

2015-R950

RESOLUTION in response to the 2015-2016 Executive Budget submission (Legislative Bills S2000, S2003, S2004, S2005, S2006, S2007, S2008, S2009 and S2010) to be adopted as legislation expressing the position of the New York State Senate relating to the 2015-2016 New York State Budget et

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 2015-2016 Executive Budget submission and has recommended proposed amendments to such Budget submission in the above referenced Legislative Bills and Report on the 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 2015-2016 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 2015-2016 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 2015-2016 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 2015-2016 Executive Budget submission bills as amended by the Senate in the above referenced legislative bills, does hereby provide its recommendations as to provisions in the Governor's 2015-2016 Executive Budget submission which reflect those items the Senate is constrained from effectuating as amendments to the 2015-2016 Executive Budget appended hereto; and WHEREAS, It is the intent of the Legislature that upon the passage of the Governor's 2015-2016 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 (S4200, S4203, S4204, S4205, S4206, S4207, S4208, S4209 and S4210) be and are incorporated as part of this resolution and are hereby adopted as the New York State Legislature's budget proposal for the 2015-2016 New York State

Budget.

REPORT ON THE AMENDED EXECUTIVE BUDGET

ALL STATE AGENCIES AND OPERATIONS

ADIRONDACK PARK AGENCY

State Operations (S.4200)

The Senate concurs with the Executive recommendation of \$5.3 million.

AGING, OFFICE FOR THE

State Operations (S.4200)

The Senate concurs with the Executive recommendation of \$11.4 million.

Aid to Localities (S.4203)

The Senate modifies the Executive recommendation for Aid to Localities as follows:

Restores \$200,000 for the Lifespan Elder Abuse Prevention Program;

Provides additional funding as follows:

\$2.5 million for the Community Services for the Elderly Program;

\$690,000 for the Long-Term Care Ombudsman Program;

\$250,000 for the Naturally Occurring Retiring Communities (NORC); and

\$250,000 for the Neighborhood NORCs.

Provides \$1 million for Elderly Wellness Initiatives.

Article VII Proposals (S.4207)

PART N - The Senate denies, without prejudice, the Executive proposal to require the Director to consult with stakeholders on the creation of an Office for Community Living.

AGRICULTURE AND MARKETS, DEPARTMENT OF

State Operations (S.4200)

The Senate concurs with the Executive recommendation of \$120 million.

Aid to Localities (S.4203)

The Senate amends the Executive recommendation for Aid to Localities as follows:

Restores:

\$544,000 for the Apple Growers Association;

\$500,000 for the Apple Research and Development Board;
\$320,000 for the Berry Growers Association;
\$75,000 for the Corn and Soybean Growers Association;
\$1 million for the Cornell Diagnostic Lab;
\$220,000 for Dairy Profit Teams at Farm Viability;
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\$175,000 for the Eastern Equine Encephalitis program;
\$160,000 for Hops and Barley Research at Cornell;
\$100,000 for the Genesee Agriculture Academy;
\$100,000 for Grown on Long Island;
\$20,000 for Island Harvest;
\$160,000 for Local Fair Assistance;
\$25,000 for the Low-Cost Vaccine Program;
\$600,000 for the Northern NY Agriculture Development Program;
\$460,000 for Rabies programs at Cornell;
\$100,000 for the Vegetable Growers Association;
\$287,000 for the Wine and Grape Foundation; and
\$100,000 for the Wood Products Council.

Provides an additional:

\$125,000 for Christmas Tree Growers.
\$300,000 for Cornell Farm Apprentice Program;
\$450,000 for Cornell Small Farms OneStop Program
\$200,000 for Deer Fence Matching Grants;

\$1 million for Farm Bank program;
\$2.5 million for Farm-to-School reimbursement;
\$1.8 million for Farm-to-Seniors assistance;
\$1.5 million for the Farm Viability Institute;
\$416,000 for FarmNet;
\$1 million for Grown in NY;
\$75,000 for Honeybee research at Cornell;
\$125,000 for Cornell Maple Research;

\$700,000 for Future Farmers of America;
\$200,000 for the Maple Producers Association;
\$75,000 for the Onion Growers Association;
\$100,000 for Precision Agriculture Studies;
\$1.75 million for regional food hubs;
\$250,000 for Thruway toll reimbursement;
\$200,000 for the Tractor Rollover Prevention program;
\$175,000 for the Turfgrass Association; and
\$1 million for the Young Farmer Revolving Loan fund.

Capital Projects (S.4204)

The Senate concurs with the Executive recommendation of \$5.5 million.

Article VII Proposals (S.4208)

PART V - The Senate amends the Executive's proposal, and also exempts distributors of 100 tons or less of feed from registration fees.

PART LL - The Senate advances language to provide exemptions for farmers transporting locally grown produce to NYC.

PART MM - The Senate advances language creating a revolving loan fund for beginning farmers to access no-interest capital loans.

PART NN - The Senate advances language allowing farmers to access unused state property.

PART OO - The Senate advances language to create new farmer apprenticeship program in conjunction with BOCES.

PART BBB - The Senate advances language to establish a Grown in NY branding program to promote New York-grown products.

ALCOHOLIC BEVERAGE CONTROL BOARD

State Operations (S.4200)

The Senate concurs with the Executive appropriation level of \$18.07 million. This represent no change from SFY 2014-15.

ALCOHOLISM AND SUBSTANCE ABUSE SERVICES, OFFICE OF

State Operations (S.4200)

The Senate concurs with the Executive recommendation of \$115.3 million, with the following modification: The Senate provides \$920,000 related

to proposed downsizing of State-operated Addiction Treatment Centers.

Aid to Localities (S.4203)

The Senate concurs with the Executive recommendation of \$471.7 million, with the following modification:

The Senate denies \$920,000 related to the proposed downsizing of State-operated Addiction Treatment Centers.

Capital Projects (S.4204)

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

Article VII Proposals (S.4207)

The Senate advances legislation in relation to providing for the use of opioid antagonists in schools.

AUDIT AND CONTROL, DEPARTMENT OF

State Operations (S.4200)

The Senate modifies the Executive's recommendation of \$275.7 million as follows:

Increases Special Revenue Funds appropriation authority by \$513,000 for the New York Environmental Protection and Spill Compensation Adminis-

tration Program to restore administrative responsibility with the Department; and

Increases Internal Service Funds appropriation authority by \$8.2 million to allow the Department to better align spending and partially mitigate a budget deficit. This change in appropriation authority requires no increase in General Fund resources.

Aid to Localities (S.4203)

The Senate concurs with the Executive recommendation of \$32 million.

BUDGET, DIVISION OF THE

State Operations (S.4200)

The Senate:

Denies the Executive's recommendation to include Lean Certification Bonuses Authority language.

Modifies the Executive recommendation for State Operations as follows:

Restores \$10,000 for fees for the National Conference of Insurance

Legislators;

Restores \$469,000 for fees for the Council of State Governments; and

Provides \$81,000 for fees for the National Conference of State Legislatures.

The Senate supports requiring the Division to play a larger role in ensuring regulations imposed by agencies do not impose excessive fiscal impacts on state businesses.

CHILDREN AND FAMILY SERVICES

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State Operations (S.4200)

The Senate concurs with the Executive's All Funds Recommendation of \$478.75 million.

Aid To Localities (S.4203)

The Senate restores funding to the following General Fund programs:

\$2.57 million for Child Advocacy Centers;

\$1.3 million for Youth Development programs;

\$254,500 for Runaway and Homeless Youth Act programs;

\$3 million for Safe Harbor Sexually Exploited Youth programs;

\$35,000 for Helen Keller - CORE Program; and

\$75,000 for National Federation for the Blind - Newsline.

The Senate restores and increases funding for the following programs:

\$1.239 million for 211 and adds an additional \$12,050;

\$1.75 million for Community Reinvestment programs and adds an additional \$3.25 million;

\$750,000 for the NYS Alliance of Boys and Girls Clubs and adds an additional \$250,000; and

\$80,000 for Legal Services for the Elderly and Disadvantaged of Western NY and adds an additional \$40,000;

The Senate adds funding to the following programs:

\$1 million for the Alliance of NYS YMCAs; and

\$20 million for child care subsidies;

The Senate denies without prejudice the Executive's recommended increase of \$5.4 million in detention capital reimbursement related to raising the age of juvenile jurisdiction.

Capital Projects (S.4204)

The Senate modifies the Executive's All Funds Recommendation of \$147.7 million as follows:

Denies without prejudice the Executive's proposal to create a new \$110 million capital program related to raising the age of juvenile jurisdiction.

Article VII Proposals (S.4206)

PART J - The Senate denies without prejudice the Executive's proposal to raise the age of juvenile jurisdiction and reform the juvenile justice system. The Senate is concerned about the lack of specific details on

how the proposal would be implemented and the impact it would have on local social services districts, probation departments, and the court system. The Senate will carefully consider any additional information presented.

PART K - The Senate accepts the Executive's proposal to limit adoption assistance payments for the private adoption of children with special needs to only those adoptive parents who reside in the State at the time of their application, consistent with Federal child welfare policy.

