF THE

State Operations (S.6350-C)

- * The Senate concurs with the Executive recommendation of \$630,000.

LOCAL GOVERNMENT ASSISTANCE

State Operations (S.6350-C)

- * The Senate concurs with the Executive appropriation level of \$2,500,000.

Aid To Localities (S6353-C)

- * The Senate modifies the Executive's proposed appropriation level as follows:
 - o Provide \$200,000,000 in aid and incentives to municipalities to New York City on April 1st 2015.
 - The Senate amends the Executive's proposal for the Aid to Municipalities with Video Lottery Gaming Facilities Program by adding \$26,255,737 as follows:
 - Provide \$20,000,000 for New York City;
 - Restores \$6,255,737 in funding to SFY 2008-09 levels for eligible municipalities;
 - Include localities that will host the Nassau and Suffolk OTB Video Gaming Facilities in the program; and
 - o Restore \$1,500,000 and provide an additional \$500,000 to the Village Per Capita Aid program.
- * The Senate amends the Executive's proposal for Miscellaneous Financial Assistance by \$4,248,000 million, as follows:
 - o Provide \$2,000,000 to Seneca County
 - o Provide \$1,000,000 to Cayuga County
 - o Provide \$1,000,000 to Franklin County
 - o Provide \$5,000,000 to municipal governments for the municipal infrastructure grant program.
 - o Restore \$123,000 in additional base level grants to the following villages who do not currently receive base level AIM:
 - Mastic Beach (\$75,000)
 - Sagaponack (\$2,000)
 - South Blooming Grove (\$19,000)
 - Woodbury (\$27,800);
 - o Restore \$125,000 to the City of Syracuse for a shared services project with Onondaga County.
- * The Senate would like to look at proposing funds to local governments to address budgetary shortfalls associated with snow removal.
- * Freeze Plus - NY Helping Everybody Lower Property Taxes The Senate provides \$200 million for the Freeze Plus property tax relief program in local fiscal year 2015 and \$400 million in local fiscal year 2016. This program is structured so that local government municipalities that adhere to the 2 percent levy cap will have to supplant their property tax levy with State Aid, freezing property taxes. Under the Freeze proposal, the property tax levy in local government municipalities subject to the tax cap would be frozen.

Article VII Proposal (S.6355-C)

- * PART G: The Senate modifies the Executive proposal to make permanent the authorization of certain procurement options for local government entities, and to provide similar procurement options for local authorities for a period of three years.
- * PART J: The Senate concurs with the Executive proposal to authorize school zones in the counties of Nassau and Suffolk to insure that its children and schools remain safe from traffic violations. The Senate proposes further to extend a New York City program for speed enforcement cameras to encompass an additional 160 cameras, pursuant to a plan to be provided by New York City, to maximize the safety of

designated school zones.

- * PART Q: The Senate provides amendments to section 54-1 of the State Finance Law as follows:
 - o Restore all eligible municipalities Host Community Video Lottery Aid to the SFY 2008-2009 levels; and
 - o Advance legislation to include municipalities that host Aqueduct, Nassau OTB and Suffolk OTB Video Lottery Gaming Facilities.
- * PART DD: The Senate advances a one year extension of the assessment review commission for Nassau County allows for the unification of petitions for assessment review.

MEDICAID INSPECTOR GENERAL, OFFICE OF

State Operations (S.6350-C)

- * The Senate concurs with the Executive Budget Recommendation of \$56.7 million.

METROPOLITAN TRANSPORTATION AUTHORITY

- * The Senate recommends that the Metropolitan Transportation Authority perform a feasibility study, and any other analysis that may be required, in order to identify and recommend Verrazano-Narrows Bridge toll discount proposals that could be made available to non-Staten Island residents. As a major crossing linking Staten Island and Brooklyn, the Verrazano-Narrows Bridge needs to be more affordable for motorists who must frequently travel over the bridge and who are not currently eligible for any toll discount program.

MENTAL HYGIENE, DEPARTMENT OF

Article VII Proposals (S.6358-C)

- * PART E: Modifies the Executive's proposal for a three-year extension of the clarification that Office of Mental Health and Office for People with Developmental Disabilities facility directors who act as representative payees may use a person's funds for their care and treatment, consistent with federal law and regulations, to a one year extension.
- * PART G: The Senate Rejects without prejudice the Executive proposal. The Senate supports a partial Human Services Cost of Living Adjustment and a Medicaid Trend Factor increase targeted at increasing the salaries of direct care workers and direct service providers.

ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

State Operations (S.6350-C)

- * The Senate concurs with the Executive recommendation of \$115 million.

Aid to Localities (S.6353-C)

- * The Senate concurs with the Executive recommendation of \$457 million with the following modifications:
 - o The Senate provides \$2 million for additional residential intensive treatment beds.
 - o The Senate provides \$5 million for increased heroin prevention, treatment, and recovery support services.

Capital Projects (S.6354-C)

- * The Senate concurs with the Executive recommendation of \$6 million.

MENTAL HEALTH, OFFICE OF

State Operations (S.6350-C)

- * The Senate concurs with the Executive recommendation of \$2.2 billion with the following modification:
 - o The Senate provides \$30.3 million in restorations from the denial of closing 399 inpatient beds.