PART L - The Senate accepts the Executive's proposed statutory changes to conform State law to the Federal Preventing Sex Trafficking and Strengthening Families Act of 2014, which are required for the State and Local Social Services Districts to continue receiving approximately \$600 million in Federal funding under Title IV-E of the Social Security Act.

CITY UNIVERSITY OF NEW YORK (CUNY)

State Operations (S.4200)

The Senate:

Denies the Executive proposal to require senior and community colleges to prepare a performance improvement plan approved by the Board of Trus-

tees, by removing the penalty of losing ten percent of state base aid;
and

Denies \$12 million in performance improvement plan grants and redirects the funds to salaries and benefits.

Aid to Localities (S.4203)

The Senate:

Denies the creation of a community school grant program and \$1 million associated with the proposal;

Provides the following restorations: \$554,000 for community college childcare centers;

\$54,000 for the HEOP Program; and

\$1 million for the Murphy Institute, with an additional \$500,000 increase.

Increases the base aid formula \$6.2 million (\$100/FTE);

Provides \$750,000 to develop Department of Labor Career OneStop shops in community colleges; and

Advances language to create a new certificate training program and provides \$1.4 million in appropriation authority.

Capital Projects (S.4204)

The Senate:

Reprograms \$55 million from the Urban Development Corporation and provides an additional \$46 million to increase total capital for senior colleges for critical maintenance and strategic initiatives by \$101 million; and

Encourages the development of a five-year capital plan funded at \$204 million annually for critical maintenance and strategic initiatives at senior colleges.

Article VII Proposals (S.4206)

PART Q - The Senate modifies the Executive proposal to create a mandatory experiential learning requirement by expanding the definition of experiential learning, creating exemptions for working students, delaying the mandate, and requiring data collection to ensure proper imple-

mentation structure implementation of the requirement.

PART U - The Senate advances language freezing community college tuition any year that state base aid support increases at least three percent per FTE.

PART Y - The Senate advances language allowing unemployed graduates the opportunity to receive an additional certificate free of charge.

PART AA - The Senate advances language creating a program encouraging community colleges to provide certificate programs and to develop Department of Labor One-Stop shops in community colleges.

PART CC - The Senate advances language requiring SUNY and CUNY senior and community colleges to develop performance improvement plans which increase student performance and job placement outcomes.

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CIVIL SERVICE, DEPARTMENT OF

State Operations (S.4200)

The Senate modifies the Executive appropriation level of \$50.9 million as follows:

Deny \$500,000 for a reform pilot program.

COMMISSION OF CORRECTIONS, STATE

State Operations (S.4200)

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

CORRECTIONS AND COMMUNITY SUPERVISION, DEPARTMENT OF

State Operations (S.4200)

The Senate concurs with the Executive recommendation of \$2.9 billion, and recommends:

Additional funding be made available for correctional classes and/or a new Academy to remedy the high correctional officer attrition rates experienced by the system.

Aid to Localities (S.4203)

The Senate concurs with the Executive recommendation of \$28.2 million.

Capital Projects (S.4204)

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

Article VII Proposals (S.4205)

PART A - The Senate denies the Executive proposal to authorize the Commissioner of the Department of Corrections and Community Supervision to approve Medical Parole Release instead of the Board of Parole (\$1 million).

PART X - The Senate advances language to eliminate the Conjugal Visit Program for inmates, commonly known as the Family Reunion Program.

COUNCIL OF THE ARTS

State Operations (S.4200)

The Senate concurs with the Executive recommendation of \$4.42 million.

Aid to Localities (S.4203)

The Senate:

Concurs with the Executive recommendation of \$42.46 million.

Proposes a methodology to distribute new funding for Council on the Arts local assistance grants to achieve a more equitable distribution of funding statewide.

Article VII Proposals (S.4206)

Part BB - The Senate advances language to distribute new funding for Council on the Arts local assistance grants to achieve a more equitable distribution of funding statewide.

CRIMINAL JUSTICE SERVICES, DIVISION OF

State Operations (S.4200)

The Senate concurs with the Executive recommendation of \$68 million.

Aid to Localities (S.4203)

The Senate concurs with the Executive recommendation of \$184 million, with the following modifications:

Modifies 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;

Restores funding of \$2.9 million for law enforcement, anti-crime, anti-

violence, crime control and treatment and prevention programs;
Restores funding of \$500,000 for Finger Lakes Law Enforcement;

Restores \$950,000 for civil or criminal legal services for domestic violence programs from the Legal Services Assistance Account;

Restores \$600,000 for the Indigent Parolee Program from the Legal Services Assistance Account;

Restores \$1 million for School Resource Officers and Anti-Crime Initiatives; and

Provides \$1.9 million for law enforcement and emergency services agencies for equipment and technology enhancements.

The Senate continues to support services and funding for violence against women's programs:

Restores funding of \$1.6 million for domestic violence programs;

Provides \$3 million for Rape Crisis Center for services to rape victims and programs to prevent rape; and

Provides \$920,000 for programs that assist victims of sexual assault and prevent violence and abuse against women.

Article VII Proposals (S.4205)

PART B - The Senate modifies the Executive proposal to extend criminal justice and correctional services provisions/programs due to expire September 1, 2015. The Senate modifies the provision that extends the formula distribution of certain monies recovered by District Attorneys in New York City from two years to one year and requires the District Attorneys in New York City to use the monies within the State.

PART Q - The Senate includes language for the creation of a Violent Felony Offender Database.

PART R - The Senate includes 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 S - The Senate advances language to allow for redistribution of

asset forfeitures to better provide for the organizations that actually conduct the operations necessary to obtain forfeitures in criminal cases; requires 50 percent more monies to be made available to the claiming authority and to the chemical dependence service fund.

DEFERRED COMPENSATION BOARD

State Operations (S.4200)

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

DEVELOPMENTAL DISABILITIES PLANNING COUNCIL

State Operations (S.4200)

The Senate concurs with the Executive recommendation of \$4.8 million.

ECONOMIC DEVELOPMENT, DEPARTMENT OF

State Operations (S.4200)

The Senate concurs with the Executive recommendation of \$25.1 million with the following modification:

Denies the Executive request for nine additional FTE's to administer economic development programs (\$475,000).

Aid to Localities (S.4203)

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The Senate concurs with the Executive recommendation of \$54.5 million with the following modifications:

Restores \$100,000 for the Finger Lakes Tourism Alliance;

Adds \$1.3 million for the Centers of Excellence;

Adds \$1 million for Centers for Advanced Technology;

Adds \$1.5 million for the support of Academic Incubators; and

Adds \$500,000 for the Tourism Matching Grant Program.

Article VII Proposal (S.4208)

PART Q: The Senate denies, without prejudice, the Executive's proposal to extend the due date of the Minority and Women-owned Business Enterprise Disparity Study by one year until February 15, 2017. Due to the

critical issues this study is designed to address, the Senate affirms that the existing study release date be met.

It is the sense of the Senate that the goals outlined in statute concerning Minority or Women-Owned Business Enterprises (MWBE) are applicable on an annual basis for the statewide procurement process. There are many situations that should result in more MWBE participation than established as goals and there are circumstances where meeting the goal for a particular procurement will result in an undue economic hardship. The Senate proposes ensuring the availability of an exemption, which could include the distance to qualified subcontractors, from the stated goals in those circumstances where adherence to the goals on an individual contract basis would create an undue economic hardship.

EDUCATION, DEPARTMENT OF

State Operations (S.4200)

The Senate increases the Executive recommendation and provides additional funding of \$1 million in facilities planning for a total of \$587.6 million. This addition is intended to reduce the backlog of school district construction plan review and approvals.

Aid to Localities(S.4203)

The Senate:

Eliminates the Gap Elimination Adjustment (GEA) of \$1.036 billion in the 2015-16 school year;

Fully funds expense base aids at \$268 million which reimburses school districts for prior year expenses in school construction, transportation, BOCES and special education services;

Accepts the Executive recommendation to provide school districts reimbursement for 2014-15 Pre-k expenditures of \$340 million, and authorizes \$380 million for recurring and new Pre-k expenses in the 2015-16 school year;

Provides \$240 million in General Support for Public Schools (GSPS) for a total year to year (GSPS) increase of \$1.89 billion on a school year basis;

Provides \$30 million for education grants;

Provides a restoration of \$1.5 million for workforce education;

Provides a \$1 million increase for the SUNY Charter School Institute of the State University on New York;
Adds \$5 million in library funding;
Restores \$500,000 for the SUNY Autism CARD program;
Restores \$200,000 for the Onondaga, Cortland and Madison BOCES New Tech initiative;
Accepts the Executive proposal of \$8 million in competitive grants for the failing school initiative;
Denies the Executive proposal of \$25 million in competitive grants for Pre-K for three year olds;
Denies the Executive proposal of \$5 million in competitive grants for Master Teachers expansion;
Denies the Executive's proposal of \$3 million in competitive grants for the Teacher Residency program;
Denies the Executive proposal of \$3 million in competitive grants for Masters in Education Scholarships; and
Denies the Executive proposal of \$3 million in competitive grants for the Qualitystars NY program.

Capital Projects (S.4204)

The Senate concurs with the Executive recommendation of \$17.4 million.

Article VII Proposals (S.4206)

PART A:

The Senate:

Modifies the contract for excellence proposal to only include New York City;
Denies the Executive proposal to freeze school districts aid claims;
Accepts the Executive proposal on commercial gaming grants;
Accepts the Executive proposal to allow school districts to apply for waivers from special education requirements that exceed federal requirements;
Accepts the Executive proposal making changes to pre-school special

education rates for special education itinerant services based on average actual costs;

PART A-1:

The Senate:

Repeals the Gap Elimination Adjustment in the 2015-16 school year;

Extends for two years the provision requiring the State to reset building aid amortization interest rates every ten years;

Provides forgiveness from state aid penalties associated with late final cost report submissions for construction projects;

Increases the appropriation authority to \$12.6 million for after four p.m. transportation of nonpublic students in NYC;

Provides for timely payment to charter schools in New York City;

Provides for an expansion on the employment of certain teachers in charter schools;

Authorizes charter schools approved by the New York City Department of Education to apply to any charter entity for oversight and supervision;

Makes the property tax levy cap permanent for school districts and local governments;

Increases the aidable salaries for staff providing career and technical education services through BOCES;

Clarifies that the position of Chief Privacy Officer within SED is a

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full-time position;

Extends mandate relief provision related to the Employee Benefit Accrued Liability Reserve which allows school districts to access any excess funds in the reserve to maintain educational programs;

Provides mandate relief to school districts with an enrollment of less than 5,000 students by exempting them from the internal control audit function;

Requires public votes for capital projects (excluding board approved emergency projects) to be held on the same date of the annual meeting and election on the third Tuesday in May;

Establishes a charter school building aid program which will provide building aid similar to the current program for public schools;
Proposes removing geographic limitations placed on school consolidations within Suffolk County; and
Requires the State Education Department to significantly increase the percentage of standardized test questions it releases in order to better prepare students for such examinations and provide teachers with the necessary learning tools to help students achieve college and career readiness.

PART A-2:

The Senate establishes the Regional High School Program which provides incentives for districts to consolidate high school operations.

Article VII (S.4010) Education Opportunity Agenda

Part A:

The Senate:

Concurs with the Executive proposal establishing rigorous admission for graduate level education certification programs and professional continuing education requirements for teachers;

Denies the Executive proposal to establish a NYS masters-in-education teacher incentive scholarship program;

Modifies the Executive proposal relating to teachers tenure;

Modifies the Executive proposal for takeover and restructuring failing schools and school districts;

Modifies the Executive proposal to 3020-a hearings relating to the dismissal of teachers and the suspension of teachers;

Modifies with the Executive proposal relating to charter schools and modifies the proposed increase in supplemental basic tuition and allows growth of the charter school basic tuition beginning 2016-17 school year.

Part B:

The Senate modifies the Executive proposal relating to annual profes-

sional performance reviews of teachers and administrators.

Part C:

The Senate denies the Executive proposal to extend mayoral control in New York City to the extent that further review of an extension should be examined in the context of the Executive's proposal for failing schools, recognizing however that existing mayoral control provisions do not expire until June 30, 2015.

Part D:

The Senate denies the Executive proposal to link increases in school funding to the Opportunity Agenda.

ELECTIONS, STATE BOARD OF

State Operations (S.4200)

The Senate concurs with the Executive recommendation of \$11.1 million.

Article VII Proposals (S.4205)

Part E - The Senate denies the Executive's proposal to modify campaign contribution limits and implement a public campaign system for the Legislature and all Statewide offices.

Part F - The Senate denies the Executive's proposal to eliminate election law printing and publication requirements.

EMPIRE STATE DEVELOPMENT CORPORATION

Aid to Localities (S.4203)

The Senate concurs with the Executive's proposed appropriation level of \$43 million with the following modifications:

Adds \$1 million for an Economic Gardening program to support mezzanine level technology companies.

Denies additional funding for the Empire State Development fund (\$275,000)

Restores:

\$2 million and adds an additional \$1 million in base retention funding.

\$350,000 in Adirondack North Country Funding.

\$150,000 for the Watkins Glen advertising campaign.

\$150,000 for Fishing Tournament promotions.

\$600,000 for the Seneca Army Depot.

\$644,000 and adds \$356,000 for the New Farmer NY program.

Capital Projects (S.4204)

The Senate makes the following modifications to the Executive's proposal of \$1.9 billion:

Transfers the appropriations for the NY 2020 Challenge Grant Program to higher education.

Transfers an amended \$1.5 billion Upstate revitalization program to the Senate's proposed infrastructure program.

Article VII Proposals (S.4208)

PART M - The Senate concurs with the Executive's proposal to extend ESDC's administration of the Empire State Economic Development Fund for one year.

PART N - The Senate concurs with the Executive's proposal to extend ESDC's general power to make loans for one year.

PART III - The Senate advances language to create the Empire Public Works Program designed to provide low-interest loans for public infrastructure projects.

The Senate would create the Community Jobs Program. This program will provide grants ranging from \$50,000 to \$10 million for community revitalization projects. Eligible projects include construction of public assets, affordable housing projects, and local commercial development.

Any project must include a job training component.

EMPLOYEE RELATIONS, OFFICE OF

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State Operations (S.4200)

The Senate concurs with the Executive recommendation of \$4.8 million.

ENERGY RESEARCH AND DEVELOPMENT AUTHORITY

Article VII Proposals (S.4208)

Part O - The Senate concurs with the Executive's proposal to transfer \$913,000 from NYSERDA to the General Fund.

Part P - The Senate denies without prejudice NYSERDA's authority to fund a portion of its research, development and demonstration, and policy and planning programs, and to finance the DEC's climate change from a special assessment on gas and electric corporations and believes that these programs can be fully financed through other Authority efficiency measures or off-budget funding streams.

PART RR - The Senate includes language to require NYSERDA to pay grants to farms no later than 90 days after notification of the award.

PART SS - The Senate includes language to allow farmers to fund upgrades of electricity service to the new three phase power infrastructure through a low interest revolving loan fund.

PART TT - The Senate includes language to create a long term incentive program for fuel cell installation similar to existing State programs to incent photovoltaic systems.

PART UU - The Senate includes language to limit NYSERDA's ability to raise revenue through increasing ratepayer surcharges.

PART WW - The Senate includes language to ensure that the Green Bank could assist property owners with energy efficiency projects.

PART HHH - The Senate includes language to direct \$10 million dollars annually for farm based renewable generation or energy efficiency projects, and to provide seed money for the proposed three phase power revolving loan fund.

ENVIRONMENTAL CONSERVATION

State Operations (S.4200)

The Senate concurs with the Executive recommendation of \$469.9 million with the following modification:

Reduces the Oil Spill Fund by \$856,000 for personal service and fringe benefits for 8 FTEs related to the rejection of Oil Spill Fund permit fee increases.

Aid to Localities (S.4203)

The Senate concurs with the Executive recommendation of \$1.2 million with the following modifications:

Restores \$2 million for invasive species control and water dredging projects.

Restores \$550,000 for Cornell Community Integrated Pest Management.

Adds \$100,000 for the Universal Waste Rule Training program.

Adds \$150,000 for a study pursuant to Chapter 543 of the Laws of 2014.

Adds \$1 million for a new Drain Tile Revolving Loan Fund.

Capital Projects (S.4204)

The Senate concurs with the Executive recommendation of \$566.9 million with the following modification:

Increases the Environmental Protection Fund by \$28 million for greenhouse gas abatement initiatives that promote the research and development of advanced energy technologies, the reduction of vehicle miles traveled, and the reduction of greenhouse gas emissions in multiple sectors.

Article VII Proposals (S.4208)

Part X - The Senate denies the Executive's proposal to increase license fees and surcharges for major petroleum storage facilities.

PART Y - The Senate denies the Executive's proposal to increase and/or restructure operating permit fees for all sources subject to the Federal Clean Air Act, state air quality programs, and the State Pollutant Discharge System.

PART Z - The Senate concurs with the Executive's proposal to repeal the fee assessed by the Department of Environmental Conservation on water well drillers.

PART AA - The Senate concurs with the Executive's proposal to establish a new Habitat Conservation and Access account.

PART DD - The Senate includes language to increase All-Terrain Vehicle weight limits to 1,500 pounds.

PART EE - The Senate includes language to allow soil and water conservation districts to be eligible applicants for local waterfront revitalization grant programs.

PART FF - The Senate includes language to waive the asbestos project notification fee for local governments.

PART GG - The Senate includes language to exempt contractors under construction contracts with municipalities from payment of asbestos project notification fees for demolitions.

PART HH - The Senate includes language to create an asbestos tax credit.

PART II - The Senate includes language to create a drain tile revolving loan fund.

PART JJ - The Senate includes language to allow rent, building and utility expenses paid by soil and water conservation districts to be reimbursable by the state.

PART KK - The Senate includes language to extend the compliance deadline to retrofit diesel fuel pollution reduction technology for heavy-duty diesel vehicles.

PART ZZ - The Senate includes language to modify commercial pesticide applicator certification fee schedules.