Aid to Localities (S.6353-C)

- * The Senate concurs with the Executive recommendation of \$1.35 billion with the following additions:
 - o \$2.2 million for veteran peer to peer pilot programs;
 - o \$2 million for the Binghamton Hospital Comprehensive Psychiatric Emergency Program;
 - o \$1.5 million for mental health research;
 - o \$1 million for an independent study on the impact of expanded community services;
 - o \$300,000 for FarmNet;
 - o \$250,000 for the Sullivan County Peer Empowerment/Recovery Center;
 - o \$185,000 for the Therapeutic Equestrian Center;
 - o \$160,000 for the South Fork Health Proposal;
 - o \$100,000 for the Mental Health Association in New York State; and
 - o \$50,000 for Family Residences and Essential Enterprises, Inc.
- * The Senate concurs with the supported housing rental stipend increase proposal and supports expanding the increase to other areas of the State.

Capital Projects (S.6354-C)

- * The Senate concurs with the Executive recommendation of \$90.1 million with the following modification:
 - o The Senate denies the proposed transfer authority language in reappropriations.

Article VII Proposals (S.6358-C)

- * PART F: Modifies the Executive proposal to permanently authorize recovery of Exempt Income to allow for such recoveries for one year.
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- * PART K: The Senate advances legislation to address the proposed closure, merger, and consolidation of State-operated psychiatric centers and / or beds.
 - * PART N: The Senate advances legislation relating to the Community Mental Health Support and Workforce Reinvestment Program.
 - * The Senate encourages the Office of Mental Health to develop a plan to ensure sufficient community housing is available to meet the need.

DEVELOPMENTAL DISABILITIES PLANNING COUNCIL

State Operations (S.6350-C)

- * The Senate concurs with the Executive's proposal of \$4.8 million.

JUSTICE CENTER FOR THE PROTECTION OF PEOPLE WITH SPECIAL NEEDS

State Operations (S.6350-C)

- * The Senate concurs with the Executive's proposal of \$49 million.

Aid to Localities (S.6353-C)

- * The Senate concurs with the Executive's proposal of \$649,000.

OFFICE FOR PEOPLE WITH DEVELOPMENTAL DISABILITIES

State Operations (S.6350-C)

- * The Senate concurs with the Executive recommendation of \$2 billion with the following modification:
 - o The Senate provides \$750,000 for a direct service providers credential pilot program.

Aid to Localities (S.6353-C)

- * The Senate concurs with the Executive recommendation of \$1.35 billion with the following additions:
 - o \$2 million in developmental disability grants;
 - o \$300,000 for the Women's League Community Residences, Inc;
 - o \$195,000 for Harmony Services, Inc;
 - o \$150,000 for the Hebrew Academy for Special Children; and
 - o \$22,500 for the Living Resources Corporation.

Capital Projects (S.6354-C)

- * The Senate concurs with the Executive recommendation of \$48.9 million.

Article VII Proposals (S.6358-C)

- * PART D: Modifies the Executive's proposal to expand the existing exemption in the Nurse Practice Act to direct care staff in non-certified settings funded, authorized, or approved by the Office for People with Developmental Disabilities (OPWDD) to require a memorandum of understanding between the State Education Department and OPWDD.
- * The Senate advances language to:
 - o PART I: Create a Managed Care for Persons With Developmental Disabilities advocacy program; and
 - o PART J: Create a pilot program for credentialing direct support professionals;
 - o PART L: Establish a plan that facilitates integrated employment for individuals with developmental disabilities;
 - o PART M: Ensure due process rights are provided to developmentally disabled individuals receiving transitional care living out of state;
 - o PART O: Ensure that the appropriate local government is notified by OPWDD upon the transfer of an individual from a facility.

MILITARY AND NAVAL AFFAIRS, DIVISION OF

State Operations (S.6350-C)

- * The Senate concurs with the Executive recommendation of \$76 million.

Aid to Localities (S.6353-C)

- * The Senate concurs with the Executive recommendation of \$900,000.

Capital Projects (S.6354-C)

- * The Senate concurs with the Executive recommendation of \$39.2 million.

MORTGAGE AGENCY (SONYMA)

State Operations (S.6350-C)

- * The Senate concurs with the Executive's All Funds Recommendation of

\$76.8 million.

Aid to Localities (S.6353-C)

- * The Senate concurs with the Executive's All Funds Recommendation of \$114.9 million.

MOTOR VEHICLES, DEPARTMENT OF

Capital Projects (S6354-C)

- * The Senate modifies the Executive Budget request of \$194.3 million, and provides \$156 million. This is not an actual decrease, as these expenses will be moved into State Operations, to restore the Dedicated highway and Bridge Fund as a Capital account. This initiative is referred to as The Bridge Bill.

State Operations (S6350-C)

- * The Senate modifies the Executive Budget request of \$102.8 million, and provides \$141.2 million. This increase represents the Bridge Bill move of non-capital expenses out of the Dedicated Highway and .SO DOC S R4036 RESO TEXT 2013 Bridge Trust fund, and into State Operations. This will be funded by denying a portion of the General Fund sweep to the Dedicated Highway and Bridge Trust Fund.