Article VII Proposal (S.4209)

Part R - The Senate modifies the Executive's Brownfield Cleanup Proposal to direct tax credit reforms to regions of the state most vulnerable to abuse, rejects the elimination of properly claimed remediation costs, and accepts the creation of a voluntary remediation program.

EXECUTIVE CHAMBER

State Operations (S.4200)

The Senate concurs with the Executive recommendation of \$13.6 million.

FINANCIAL SERVICES

State Operations (S.4200)

The Senate modifies the Executive recommendation of \$340.1 million as follows:

Reduce appropriation authority by \$3 million to reflect denial of 20

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additional full time equivalents.

Aid to Localities (S.4203)

The Senate modifies the Executive recommendation of \$85 million as follows:

Reduce appropriation authority by \$4.7 million to reflect elimination of the increase in the suballocation to the Department of Health for childhood lead poisoning;

Reduce appropriation authority by \$275,700 to reflect elimination of the increase in the suballocation to the Department of Health for lead poisoning prevention; and,

Restore the suballocation of \$660,600 to the Department of Health for childhood obesity.

Article VII (S.4207)

PART D - sections 30 and 31. The Senate advances legislation to extend certain exemptions for medical malpractice insurers for three years.

PART G - sections one through six. The Senate denies the Executive proposal to tax all health insurers to fund the operations of the state health benefit exchange, New York State of Health.

PART G - sections seven and forward. The Senate advances legislation to allow employers with 51 to 100 employees to continue to purchase stop-loss insurance in order to maintain their ability to self insure.

Article VII (S.4209)

PART FF - The Senate modifies the Executive proposal to extend the Excess Medical Malpractice Insurance program by removing language to require a tax certification.

The Senate believes it is necessary to ensure fairness in the market place and further encourage growth and prosperity within the insurance industry by evaluating the propriety of assessment levels on domestic corporations to ensure that the same service is not subject to double assessment, and further having all assessments based on appropriate market factors, the need for fair and reasonable oversight by the Department of Financial Services, and the incentive to encourage and maintain the domestication of insurers in New York.

GAMING COMMISSION

State Operations (S.4200)

The Senate concurs with the Executive's appropriation level of \$112 million

Aid To Localities (S.4203)

The Senate concurs with the Executive's appropriation level of \$34.2 million related to gaming facilities licensing fees.

GENERAL SERVICES, OFFICE OF

State Operations (S.4200)

The Senate amends the Executive recommendation of \$1 billion with the following modification:

Denies the Executive's proposal to hire 16 new FTEs (\$2.5 million).

Capital Projects (S.4204)

The Senate concurs with the Executive's recommendation of \$242 million.

Article VII Proposal (S.4205)

PART M - The Senate concurs with the Executive's proposal to extend OGS's authority to expeditiously enter into construction contracts during emergencies for two years, and to increase the threshold for such projects.

PART N - The Senate concurs with the Executive's proposal to delegate responsibility for executing certain contracts to other agencies involving capital projects if the value of the project is less than \$150,000.

GENERAL STATE CHARGES

State Operations(S.4200)

The Senate modifies the Executive recommendation of \$3.3 billion as follows:

Provide \$5 million for the purchase of veteran service credits;

Provide \$2.4 million for the transfer of certain police officers into the police and fire retirement system;

Provide \$7.6 million for the acceleration of a proposed pay increase for management and confidential employees;

Reduce General Fund appropriations to the common retirement fund by \$49.5 million;

Reduce General Fund appropriation authority to the New York State Health Insurance Program (NYSHIP) by \$108 million; and,

Increase the fringe benefit escrow account offset appropriation by 1 million;

Article VII Proposal (S.4205)

PART H - The Senate modifies the Executive proposal to accelerate the proposed pay increase for management and confidential employees and strikes language regarding the eligibility of such employees that transferred previously from civil service classified positions.

PART J - The Senate modifies the Executive proposal to grant the President of the Civil Service Commission authorization to establish an amnesty period during FY 2016.

PART K - The Senate modifies the Executive proposal relating to reserves and financial reporting as follows:

Denies authorization to increase the statutory reserve requirement from three percent to eight percent;

Denies changes to reporting language; and,

Modifies the pension system reporting language.

PART T - The Senate advances legislation to allow all honorably discharged veterans to purchase service credit for up to three years of military service.

PART AA - The Senate advances legislation to allow state university and other police officers currently in the State and Local Employees Retirement System (ERS) the option of transferring to the Police and Fire Retirement System (PFRS).

PART EE - The Senate advances legislation to modify the disability benefits for certain law enforcement officers in New York City and Nassau County.

PART FF - The Senate advances legislation to direct the President of the Civil Service Commission to enter into a contract for the provision of

Medicare services to retired state employees if it is deemed cost effective and does not diminish such benefits in any way.

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GREEN THUMB PROGRAM

State Operations (S.4200)

The Senate concurs with the Executive recommendation of \$3.1 million.

GREENWAY HERITAGE CONSERVANCY OF THE HUDSON RIVER VALLEY

State Operations (S.4200)

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

HEALTH, DEPARTMENT OF

State Operations (S.4200)

The Senate modifies the Executive recommendation of \$3.0 billion as follows:

The Senate:

Denies \$35.7 million for the operational costs of the Basic Health Plan associated with the repeal of the program.

Denies \$3.3 million for an individual assessment contract.

Restores \$1.1 million to maintain the operation of the New York State Physician's Website.

Includes language to link global cap transparency to operational Medicaid spending.

Aid to Localities (S.4203)

The Senate modifies the Executive's recommendation of \$130.3 billion as follows:

PUBLIC HEALTH AND HEALTH CARE REFORM ACT (HCRA):

Denies the Executive's proposal to utilize \$55 million in HCRA resources to finance the Statewide Health Information Network of New York (SHIN-NY) and an All Payer Database (APD).

Denies the Executive's proposal to consolidate 41 public health programs into five competitive pools, and provides \$21.3 million to restore the 15 percent reduction.

Denies the Executive's proposal to reduce funding for Roswell Park Cancer Institute by 15 percent and restores \$15.5 million.

Denies the Executive's proposal to eliminate the Enhancing the Quality of Adult Living (EQUAL) program and restores \$6.5 million.

Denies the Executive's proposal to increase HIV Health Care and Supportive Services by \$2.5 million.

Denies the Executive's proposal to increase the HCRA pool administrator contract by \$1.5 million.

Provides \$1.9 million to eliminate the 28 percent rate reduction to Child Health Plus plans above the 2010 Statewide average beginning January 1, 2016.

Reprograms \$450,000 for the recommendations of the Senate Task Force on Heroin and Opioid Addiction.

Denies the proposal to transfer \$5.0 million for lead poisoning programs from the Department of Health (DOH) to the Department of Financial Services (DFS).

Denies the proposal to transfer \$660,000 from DFS to DOH.

Restores funding for the following programs:

\$2 million- Doctors Across New York (DANY);

\$1 million- Infertility Services;

\$550,000- Women's Health Initiatives;

\$500,000- Recommendations of the Task Force on Lyme and Tick Borne Diseases;

\$395,000- Niagara Health Quality Coalition;

\$316,700- Maternity and Early Childhood Foundation;

\$250,000- Rural Dentist Demonstration Program;

\$125,000- Alzheimer's Disease Resource Center of Long Island;

\$100,000- Lymphatic Disease Patient Registry and Tissue Bank.

Increases funding for the following programs or initiatives:

\$1.5 million- Spinal Cord Injury Research Board; and

\$312,000- Comprehensive Care Centers for Eating Disorders.

Provides funding for the following programs or initiatives:

\$4.5 million- Health and Wellness Initiatives;

\$3 million- Rape Prevention and Education Program in Underserved Areas;

\$250,000 - ALS Association Greater New York Chapter;

\$250,000- ImmuNYze All New Yorkers Public Education Campaign;

\$250,000 - Organ Donor Public Awareness and Education Campaign.

Requires any federal funding for the Statewide Health Improvement Program be allocated pursuant to a chapter of the laws of 2015.

HEALTH INSURANCE:

Repeals the authority of DOH to implement a Basic Health Plan program, eliminating the out-year risk associated with one-time savings its establishment would impose on the State's Medicaid program and financial plan; and

Denies the Executive's proposal to establish a new tax on health insurance plans to finance \$69 million in operational costs associated with New York State of Health.

MEDICAID:

Denies the Executive's proposal to establish a two-year Medicaid budget, and reduces Medicaid appropriation authority to reflect one year of spending.

Denies the Executive's pharmacy proposals to:

Decrease fee-for-service pharmacy reimbursement for brand name drugs from Average Wholesale Price (AWP) minus 17 percent to AWP minus 24 percent and increase dispensing fees from \$3.50 to \$8.00, and restores \$18 million;

Authorize DOH to negotiate directly for supplemental rebates;

Require providers to bill managed care plans at the acquisition cost for 340B administered drugs, and restores \$10.9 million;

Eliminate "prescriber prevails" for all drug classes in fee-for-service, and restores \$1.5 million;

Authorize Minimum Supplemental Rebates, and restores \$1.3 million;

Authorize requiring prior approval for certain drugs prior to the

approval of the Drug Utilization Review Board, and restores \$100,000;

Denies the Executive's proposals to:

Limit Medicaid reimbursement for services provided to individuals dually enrolled in Medicaid and Medicare Part B or Medicare Part C, and restores \$45.8 million;

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Eliminate Spousal Refusal provisions, and restores \$10.7 million;

Carve out Managed Long Term Care Transportation services, and restores \$7.4 million;

Coordinate Health Homes with the criminal justice system and achieves savings of \$2.5 million;

Carve out family planning services from the Ambulatory Payment Group (APG), and restores \$600,000;

Authorize up to 300 Office of Health Insurance Program (OHIP) term appointments, and restores \$500,000; and

Require any savings achieved from the Community First Choice Option to be reinvested into the implementation of the Olmstead Plan.

The Senate denies \$944.7 million in proposed investments or administrative actions, without prejudice, to offset the elimination of one-time savings associated with the repeal of implementing a Basic Health Plan program.

Advances legislation to:

Restore return on equity for nursing homes and provides \$6.3 million;

Restore "prescriber prevails" for all drug classes under managed care and provides \$1.4 million;

Provide supplemental Medicaid rates for ambulance providers, and provides \$3 million;

Provide supplemental Medicaid rates for air ambulance providers, and provides \$1 million; and

Provide an additional \$ 1 million, for a total of \$4 million, to rural transit providers that are disadvantaged as a result of the implementation of the Medicaid transportation manager.

Modifies the Medicaid Supportive Housing program to require at least \$10 million be awarded to counties outside of New York City;

Supports the inclusion of any necessary appropriation to ensure State University of New York (SUNY) hospitals have the appropriate authority to participate in Participating Provider Systems (PPSs) within the Delivery Reform Incentive Program (DSRIP);

Supports the inclusion of distinct federal Medicaid appropriations for the DSRIP program for the purpose of enhancing transparency and monitoring of the program; and

Encourages the Department of Health to work with the Centers for Medicare and Medicaid Services to redistribute at least \$250 million in funding for the Interim Access Assurance Fund (IAAF).

Capital Projects (S.4204)

The Senate concurs with the Executive's recommendation with the following modifications:

Denies, without prejudice, discrete funding \$55 million for the State-wide Health Information Network of New York (SHIN-NY) and an All Payer Database (APD). The Senate authorizes up to \$55 million of Capital Restructuring Financing Program funding be used for these purposes.

Modifies the Capital Restructuring Financing Program and provides \$3.1 billion:

Provides \$2.9 billion in bonded authority from the Dormitory Authority of the State of New York and transfers \$200 million from the New York State Special Infrastructure Account to DOH for this program.

Establishes one application process for all health care providers, facilities and health information technology, including hospitals, nursing homes, clinics, diagnostic and treatment centers, home care providers, community health care providers, and SHIN-NY.

Authorizes funding be used for capital projects, certain non-capital projects, Delivery System Reform Incentive Program (DSRIP) projects, and the establishment of an all payer database within DOH.

Establishes an application process pursuant to a plan approved by the Executive and the Legislature that does not prohibit applications previously submitted to DOH from being considered.

Applies allocation criteria as follows:

No more than \$1 billion for projects within New York City;

No more than \$300 million for hospitals in Oneida County;

No more than \$400 million for rural hospitals which shall be limited to Critical Access Hospitals;

Sole Community Hospitals;

Rural Hospitals under 10 NYCRR §700.2; and

Rural Hospitals under N.Y. Executive Law §481(7).

No more than \$45 million for SHIN-NY; and

No more than \$10 million for the APD.

Article VII Proposals (S.4207)

Part A - The Senate modifies the Executive's proposal to achieve savings reflected in the FY 2016 budget:

The Senate denies the proposals that would:

Eliminate the Enhancing the Quality of Adult Living (EQUAL) program; and

Eliminate the New York State Physician's Profile Website.

The Senate advances legislation to:

Amend the criteria of the physician's profile website by requiring information related to physicians participation in insurance networks be posted and updated on the website;

Authorize mail order pharmacies to obtain consent to deliver pharmaceuticals in the same manner as Medicare Part D;

Establish an umbilical cord blood banking educational program;

Reinstate an annual report to the Legislature on specific information regarding the Early Intervention program;

Require certain health care providers to utilize and maintain electronic health medical systems that connect to Regional Health Information Organizations (RHIOs);

Establish a fund in State Finance Law to receive federal funding related

to the State Health Information Plan; and

Require a spending plan for any funding allocated to the Statewide Health Information Network of New York (SHIN-NY) program.

Part B - The Senate modifies the Executive's proposal to implement Medicaid Redesign Team recommendations:

The Senate denies the proposals that would:

Authorize DOH to negotiate supplemental rebates directly with manufacturers for drugs;

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Increase the current Average Wholesale Price (AWP) discount from 17 percent to 24 percent for brand name drugs in the fee-for-service program;

Increase dispensing fees from \$3.50 to \$8.00 for brand name drugs in the fee-for-service program;

Authorize DOH to require prior authorization for fee-for-service drugs prior to obtaining the Drug Utilization Review Board's evaluation and recommendation;

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;

Eliminate "prescriber prevails" provisions in Medicaid fee-for-service;

Require providers participating in the federal 340B drug program to bill managed care plans at the actual acquisition cost of such drugs;

Eliminate the New York Prescription Saver Program;

Reduce the assessment on inpatient obstetrical services;

Establish a general hospital quality pool;

Authorize enhanced payments to sole community hospitals;

Discontinue required notice periods for approved hospital inpatient rates and diagnostic and treatment center rates;

Authorize the Commissioner to distribute \$5 million in health home

infrastructure grants to establish linkages between health homes and the criminal justice system;

Carve out family planning services from the Ambulatory Patient Group (APG) rates and hospital inpatient reimbursement methodology;

Authorize DOH to develop rates of payment for the Basic Health Plan program;

Limit Medicaid reimbursement to providers for services provided to individuals dually enrolled in Medicaid and Medicare Part B or Medicare Part C;

Require spousal support for the costs of community-based long-term care;

Clarify that the State or local social services district are not required to provide temporary payments for certain care if an individual is later determined ineligible for Medicaid;

Reinvest any savings from the Community First Choice Option program to the implementation of the Olmstead Plan;

Transfer recruitment, training and retention for managed long term care to the base rate;

Authorize up to 300 term appointments within the Office of Health Insurance Programs; and

Make technical amendments related to the Basic Health Plan program.

The Senate modifies the proposals to:

Codify the State Medicaid Global Cap and related provision in Social Services Law by sunseting the authority of the Commissioner to implement a Medicaid Savings Allocation Plan and making technical modifications;

Authorize a mobility management assessment for people with developmental disabilities and other special needs populations by authorizing the commissioner of the Office for People with Developmental Disabilities to contract with a third party for the assessment and making any pilot demonstration program resulting from the assessment subject to legislative approval; and

Establish a nursing home energy efficiency demonstration program by

requiring DOH to develop an implementation plan for the program subject to a memorandum of understanding with the Legislature that includes eligibility details, funding sources, projected savings, and an implementation timeframe.

The Senate advances legislation to:

Authorize rate adjustments for reimbursement for ventilator services;

Establish a young adult demonstration program for individuals with severe chronic medical or health problems or disabling conditions;

Restore return on equity for nursing homes;

Authorize house calls for physicians employed by Article 28 facilities;

Expand "prescriber prevails" provisions to all drug classes within managed care;

Establish a health technology assessment committee to consider factors related to technology and make recommendations to DOH related to Medicaid coverage for these devices;

Authorize a hospital, home care and physician collaboration program to facilitate innovation in meeting the community's health care needs;

Establish universal standards of coding for payment claims in long term care;

Delay transitioning school-based health centers from fee-for-service to managed care by authorizing a three-site demonstration program;

Permanently carve-out behavioral health and reproductive health services provided at school based health centers from managed care;

Clarify the interim report of the Health Information Technology work-group be provided on or before December 1, 2015;

Prohibit authorizing contracted transportation managers from managing the Medicaid managed long term care transportation benefit;

Modify the Vital Access Provider (VAP) program application process and require at least 40 percent of awards be provided upstate;

Require legislative approval for the expansion of Medicaid coverage or new benefits;

Suspend the 0.8 percent non-reimbursable assessment on nursing homes retroactively to April 1, 2014 until payments related to the Universal Nursing Home Settlement begin;

Establish a shared savings program for nursing homes to incentivize refinancing of high interest rate facility debt;

Establish an Office of Accountability within DOH to ensure that all work groups and reports are timely convened and distributed;

Modify the Department of Health annual report to the legislature detailing DOH's mission, priorities and goals to include a list of all department issued reports in the preceding year;

Establish supplemental Medicaid payments for emergency medical transportation services;

Eliminate the 28 percent reduction to Child Health Plus rates above the .SO DOC S R950 RESO TEXT 2015

2010 statewide average beginning January 1, 2016;

Extend the potentially preventable negative outcome (PPNO) rate reduction for one year;

Require the independent actuary to provide appropriate data to managed care plans 30 days prior to submitting rate approvals to the Centers for Medicare and Medicaid services; and

Require DOH to provide Medicaid Managed Care Operating Reports to the legislature on an annual basis.