Article VII Proposals (S6357-C)

- * PART D: The Senate concurs with the Executive's proposal to make permanent the authorization of DMV State offices to hold Saturday hours.
- * PART E: The Senate concurs with the Executive's proposal to make permanent the authorization for DMV to provide the Accident Prevention Course Internet Program.
- * PART F: The Senate denies without prejudice the Executive's proposal to modify the State's Federal Compliance guidelines for Commercial Drivers License holders. The State is currently in Federal compliance.
- * PART CC: The Senate proposes language to change the definition of All Terrain Vehicle, to include larger vehicles.
- * PART NN: The Senate proposes language to provide a ten percent discount on senior drivers licenses.

Article VII Proposals (S.6355B)

- * PART GG: The Senate proposes language to Establish annual written reporting requirements and prevent transfers to the General Fund from the following specialty license plate funds:
 - o Breast Cancer Research and Education Fund
 - o Prostate Cancer Research, Detection and Education Fund;
 - o Drive Out Diabetes Research and Education Fund;
 - o "Keep Kids Drug Free" License Plate Fund; and the
 - o Multiple Sclerosis Research Fund.

NATIONAL AND COMMUNITY SERVICE

State Operations (S.6350-C)

- * The Senate concurs with the Executive's All Funds Recommendation of \$30.33 million.

Aid to Localities (S.6353-C)

- * The Senate concurs with the Executive's All Funds Recommendation of \$350,000.

OLYMPIC REGIONAL DEVELOPMENT AUTHORITY

State Operations (S.6350-C)

- * The Senate concurs with the Executive recommendation of funding support for the Olympic Regional Development Authority at \$4,318,000.

Capital Projects (S.6354-C)

- * The Senate concurs with the Executive recommendation of \$6,900,000 for infrastructure and preventive maintenance projects.

PARKS, RECREATION AND HISTORIC PRESERVATION, OFFICE OF

State Operations (S.6350-C)

- * The Senate concurs with the Executive recommendation of \$224,768,500.

Aid to Localities (S.6353-C)

- * The Senate concurs with the Executive recommendation of \$12,225,000 with the following modification.
 - o Provides \$500,000 to fund priority projects; and
 - o Provides \$1,000,000 for snowmobile maintenance.

Capital Projects (S.6354-C)

- * The Senate denies the \$90.0 million of NY Works Capital funding under the Department of Parks, Recreation, and Historic Preservation as there is no project list associated with this increased capital request.
- * The Senate proposes an additional \$5 million for various parks and historic sites.

PREVENTION OF DOMESTIC VIOLENCE, OFFICE OF

State Operations (S.6350-C)

- * The Senate concurs with the Executive recommendation of \$3.7 million.

Aid to Localities (S.6353-C)

- * The Senate concurs with the Executive recommendation of \$1.2 million.

POWER AUTHORITY ASSET TRANSFER

State Operations (S.6350-C)

- * The Senate concurs with the Executive's recommendation.
- * The Senate resolves to explore the cost benefits of expanding renewable energy and energy efficiency programs and providing subsidies for reducing rate electricity costs to all elementary and secondary school facilities statewide.

PUBLIC ETHICS, JOINT COMMISSION ON

State Operations (S.6350-C)

- * The Senate concurs the Executive proposal to provide \$4.3 million to the Joint Commission on Public Ethics.

PUBLIC EMPLOYMENT RELATIONS BOARD

State Operations (S.6350-C)

- * The Senate concurs with the Executive recommendation of \$3,984,000.

PUBLIC SERVICE

State Operations (S.6350-C)

- * The Senate concurs with the Executive recommendation of \$83,566,000.

Aid to Localities (S.6353-C)

- * The Senate concurs with the Executive recommendation of \$5,750,000.

Article VII Proposals (S.6357-C)

- * PART R: The Senate concurs with the Executive's proposal to maintain oversight but reduce regulatory burdens on the telecommunications industries rate and service filings, municipality and cable-TV franchises, and shared meters abuses.
- * PART S: The Senate concurs with the Executive's proposal to eliminate the 18-a temporary surcharge for industrial customers and accelerate the phase-out of the surcharge for all other ratepayers.
- * PART Q: The Senate concurs with the Executive's proposal to transfer \$454,000 from the assessments collected by the Department of Public Service from cable television companies to the Department of Health to fund their public service education programs.
- * PART II: The Senate advances language to establish a Northern New York Power Proceeds Allocation Board, similar to the Western New York Power Proceeds Allocation Board adopted in the SFY 2013 budget, to allow unallocated power from the FDR hydropower facility in Massena to be monetized and used for economic development purposes within the local region.
- * PART YY: The Senate proposes language to request that the Long Island Power Authority enter into no power purchase agreements with any new base load generating facility until every reasonable attempt has been made to have repowered sites serve Long Island's energy needs, and that financials for all proposed facilities be made available to the Senate and the Assembly so the Legislature can perform its Constitutionally charged responsibilities.
- * PART ZZ: The Senate adds language to direct the Public Service Commission to undertake a comprehensive examination of telecommunication services to underserved areas in New York State.

RESERVE FOR FEDERAL AUDIT DISALLOWANCES

State Operations (S.6350-C)

- * The Senate concurs with the Executive recommendation of 500,000,000.

RACING REFORM PROGRAM

State Operations (S.6350-C)

- * The Senate concurs with the Executive's proposed \$2,300,000 reappropriated funding level.

STATE, DEPARTMENT OF

State Operations (S6350-C)

- * The Senate concurs with the Executive proposal to provide \$68.2 million. The Senate however denies appropriation language to allow for the denial of e-license renewals for those with a fixed and final tax liability of \$10,000 or greater.

Aid to Localities (S6353-C)

- * The Senate modifies the Executive proposal of \$65.3 million, and provides \$67.4 million. This \$2.1 million will be used for preparing, printing, and providing local governments with uniform code enhancement books.

Article VII Proposals (S6357-C)

- * PART N: The Senate concurs with the Executive's proposal to extend for one year the authority of the Secretary of State to cover State costs of providing expedited documents.
- * PART O: The Senate concurs with the Executive's proposal to allow DOS to electronically transmit documents to County Clerks.
- * PART P: The Senate concurs with the Executive's proposal to bring the State into Federal compliance regarding real estate appraisers.

The Senate will consider whether consumer advocacy efforts in the State of New York merits the creation of an independent consumer advocate to ensure that utilities furnish safe and adequate service at just and reasonable rates.

STATE POLICE, DIVISION OF

State Operations (S.6350-C)

- * The Senate concurs with the Executive recommendation of \$675 million, except as follows:
 - o Provides \$8 million for costs associated with a new recruitment class of troopers.
 - o Provides \$25 million for costs associated with investigations at corporate casinos, from the Commercial Gaming Revenue Account.

Capital Projects (S.6354-C)

- * The Senate concurs with the Executive recommendation of \$16 million, except as follows:
 - o The Senate denies \$10 million in capital funding related to the development of the New York Cloud Initiative.

Article VII Proposals (S.6355-C)

- * PART A: The Senate modifies the Executive proposal by making permanent lifetime revocation of licenses on account of drunk driving prospective from the effective date, and providing DMV discretion in approving conditional licenses for persons with revoked licenses if certain criteria are met.
.SO DOC S R4036 RESO TEXT 2013
- * PART B: The Senate concurs with the Executive proposal to increase license sanctions and fines for texting and mobile phone violations committed by persons under the age of 21.
- * Parts BB and CC: The Senate advances language to allow the Division of State Police to perform investigatory services at corporate casinos.

STATEWIDE FINANCIAL SYSTEM

State Operations (S.6350-C)

- * The Senate concurs with the Executive recommendation of \$29,700,000.

STATE UNIVERSITY OF NEW YORK (SUNY)

State Operations (S.6350-C)

- * The Senate modifies the Executive's recommendation as follows:

- o Restores \$994,160 for the ATTAIN lab program;
- o Restores \$333,000 for the Stony Brook Marine Animal Disease Laboratory;
- o Restores \$18.5 million for SUNY Upstate and Stony Brook hospitals;
- o Provides \$20.6 million for contractual salary increases.
- o Provides \$632,400 for EOP programs.
- o Eliminates \$1,000,000 from the SUNY Stabilization Fund.

Aid to Localities (S.6353-C)

- * The Senate modifies the Executive recommendation for Aid to Localities as follows:
 - o Provides \$28 million for increased community college base aid;
 - o Provides \$16.1 million for a new community college workforce development initiative;
 - o Provides \$5.8 million to reimburse counties for chargeback costs to the Fashion Institute of Technology;
 - o Provides \$1 million for the Harvest NY program at Cornell
 - o Restores \$653,000 for childcare centers;
 - o Restores \$1.7 million for the Accelerated Study in Associate Programs.

Capital Projects (S.6354-C)

- * The Senate modifies the Executive's recommendation as follows:
 - o Provides an additional \$1.2 billion for strategic initiatives on four-year campuses and the SUNY hospitals.
 - o Provides an additional \$73.5 million for strategic initiative projects on community college campuses.

Article VII Proposals (S.6357-C)

- * PART P: The Senate advances language to delay implementation of a new Community College chargeback formula for one year, develop a new formula, and provide for a reimbursement to counties for chargebacks of upper division courses at the Fashion Institute of Technology.
- * PART Q: The Senate advances language to create firewall between the individual accounts of the three SUNY hospital systems and the central SUNY system.
- * PART R: The Senate advances language to extend maintenance of effort support to SUNY Health Science Centers and include collectively bargained salary increases within maintenance of effort provisions.
- * PART S: The Senate advances language requiring SUNY to report on economic development activities.
- * PART T: The Senate advances language to study University Center autonomy.
- * PART Y: The Senate advances language to develop additional workforce development opportunities to target unemployed populations.
- * PART Z: The Senate advances language to work in conjunction with SUNY to develop an accelerated proficiency degree.

Miscellaneous Items

Article VII Proposals (S.6357-C)

- * PART D: The Senate modifies the Executive proposal to limit participating nurse practitioners to those in the areas of primary care, mental health, and women's health.
- * PART H: The Senate accepts the Executive proposal to extend the HECap program for three years.
- * The Senate expresses support for the expansion of tax credits for graduate level students.

TAX APPEALS

State Operations (S.6350-C)

- * The Senate concurs with the Executive's proposed appropriation level of \$3,121,000.