Part C - The Senate modifies the Executive's proposal to require managed care companies participating in Child Health Plus to provide reimbursement to ambulatory behavioral health providers in an amount equivalent to Medicaid fee-for-services rates by extending APG rates by one year to 2018.

Part D - The Senate modifies the Executive's proposal to permanently extend various provisions of the Public Health, Social Services and Mental Hygiene Laws by denying permanent extensions.

The Senate advances legislation to:

extend for two years the Enriched Social Adult Day Services; and

extend an exemption for medical malpractice insurers for three years.

Part E - The Senate modifies the Executive's proposal to extend the Indigent Care Pool for three years by eliminating DOH's authority to make adjustments to the distribution methodology pursuant to regulation.

Part F - The Senate denies the Executive's proposal to require Value Based Payments within the Delivery System Reform Incentive Program (DSRIP) or in the commercial marketplace.

Part G - The Senate denies the Executive's proposal to tax all health insurers to fund operations of the, New York State of Health.

The Senate advances legislation to authorize employers with 51-100 employees to continue to purchase stop-loss insurance in order to maintain their ability to self-insure.

Part H - The Senate amends the Executive's proposal to make changes to the Public Health Law:

The Senate denies the proposals that would:

Establish urgent care clinic regulatory oversight;

Repeal the establishment of upgraded diagnostic and treatment centers; and

Authorize the Public Health and Health Planning Council to review certain procedures.

The Senate modifies the proposal to authorize the establishment of limited services clinics by requiring clinics to treat patients regardless of their source of payment, and by authorizing clinics, Federally Qualified Health Centers (FQHCs) and hospitals to operate limited services clinics.

Part I - The Senate denies, without prejudice, the Executive's proposal to make statutory changes related the End of AIDS epidemic. The proposed changes are purportedly included in a report submitted by the Executive's Task Force on ending the AIDS epidemic, however the report has not been made public and a draft could not be provided to the Legislature. Upon review of the report, the Senate will reconsider these proposals.

Part J - The Senate denies, without prejudice, the Executive's proposal to provide an exemption to the Nurse Practice Act for the establishment of advanced home health aides. A workgroup was convened in Fiscal Year (FY) 2015 to discuss the proposed legislation, tasks that would be performed by advanced home health aides, oversight requirements and to establish criteria by which the exemption would be implemented. Formal recommendations of the work group have not been made. The Senate will reconsider this proposal upon reviewing the recommendations of the work group.

Part K - The Senate modifies the Executive's proposal to implement various provisions related to the Certificate of Need (CON) process by decreasing the character and competence look back period from ten to five years.

The Senate advances legislation to:

Eliminate provisions related to requiring a public need from the CON process;

Apply existing time frames for Article 28 Federally Qualified Health Center CON other Article 28 providers; and

Include improper delegation of authority as justification for DOH to appoint temporary operator to a facility.

Part L - The Senate modifies the Executive's proposal to expand the regulation of office based surgery to:

Require the Department of Health to convene a workgroup to examine the scope of office-based surgery and report to the legislature any statutory recommendations developed therein;

Authorize for accredited office-based surgery practices to seek payment from a health plan for costs related to the use of the surgery location or setting;

Eliminate the requirement on office-based surgery practices to register with the department; and

Authorize suspension or revocation of an ambulatory surgery center's

licensure after removal of its accreditation.

Part M - The Senate concurs with Executive's proposal related to water fluoridation.

Part Q - The Senate modifies the Executive's proposal to establish a private equity demonstration by removing requirements to establish local advisory boards by expanding the number of pilot programs from five to ten.

Part Z - The Senate advances legislation to make permanent and expand the Collaborative Drug Therapy Management Program by allowing participation of nurse practitioners, hospitals, and up to fifteen community practice sites.

Part FF - The Senate advances legislation related to the Health Care Reform Act (HCRA) to:

Require a report to the Legislature related to revenues and disbursements beginning January 1, 2016;

Establish a HCRA modernization task force;

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Increase the number of slots in the Doctors Across New York program by 100;

Require no less than 2.5 percent of health workforce retraining initiative funding be provided to any given region of the State; and

Increase covered lives gross amount allocated to the Rochester Region by \$110 million for the funding of Graduate Medical Education (GME) in lieu of current funding through third party claim payments.

Part GG - The Senate advances legislation to modify the Capital Restructuring Financing Program to:

Establish one application process for all health care providers, facilities and health information technology, including hospitals, nursing homes, clinics, diagnostic and treatment centers, home care providers, community health care providers, and SHIN-NY;

Authorize funding be used for capital projects, certain non-capital projects, Delivery System Reform Incentive Program (DSRIP) projects, and

the establishment of an all payer database within DOH; and

Establish an application process pursuant to a plan approved by the Executive and the Legislature that does not prohibit applications previously submitted to DOH from being considered.

The Senate supports enactment of the Caregiver Advise, Record, Enable (CARE) Act to ensure patients are provided the opportunity to identify a caregiver when they receive hospital care, so such caregiver can be made aware post discharge care.

HIGHER EDUCATION SERVICES CORPORATION (HESC)

State Operations (S.4200)

The Senate concurs with the Executive recommendation of \$73.2 million.

Aid to Localities (S.4203)

The Senate:

Denies the Executive proposal to include \$27 million to allow undocumented citizens to be eligible for TAP awards;

Provides \$7.9 million to increase the TAP income eligibility ceiling from \$80,000 to \$100,000;

Amends the STEM language to extend eligibility to students attending private institutions and those who score at least a three or higher on two different AP tests;

Amends the Executive's Get On Your Feet loan forgiveness program to cover 50 percent of a participant's student loan and reduces the appropriation by \$2.5 million;

Increases the Social Worker Loan Forgiveness Program by \$250,000; and

Increases the Farmers Loan Forgiveness Program by \$900,000.

Article VII Proposals (S.4206)

PART C - The Senate amends the Get-On-Your-Feet loan forgiveness program by reducing the reward from 100 to 50 percent of total loan payments.

PART D - The Senate denies the Executive proposal to allow undocumented citizens to be eligible for TAP awards.

PART F - The Senate accepts the Executive proposal to develop a stand-

ardized financial aid award letter.

PART S - The Senate advances language to raise the income threshold for TAP eligibility from \$80,000 to \$100,000.

PART T - The Senate advances language to study methods to provide student loan insurance.

PART W - The Senate advances language expanding STEM scholarship eligibility to students attending private institutions and those who score at least a three or higher on two different AP tests.

HOMELAND SECURITY AND EMERGENCY SERVICES, DIVISION OF
State Operations (S.4200)

The Senate concurs with the Executive recommendation of \$66.6 million.

Aid to Localities (S.4203)

The Senate concurs with the Executive recommendation of \$854 million, with the following modification:

Provides \$500,000 for the Red Cross emergency response preparedness, including support for capital projects and ensuring an adequate blood supply.

Capital Projects (S.4204)

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

Article VII Proposals (S.4205)

PART U - The Senate advances language to require the Commissioner of the Division of Homeland Security and Emergency Services, in consultation with the Superintendent of State Police, the Chief Information Officer, and the President of the Center for Internet Security, to prepare and issue a five year report on CyberSecurity.

PART V - The Senate advances language for the establishment of the New York State CyberSecurity Initiative: creation of CyberSecurity Advisory Board, Partnership Program, and CyberSecurity Information Sharing Program.

PART W - The Senate advances language to require the New York Rising - Governor's Office of Storm Recovery to provide a monthly report detailing status of claims.

HOUSING AND COMMUNITY RENEWAL

State Operations (S.4200)

The Senate concurs with the Executive recommendation of \$94.8 million with the following modification:

The Senate denies funding for the Tenant Protection Unit.

Aid To Localities (S.4203)

The Senate concurs with the Executive recommendation of \$524.8 million with the following modification:

The Senate provides \$1 million for a Bronx Civil Legal Services pilot program.

The Senate allocates \$439.5 million in JP Morgan Settlement funds for Senate priorities, which include:

Moderate Income Loan Program to support new construction and rehabilitation of housing for households earning up to 130% of Area Median Income.

Access to Home and Access to Home for Heroes

RESTORE Seniors Program

Rural and Neighborhood Preservation Programs

Adirondack Community Housing Trust

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Homes for Working Families

The Affordable Housing Corporation

Main Street Program

Rural and Urban Community Investment Fund

Public Housing Preservation

Capital Projects (S.4204)

The Senate concurs with the Executive recommendation of \$91.2 million Advances language to establish a NYCHA Repair Zoning Bonus program, which would allow private developers to build up to a higher Floor Area Ratio (FAR) in areas being upzoned in exchange for conducting repair and modernization projects at NYCHA properties.

Article VII Proposals (S.4206)

Part M - The Senate concurs with the Executive proposal to utilize \$125 million in excess Mortgage Insurance Fund reserves for certain programs.

Article VII Proposals (S.4208)

PART U - The Senate concurs with the Executive's proposal to eliminate Department of State fees related to licensing apartment information vendors and sharing agents.

PART BBBB - The Senate includes language to protect eligible, low-income tenants from future rent increases.

PART CCCC - The Senate includes language to authorize a tax exemption for senior citizen tenants residing in manufactured home parks in certain municipal corporations and school districts.

PART DDDD - The Senate includes language to extend Section 421-m of the Real Property Tax law.

Part GGGG - The Senate advances language to establish the public housing revitalization fund and establish certain oversight provisions, to be funded with a portion of city and state funds.

HUDSON RIVER VALLEY GREENWAY COMMUNITIES COUNCIL

State Operations (S.4200)

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

Aid to Localities (S.4203)

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

HUMAN RIGHTS

State Operations (S.4200)

The Senate concurs with the Executive's All Funds Recommendation of \$18 million.

INDIGENT LEGAL SERVICES, OFFICE OF

State Operations (S.4200)

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

Aid to Localities (S.4203)

The Senate concurs with the Executive recommendation of \$84 million of which \$4 million is attributable to the Hurrell-Harring Settlement

Agreement. In November 2007 five counties - Onondaga, Ontario, Schuyler, Suffolk and Washington - filed suit against the State, alleging a deprivation of the right to counsel for indigent defendants (defined as a criminal defendant eligible for publicly funded legal representation). The State settled with five of the plaintiffs in October 2014 after agreeing to undertake actions to increase indigent criminal counsel services through the Office of Indigent Legal Services.

The Senate restores \$4 million for indigent defense services for upstate counties that have a high volume of indigent defense caseloads.

Article VII Proposals (S.4205)

PART BB - The Senate advances language to require the Office to develop a written plan to provide that each criminal defendant eligible for publicly funded legal representation is adequately represented by counsel. The plan would also include appropriate caseload/workload standards.

NEW YORK STATE INFRASTRUCTURE AND REVITALIZATION

Capital Projects (S.4204)

The Senate modifies the Executive's capital proposal to include the following:

\$1.5 billion for Upstate Revitalization projects;

\$700 million for Regionally significant projects;

\$1 billion for municipal clean water matching grant and loan program and broadband infrastructure;

\$100 million for public safety;

\$1.5 billion for highway and bridge capital projects;

\$885 million for the regionally significant Tappan Zee Bridge Project;

\$1 billion for Metropolitan Transportation Authority capital projects including Penn access;

\$25 million for Upstate transit capital projects;

\$50 million for the Southern Tier and Hudson Valley Farm program;

\$115 million to support rail, airport and port capital projects;

\$400 million for State and Municipal infrastructure projects; and \$50 million for Main Street Revitalization to demolish abandoned buildings.

The Senate supports rural broadband development that uses public funds for last mile projects that will ensure broadband is installed to residences and businesses that are currently unserved. The Senate supports statutory language that achieves these objectives. Any program should include significant matching requirements from private industry while giving the State necessary flexibility to meet individual project needs. The Senate proposes language to include Buy American provisions within capital infrastructure projects.

INFORMATION TECHNOLOGY SERVICES, OFFICE OF State Operations (S.4200)

The Senate concurs with the Executive's proposed appropriation of \$848.2 million with the following modification.

The Senate denies funding of (\$2 million) for a proposed training bonus program.

Capital Projects (S.4204)

The Senate concurs with the Executive's recommendation with the following exception.

The Senate recommends the elimination of a reappropriations for \$57.4 million from 2013 for various technology projects.

Article VII Proposal (S.4205)

PART G - The Senate denies the Executive proposal regarding the reclassification of transferred employees and the waiver of examination requirements.

It is the sense of the Senate that the State should expand the use of document imaging utilizing the services of companies in firms employing persons with disabilities across the Executive branch to create substantial operational efficiencies and overall cost savings.

INSPECTOR GENERAL, OFFICE OF THE STATE

State Operations (S.4200)

The Senate concurs with the Executive's recommendation of \$6.9 million.

INSURANCE AND SECURITIES FUNDS RESERVE GUARANTEE

State Operations (S.4200)

The Senate concurs with the Executive recommendation of \$1.6 billion.

INTEREST ON LAWYERS ACCOUNT

State Operations (S.4200)

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

Aid to Localities (S.4203)

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

JUDICIAL CONDUCT, COMMISSION ON

State Operations (S.4200)

The Senate modifies the Executive recommendation to provide a \$273,000 increase for personal and nonpersonal service spending.

JUDICIAL NOMINATIONS, COMMISSION ON

State Operations (S.4200)

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

JUDICIAL SCREENING COMMITTEES

State Operations (S.4200)

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

JUSTICE CENTER FOR THE PROTECTION OF PEOPLE WITH SPECIAL NEEDS

State Operations (S.4200)

The Senate concurs with the Executive recommendation of \$53.9 million.

Aid to Localities (S.4203)

The Senate concurs the Executive recommendation of \$649,000.

LABOR, DEPARTMENT OF

State Operations(S.4200)

The Senate concurs with the Executive recommendation of \$468.6 million.

Aid to Localities (S.4203)

The Senate amends the Executive recommendation of \$3.5 million as follows:

Restore \$815,000 to the Displaced Homemaker Program;
Restore \$750,000 to the Chamber-On-The-Job Training Program;
Provide \$230,000 to the Chamber-On-The-Job Training Program;
Restore \$155,000 to the New York Council on Occupational Safety and Health (NYCOSH), located on Long Island;
Restore \$200,000 to the Building Trades Pre-Apprenticeship Program (BTPAP) located in Rochester
Provide \$200,000 to a Building Trades Pre-Apprenticeship Program (BTPAP) located in Nassau County;
Restore \$4 million to the Workforce Development Institute (WDI);
Restore \$3 million to the WDI Manufacturing Initiative;
Restore \$50,000 to the Rochester Tooling and Machining Institute;
Restore \$100,000 to Hillside Works;
Restore \$300,000 to the Summer of Opportunity Youth Employment Program, located in Rochester;
Provide \$500,000 to the North American Logger Training School to be hosted at Paul Smith's College;
Restore \$150,000 to the Cornell Leadership Institute;
Restore \$150,000 to the Domestic Violence Program of the Cornell University Labor Extension School;
Restore \$500,000 to Brooklyn Goes Global, Good Help and the Brooklyn Neighborhood Entrepreneurship programs administered by the Brooklyn Chamber of Commerce;
Restore \$600,000 to the Worker Institute at the Cornell School of Industrial and Labor Relations;
Provide \$1 million for Youth Build, Long Island; and,
Provide \$2 million for other workforce development and job training initiatives.

Article VII Proposal (S.4206)

PART N - The Senate will consider modifications to the Executive proposal to increase the minimum wage. The Senate believes that any discussions on an increase in the minimum wage must consider: (i) the

impact on workers and a business's ability to maintain and create jobs;

(ii) the compensation of employees; (iii) wages authorized in the Fair Labor Standards Act and the impact on the youth employment rate, and; (iv) the overall impact on New York's economy. The Senate's goal of creating vibrant and expanding opportunities for families requires that the State enact measures to provide all New Yorkers the ability to find meaningful and financially viable employment and work together to ensure a more stable and prosperous New York.

PART P - The Senate concurs with the Executive recommendation to repeal certain fees charged by the Workers' Compensation Board.

PART O - The Senate denies the Executive proposal to grant certain health care professionals an unpaid leave of absence to fight Ebola.

LABOR MANAGEMENT COMMITTEES

State Operations (S.4200)

The Senate concurs with the Executive recommendation of \$40 million.

LAW, DEPARTMENT OF

State Operations (S.4200)

The Senate concurs with the Executive recommendation of \$225 million.

Capital Projects (S.4204)

The Senate concurs with the Executive recommendation for \$1 million.

LIEUTENANT GOVERNOR, OFFICE OF THE

State Operations (S.4200)

The Senate concurs with the Executive recommendation of \$614,000

LOCAL GOVERNMENT ASSISTANCE

Aid To Localities (S.4203)

The Senate restores the Executive's proposed appropriation level as follows:

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\$2.1 million in local Video Lottery Terminal Aid;

\$2 million in Village Per Capital Aid;

\$125,000 in local aid for the City of Syracuse;

\$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); and
- Woodbury (\$27,000).

Restores \$900,000 for local initiatives related to Indian Land Claims; and

The Senate commits \$50 million for the Main Street Revitalization program; the funds will assist local governments in the demolition of abandoned buildings. Abandoned buildings are a health and safety issue as well as a visual impediment that deters efforts to attract new businesses and residents.

Article VII Proposals (S.4205)

Part L - The Senate denies the Executive's proposal to reduce Video Lottery Aid for 17 municipalities, other than Yonkers, to the FY 2014 level. The Senate restores \$2.1 million in local Video Lottery Terminal Aid.

Part Z - The Senate adds language that requires the City of Salamanca to share Tribal State Compact revenue with the Salamanca school district. The City and the County will be required to submit a copy of the spending plan to chairman of the Senate Finance Committee and the chairman of the Assembly Ways and Means Committee.

MEDICAID INSPECTOR GENERAL, OFFICE OF THE STATE

State Operations (S.4200)

The Senate concurs with the Executive recommendation of \$55 million.