TAXATION AND FINANCE

State Operations (S.6350-C)

- * The Senate concurs with the Executive's proposed appropriation level \$464,074,400.

Aid To Localities (S.6253-C)

- * The Senate concurs with the Executive's proposed appropriation level of \$926,000.

TEMPORARY AND DISABILITY ASSISTANCE

.SO DOC S R4036

RESO TEXT

2013

State Operations (S.6350-C)

- * The Senate modifies the Executive's All Funds Recommendation of \$398.5 million as follows:
 - o Removes appropriation language within the Administrative Hearings Program that would reduce by 70 percent of the non-federal share of personal service and nonpersonal service costs of fair hearings operations for each of those local social services districts that do not meet criteria related to the fair hearings process as determined by office of temporary and disability assistance.

Aid To Localities (S.6353-C)

- * The Senate modifies the Executive's All Funds recommendation of \$5.02 billion as follows:
 - o \$9 million to meet the standard of need for eligible recipients of a 30 percent of income rent cap for people on public assistance and living with HIV/AIDS in social services districts within New York City. The Senate provides language to expand provision to include certain other chronic diseases.
- * The Senate restores or adds funding to the following General Fund programs:
 - o \$870,000 for the Disability Advocacy Program;
 - o \$250,000 for English as a Second Language and Adult Basic Education program;
 - o \$80,000 for Legal Services for the Elderly or Disadvantaged of Western NY;
 - o \$3.9 million for Homeless Housing and Preventive Services;
 - o \$3 million for the Youth Build program;
 - o \$2 million for additional funding for Food Banks;
 - o \$1 million for local community services programs; and
 - o \$1 million for Women's Initiatives.
- * The Senate restores or adds funding for the following TANF programs:
 - o \$1 million for ACCESS - Welfare to Careers;
 - o \$3 million for non-residential domestic violence programs;
 - o \$4 million for Nurse Family Partnership; and
 - o \$950,000 for Wage Subsidy.

Capital Projects (S.6354-C)

- * The Senate concurs with the Executive's All Funds Recommendation of \$63 million.

Article VII Proposals (S.6356-C)

- * PART I: The Senate accepts the Executive's proposal to authorize the Supplemental SSI Federal COLA pass-through.
- * PART J: The Senate modifies the Executive's proposal which prohibits electronic benefit transfers of public assistance benefits at automated teller machines or point-of-sale terminals in liquor stores, casinos, gaming establishments, and adult-oriented entertainment venues by substituting Senate Bill 966, which is known as the "Public Assistance Integrity Act". This part prohibits the sale or purchase of alcoholic beverages, tobacco products or lottery tickets with public assistance benefits and prohibit use of or access to such benefits in a casino, liquor store or adult entertainment facility; and to establish a public assistance integrity fund.
- * PART M: The Senate modifies the Executive proposal to provide a rent cap for persons living with clinical/symptomatic HIV illness or AIDS in social service districts with a population of five million as follows:
 - o Establishes that individuals with certain chronic diseases be included in the population which would not be required to pay more than 30 percent of their earned and/or unearned income toward the cost of rent;
 - o Establishes that the Office of Temporary and Disability Assistance, in consultation with the department of health, promulgate regulations specifying such qualifying chronic diseases;
 - o Establishes that the provisions of this proposal will expire and be deemed repealed December 31, 2019.

THRUWAY AUTHORITY

Capital Projects (S6354-C)

- * The Senate concurs with the Executive proposal to provide \$2 million.

State Operations (S6350-C)

- * The Senate concurs with the Executive proposal to provide \$24 million.

Article VII Proposal (S6357-C)

- * PART B: The Senate denies without prejudice an extension of Design Build.
- * PART G: The Senate modifies the Executive's proposal on increasing penalties for toll evasion by rejecting making such violations a misdemeanor, and by directing half of the collected revenue to be deposited into the Dedicated Highway and Bridge Trust Fund.

TRANSPORTATION, DEPARTMENT OF

Capital Projects (S6354-C)

- * The Senate modifies the Executive Budget request of \$5.1 billion, and provides \$4.7 billion. This is not an actual decrease, as these expenses will be moved into State Operations, to restore the Dedicated highway and Bridge Fund as a Capital account.
- * The Senate commits to using the \$25 million capital reserve to allocate \$10 million to freight, \$10 million to aviation, and \$5 million to transit capital.
- * The Senate proposes \$2 million in appropriation authority to fully reopen six rest stops throughout the State.
- * The Senate remains committed to increasing funding for the Consol-

icated Highway Improvement Program (CHIPS), should funds become available.

- * The Senate remains committed to allowing local governments more flexibility in addressing both preservation needs, as well as other capital construction.
- * The Senate advances a proposal to direct DOT to allocate \$3 million to begin an environmental study needed to build a new ramp that would directly connect the Sheridan Expressway with the Hunts Point Market, should funding become available.

State Operations (S6350-C)

- * The Senate modifies the Executive Budget request of \$33.1 million, and provides \$418 million. This increase represents the Bridge Bill move of non-capital expenses out of the Dedicated Highway and Bridge Trust fund, and into State Operations, as well as the restoration of two non-capital SRO's. This will be funded by denying a portion of the General Fund sweep to the Dedicated Highway and Bridge Trust Fund.

Aid to Localities (S6353-C)

- * The Senate modifies the Executive Budget request of \$5.007 billion, and provides \$5.01 billion. This additional \$3 million in upstate transit operating aid, and an additional \$1 million in operating aid to the Niagara Frontier Transportation Authority.
- * The Senate denies the sweep of \$40 million from the Metropolitan Mass Transportation Operating Assistance (MMTOA) to the General Fund to pay MTA service contract bonds.

Article VII Proposals (S6357-C)

- * PART A: The Senate concurs with the Executive's proposal to move CHIPS and Marchiselli on budget.
- * PART C: The Senate denies the Executive proposal to move \$16 million in non-capital expenses into the Dedicated Highway and Bridge Trust Fund.
- * PART BB: The Senate proposes language to provide additional operating aid to the upstate transit providers.
- * PART EE: The Senate proposes language to create the St. Lawrence Wine Trail.
- * PART GG: The Senate proposes language to fully reopen six rest stops throughout the State.
- * PART HH: The Senate proposes language to direct the release of 2005 Bond Act funds.
- * PART FF: The Senate proposes language to phase out non-capital expenses from the Dedicated Highway and Bridge Trust Fund (The Bridge Bill). These expenses do not increase actual State operating spending because in prior years, General Fund revenues were being used to pay for these costs within the Dedicated Highway and Bridge Trust Fund.
- * PART AAA: The Senate advances language to allow non-divisible load vehicles to obtain one uniform permit instead of the current two required when traveling on one route between Westchester County and Nassau County.
- * The Senate shall explore providing toll relief to commuters in Westchester and Rockland that traverse the Tappan Zee Bridge through a tax credit.

TRIBAL STATE COMPACT

Aid To Localities (S6253-C)

- * The Senate accepts the Executive's proposed appropriation level of \$111,400,000.

VETERANS' AFFAIRS

State Operations (S.6350-C)

- * The Senate concurs with the Executive's All Funds Recommendation of \$8.48 million with the following modification:
 - o Denies \$246,000 for disparity study to examine the equity in state contracting for service-disabled veteran small business owners.

Aid To Localities (S.6353-C)

- * The Senate modifies the Executive's All Funds recommendation of \$9.1 million, as follows:
 - o \$25,000 for the Vietnam Veterans of America;
 - o \$50,000 for the Buffalo Veterans Service Organization;
 - o \$75,000 for the New York City Veterans Service Organization;
 - o \$250,000 for the Syracuse University Veterans' Legal Clinic;
 - o \$200,000 for the Warrior Salute program; and
 - o \$500,000 for local veterans community services programs.

VICTIM SERVICES, OFFICE OF

State Operations (S.6350-C)

- * The Senate concurs with the Executive recommendation of \$9.5 million.

Aid to Localities (S.6353-C)

- * The Senate concurs with the Executive recommendation of \$66 million.

WELFARE INSPECTOR GENERAL

State Operations (S.6350-C)

- * The Senate concurs with the Executive's All Funds recommendation of \$1.16 million.

WORKERS' COMPENSATION BOARD

.SO DOC S R4036

RESO TEXT

2013

State Operations (S.6350-C)

- * The Senate concurs with the Executive recommendation of \$187,237,000.

Article VII Proposal (S.6356-C)

- * PART MM. The Senate advances language to establish a Paid Family Leave benefit, which will provide new parents, and individuals caring for a seriously ill relative, with a weekly benefit while on a work leave so they can affordably care for their family and to ensure that the State will not impose such costs on employers or the employees.

WORKERS' COMPENSATION RESERVE

State Operations (S.6350-C)

- * The Senate concurs with the Executive recommendation of \$13,210,000.

Article VII Proposal (S.6356-C)

- * PART MM: The Senate proposes Language to establish a Paid Family Leave benefit, which will provide new parents, and individuals

caring for a seriously ill relative, with a weekly benefit while on a work leave so they can affordably care for their family and to ensure that the State will not impose such costs on employers or the employees.

MISCELLANEOUS ITEMS

State Operations (S6350-C)

- * The Senate concurs with the Executive Budget request \$1 million for the New York Works Task Force.

Aid to Localities (S.6353-C)

- * The Senate concurs with the Executive recommendation of \$170,000,000 for Payment to the City of New York.
- * The Senate modifies the Executive's All Funds recommendation by providing \$23 million for Pay for Success Initiatives.
- * The Senate includes \$300,000 for the Rockland Bergen Bi-State River Taskforce.

Article VII Proposal (S. 6355-C)

- * The Senate advances language to create the Rockland Bergen Bi-State River Commission. New York and New Jersey will jointly identify and remediate potential flood hazards within an identified regional area.

REVENUE

Article VII Proposal (S.6359-C)

- * PART A: The Senate modifies the Executive proposal to merge the bank tax and the corporate franchise tax. In addition, the Senate takes the position that corporate tax reform for the financial industry should be revenue neutral to taxpayers and the State.
- * PART B: The Senate concurs with the Executive proposal to allow direct payment of STAR tax savings in certain cases.
- * PART C: The Senate concurs with the Executive proposal to extend fees for the establishment of oil and gas unit of production values.
- * PART D: The Senate denies the Executive proposal to increase the racing regulatory fee from 0.0005 percent to 0.0006 percent.
- * PART E: The Senate concurs with the Executive proposal to modify signature requirements on e-filed returns prepared by tax professionals.
- * PART F: The Senate denies the Executive proposal to eliminate the income threshold inflation adjustment for enhanced STAR benefits.
- * PART G: The Senate concurs with the Executive proposal to extend the noncustodial parent earned income tax credit for two years.
- * PART H: The Senate modifies the Executive proposal to mandate for professional and business licenses electronic tax clearance upon application or renewal to increase the threshold from \$500 to \$10,000.
- * PART I: The Senate modifies the Executive proposal to close the resident trust loophole.
- * PART J: The Senate concurs with the Executive proposal to repeal the additional minimum personal income tax.
- * PART K: The Senate denies the Executive proposal to create an enhanced real property tax circuit breaker credit.
- * PART L: The Senate denies the Executive proposal to establish a renters personal income tax credit.
- * PART M: The Senate modifies the Executive proposal to modify delivery of the family tax relief credit after tax year 2014 by allowing credit for one year only and repurposing funds for other tax relief.

- * PART N: The Senate concurs with the Executive proposal to increase the personal income tax filing threshold to reduce the number of taxpayers who need to file personal income tax returns.
 - * PART O: The Senate modifies the Executive proposal to extend the empire state commercial production tax credit for two years by making it easier to access the regional pools outside the MTA region.
 - * PART P: The Senate concurs with the Executive proposal to expand the low income housing credit.
 - * PART Q: The Senate modifies the Executive proposal to extend and reform the Brownfield cleanup program.
 - * PART R: The Senate modifies the Executive proposal to: establish a 20 percent real property tax credit for manufacturers; amend the elimination of the net income tax on upstate manufacturers to apply statewide; reform the investment tax credit by repealing the financial services investment tax credit; deny the change in definition of manufacturer and retain the current definition.
 - * PART S: The Senate denies without prejudice the Executive proposals to repeal the franchise tax on agriculture cooperatives.
- .SO DOC S R4036 RESO TEXT 2013
- * PART T: The Senate concurs with the Executive proposal to provide a refundable credit for the excise tax on telecommunication services paid by START-UP NY companies.
 - * PART U: The Senate concurs with the Executive proposal to enhance the youth works tax credit.
 - * PART V: The Senate concurs with the Executive proposal to extend the alternative fuels tax exemptions for two years.
 - * PART W: The Senate concurs with the Executive proposal to simplify the distribution of motor vehicle fee receipts.
 - * PART X: The Senate modifies the Executive proposal to do comprehensive estate tax reform to eliminate the add back of federally taxable gifts.
 - * PART Y: The Senate denies the Executive proposal to repeal the boxing and wrestling exhibitions tax.
 - * PART Z: The Senate concurs with the Executive proposal to extend Monticello raceway video lottery terminal rates for one year.
 - * PART AA: The Senate concurs with the Executive proposal to extend certain tax rates and certain simulcasting provisions for one year.
 - * PART BB: The Senate modifies the Executive proposal to extend the vendor capital award program for one year by including Monticello-Concord preferential tax rate.
 - * PART CC: The Senate concurs with the Executive proposal to repeal the stock transfer tax.
 - * PART DD: The Senate concurs with the Executive proposal to align mobility and personal income tax filings for the self-employed.
 - * PART EE: The Senate concurs with the Executive proposal to make technical amendments to the commercial gaming law.
 - * PART FF: The Senate modifies the Executive proposal to create a \$1.4 billion Freeze Plus program that freezes property taxes for two years by making the property tax relief permanent. Schools will be eligible for this program in SFY 2014-15 while counties, cities, towns and villages will be eligible in SFY 2015-16. This makes all municipalities and schools eligible in their next fiscal year. Schools will receive \$400 million in the first year, growing to \$800 million thereafter. Municipalities will receive \$200 million in their first year, and \$400 million thereafter. In order for homeowners in their jurisdiction to receive the property tax relief in year two of the plan, school districts and local governments must continue to stay within the tax cap and must work towards continuing effi-

ciencies previously adopted with new efficiency plans that may include consolidation and shared services. Municipalities and school districts will develop and implement structural budgetary efficiency plans for sharing or consolidating services that, when implemented, will achieve real savings for taxpayers. Local Governments with 50 employees or less will also be authorized to join municipal cooperative health benefit plans as a tool to achieve savings.

- * PART GG: The Senate modifies the Executive proposal concerning the extension of various credits and tax abatement programs provided by the City of New York.
- * PART HH: The Senate advances language to enact a two percent spending cap with the resulting surplus revenues deposited into a tax freedom fund to be used for tax reductions.
- * PART II: The Senate advances language to provide an optional simple personal income tax calculation.
- * PART JJ: The Senate advances language to permanently index the income brackets and standard deductions to inflation.
- * PART KK: The Senate advances language to adopt an Angel Investment Tax Credit to increase access to investments for small business.
- * PART LL: Intentionally Omitted.
- * PART MM: The Senate advances language to extend the E911 surcharge to prepaid phones.
- * PART NN: The Senate advances language to amend the rules concerning the prepayment of sales tax on motor fuels.
- * PART OO: The Senate advances language to exempt municipalities from the Metropolitan Commuter Transportation mobility Tax.
- * PART PP: The Senate advances language to increase the Historic Preservation Tax Credit Cap.
- * PART QQ: The Senate advances language to cap appeal bonds of a judgment at \$250 million for Master Settlement Agreement (MSA) signatories and affiliates in order to protect MSA payments being made to the State.
- * PART RR: The Senate advances language to eliminate the sales tax on transportation (Limousines & Black Cars).
- * PART SS: The Senate advances language to increase sales tax exemption for food from vending machines from seventy-five cents to one dollar and fifty cents.
- * PART TT: The Senate advances language to create a Musical & Theatrical Production Tax Credit.
- * PART UU: The Senate advances language to create a 30 percent credit for the rehabilitation of distressed commercial properties.
- * PART VV: The Senate advances language to allow mixed martial arts in the state of New York.
- * PART WW: The Senate advances language to create a 20% asbestos remediation credit.
- * PART XX: The Senate advances language to exempt the sale of private aircraft from sales tax. In addition, the Senate supports advancement of a proposal to maintain the vitality of New York's recreational boating industry by adjusting the sales taxes imposed on an individual or company looking to purchase and register a vessel in New York.
- * PART YY: The Senate advances language to increase the credit for ethanol production from 15 cents to 25 cents if it is cellulosic ethanol that is produced.
- * PART ZZ: The Senate advances language to create a 25 percent natural resources improvement credit for farmlands and forestlands.
- * PART AAA: The Senate advances language to provide a personal income tax deduction for deposits to a farm reserve account.

- * PART BBB: The Senate advances language to eliminate Dark Day/Maintenance of Effort payments for OTBs; lessen the mileage of consent for OTBs; transfer overcapitalized capital acquisition fund money to the counties; let OTBs retain uncashed tickets; and make a technical correction that specifies a multijurisdictional account wagering provider, that has entered into a joint venture agreement with a New York based track or OTB, is still required to pay the same commission as multi-jurisdictional account wagering provider.
- * PART CCC: The Senate advances language to allow VLT Facilities the ability to operate up to 6 a.m., but no more than twenty hours per day; to increase the free play percentage from 10 to 15 percent; and increase the amount of Video Lottery Terminals allowed at Nassau and Suffolk OTB from 1,000 to 2,000 VLTs.
- * PART DDD: The Senate advances language to increase the marketing allowance from 10 percent to 12.5 percent for Video Lottery Gaming Facility located within a zone of Native American exclusivity.
- * PART EEE: The Senate advances language to increase the commission paid to Video Lottery Gaming Facility operators that are located within a zone of Native American exclusivity.
- * PART FFF: The Senate advances language to direct a portion of Franchise Corporation racing support payments derived from VLTs to Jockey Health Insurance & Pension, and to the Fan Advisory Board.
- * PART GGG: The Senate advances language to amend the racing, pari-mutuel wagering and breeding law to require a franchise corporation to

share a portion of its revenues with a regional off track betting corporation.

- * PART HHH: The Senate advances language to allow VLTs at International Airport Departure Terminals located within a city of one million or more.
- * PART III: The Senate advances language to make the low income tax credit refundable.
- * PART JJJ: The Senate advances language to authorize a tax credit for contributions made to education entities.
- * PART KKK: The Senate advances language to authorize credits for employers that hire the developmentally disabled.
- * PART LLL: The Senate advances language to authorize the Division of Lottery to sell advertising on the game of Quick Draw and on lottery tickets.
- * PART MMM: The Senate advances language to fix an ambiguity in the empire zones credit provisions.
- * PART NNN: The Senate advances language to authorize a tax credit for the installation of green roofs.
- * PART OOO: The Senate advances language to allow recent college graduates to place up to \$5,000 of their personal income tax liability into an account to be used later for the down payment on a house.
- * PART PPP: The Senate advances language to authorize a personal income tax check-off for the mental illness anti-stigma fund.
- * PART QQQ: The Senate advances language to include reporting requirements on disbursements made from the Alzheimer's and prostate cancer check-off funds.
- * PART RRR: The Senate advances language to create a tax credit for businesses which provide qualified transportation fringe benefits to their employees.
- * PART SSS: The Senate advances language to change the reimbursement to libraries for MTA payroll mobility taxes paid to an exemption.
- * PART TTT: The Senate advances language to establish a tax credit for the sale of farmland to young farmers.
- * PART UUU: The Senate advances language to double the tuition tax credit and create a new Stay in New York tax credit of up to \$3,000

for recent college graduates.

- * PART VVV: The Senate advances language to exempt school buses, including parts, equipment, lubricants and fuel purchased and used in their operation from sales tax.
- * PART WWW: The Senate advances language to create a Digital Game Summit and competition and to authorize a digital game development tax credit.
- * PART XXX: The Senate advances language to provide additional tax credits to businesses located in New York State business incubators.
- * PART YYY: The Senate advances language to provide a credit for the construction of middle income housing.
- * The Senate supports authorizing the reopening of New York City Off Track Betting Corporation in order to capture lost handle.
- * The Senate advances language to clarify the tax treatment of length of service awards for volunteer firefighters and ambulance workers over the age of fifty-nine and one half years.