MENTAL HEALTH, OFFICE OF

State Operations (S.4200)

The Senate concurs with the Executive recommendation of \$2.2 billion, with the following modifications:

Denies the Executive recommendation of proposed bed reductions in State-

operated psychiatric facilities, and provides \$8.1 million for this purpose; and

Provides \$500,000 in relation to a housing waiting list.

Aid to Localities (S.4203)

The Senate concurs with the Executive recommendation of \$1.4 billion, with the following additional funding:

\$2.3 million for veterans mental health initiatives;

\$1.2 million in mental hygiene initiatives;

\$1.9 million for veteran peer-to-peer pilot programs;

\$1.6 million for the NLP Research and Recognition Project;

\$1 million for the Binghamton Hospital Comprehensive Psychiatric Emergency Program;

\$400,000 for crisis intervention teams;

\$275,000 for FarmNet;

\$150,000 for the South Fork Health Proposal; and

\$100,000 for the Mental Health Association in New York State, Inc.

Capital Projects (S.4204)

The Senate concurs with the Executive proposal of \$312 million.

Article VII Proposals (S.4207)

The Senate advances legislation to establish a community housing waiting list.

MENTAL HYGIENE, DEPARTMENT OF

State Operations (S.4200)

The Senate concurs with the Executive recommendation of \$600 million.

Article VII Proposals (S.4207)

The Senate advances legislation to:

Extend rate protections for behavioral health essential providers;

Require monthly status reports on community investments from the Office of Mental Health and the Office for People with Developmental Disabilities; and

Establish a Behavioral Health Vital Access Provider program.

METROPOLITAN TRANSPORTATION AUTHORITY

Aid to Localities (S.4203)

The Senate recommends that sufficient funding be made available to the Metropolitan Transportation Authority to continue, without interruption, both the Verrazano Narrows Bridge Staten Island Resident Rebate Program and the Verrazano Narrows Bridge Commercial Rebate Program. Denies appropriation language requiring the Legislature to provide a portion (\$7 million) of the funding for the Verrazano Bridge Rebate Program.

Article VII Proposals (S.4208)

Part K - The Senate denies the Executive proposal to allow increased penalties for toll violators/electronic tolling.

Part L - The Senate concurs with the Executive proposal to extend for four years procurement rules of the MTA and NYCT.

New Part EEE - The Senate proposes language to allow Brooklyn residents living in a zip code within a 12-mile radius of the Verrazano Bridge to be considered a Staten Island resident under the Verrazano Bridge Rebate Program, to be funded through the MTA.

MILITARY AND NAVAL AFFAIRS, DIVISION OF State Operations (S.4200)

The Senate concurs with the Executive recommendation of \$77.4 million.

Aid to Localities (S.4203)

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

Capital Projects (S.4205)

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

MORTGAGE AGENCY, STATE OF NEW YORK

State Operations (S.4200)

The Senate concurs with the Executive recommendation of \$76.8 million.

Aid To Localities (S.4203)

The Senate concurs with the Executive recommendation of \$100.2 million.

MOTOR VEHICLES, DEPARTMENT OF

State Operations (S.4200)

The Senate concurs with the Executive recommendation of \$104 million.

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Aid to Localities (S.4203)

The Senate concurs with the Executive recommendation of \$21 million.

Capital Projects (S.4205)

The Senate concurs with the Executive recommendation of \$199 million.

Article VII Proposals (S.4208)

Part A - The Senate modifies the Executive proposal to make permanent the authorization for the Dedicated Highway and Bridge Trust Fund and the Dedicated Mass Transportation Trust Fund to receive DMV revenues and for the Dedicated Highway Fund to continue to disburse funds for the expenses of the DMV to provide a six year extension.

Part H - The Senate concurs with the Executive proposal to eliminate overweight vehicles requirement to amend their registration with the DMV.

Part I - The Senate concurs with the Executive proposal to bring the State into compliance with federal regulations regarding commercial learners' permits.

Part CC - The Senate concurs with the Executive proposal to permit the City of Buffalo to adjudicate traffic violations.

New Part QQ - The Senate proposes language to extend for four years the authorization to allow the DMV to remain open on Saturdays.

New Part AAA - The Senate proposes language to provide a ten percent discount on senior citizens drivers license fees.

New Part DDD - The Senate proposes language to repeal provisions of law establishing in the counties of Nassau and Suffolk a demonstration program implementing speed violation monitoring systems in school speed zones by means of photo devices. Also, for New York City, it includes language that requires a sign to give notice of school speed zones up ahead, if a speed violation monitoring system is installed and requires an annual study and report of this program.

NATIONAL AND COMMUNITY SERVICE

State Operations (S.4200)

The Senate concurs with the Executive's All Funds Recommendation of \$30.3 million.

Aid to Localities (S.4203)

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

NEW YORK WORKS TASK FORCE

State Operations (S.4200)

Denies \$850,000 in funding for the New York Works Task Force.

OLYMPIC REGIONAL DEVELOPMENT AUTHORITY

State Operations (S.4200)

The Senate concurs with the Executive recommendation of \$4.3 million.

Capital Projects (S.4204)

The Senate concurs with the Executive recommendation of \$7.5 million.

PARKS, RECREATION AND HISTORIC PRESERVATION

State Operations (S.4200)

The Senate concurs with the Executive recommendation of \$224.7 million.

Aid To Localities (S.4203)

The Senate concurs with the Executive recommendation of \$12.2 million.

Capital Projects (S.4204)

The Senate concurs with the Executive recommendation of \$173.7 million.

Article VII Proposals (S.4208)

PART S - The Senate concurs with the Executive's proposal to extend by two years the authority for the Dormitory Authority of the State of New York to enter into design and construction management agreements

PEOPLE WITH DEVELOPMENTAL DISABILITIES, OFFICE FOR

State Operations (S.4200)

The Senate concurs with the Executive recommendation of \$2.1 billion.

Aid to Localities (S.4203)

The Senate concurs the Executive recommendation of \$2.2 billion.

Capital Projects (S.4204)

The Senate concurs with the Executive proposal of \$18 million.

Article VII Proposals (S.4207)

PART S - The Senate modifies the Executive proposal in relation to providing professional services in non-certified settings.

PART U - The Senate denies the Executive proposal in relation to the consolidation of the Office for People with Developmental Disabilities rate setting functions.

The Senate advances legislation to:

Establish an integrated housing opportunities plan;

Require a geographical analysis of community supports and services;

Develop a plan for the allocation of residential placements and other critical services;

Establish a procedure to allow individuals the choice to remain in non-integrated settings; and

Require continuity of care when individuals are discharged from institutional settings.

POWER AUTHORITY ASSET TRANSFER

State Operations (S.4200)

The Senate concurs with the Executive Budget recommendation.

PREVENTION OF DOMESTIC VIOLENCE, OFFICE OF

State Operations (S.4200)

The Senate concurs with the Executive recommendation of \$3.8 million.

Aid to Localities (S.4203)

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

PUBLIC EMPLOYMENT RELATIONS BOARD

State Operations (S.4200)

The Senate concurs with the Executive recommendation of \$4 million.

PUBLIC ETHICS, JOINT COMMISSION ON

State Operations (S.4200)

The Senate concurs with the Executive recommendation of \$4.4 million.

Article VII Proposals (S.4205)

PART DD - The Senate supports enhanced disclosure to ensure transparency and accountability in government. The Senate modifies the Executive

proposal and includes transparency in procurement, as well as transparency for the many advisory boards and entities that advise state agencies on the distribution of state or federal monies. Further, the Senate publishes its records for travel, reimbursement, and per diems.

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The Executive Branch agencies should do the same. Language to accomplish these goals is contained in S.4096, S.4097 and S.4098.

PUBLIC SERVICE

State Operations (S.4200)

The Senate concurs with the Executive's proposed appropriation level of \$84.4 million.

Aid to Localities (S.4203)

The Senate concurs with the Executive's proposed appropriation level of \$5.75 million.

Article VII Proposals (S.4208)

PART R - The Senate concurs with the Executive's proposal to have the Department of Health conduct certain advertising campaigns funded from a special assessment on cable television companies.

PART W - The Senate denies without prejudice the Executive's proposal to alter the financing mechanism behind the issuance of Utility Tariff Bonds.

PART XX - The Senate includes language to streamline regulatory procedures affecting land line telephone and cable companies if the PSC determines this is in the general public interest.

PART VV - The Senate includes language to create incentives aimed at extending existing gas lines to potential unserved or underserved end use customers.

PART YY - The Senate includes language to provide municipalities with funding aimed at improving infrastructure in conjunction with utility maintenance or expansion projects.

It is the sense of the Senate that the Long Island Power Authority and

PSEG-LI, in cooperation with the operator of existing facilities in the village of Island Park (E. F. Barrett) and the village of Port Jefferson, shall commence an architectural, engineering, environmental permitting and cost feasibility analysis and study of repowering these power plants utilizing greater efficiency and environmentally friendly technologies. Such analysis shall commence no later than July 1, 2015 and shall be completed and presented to the board of the Long Island Power Authority and the Long Island branch of the Department of Public Service no later than March 1, 2016.

RACING REFORM PROGRAM

State Operations (S.4200)

The Senate concurs with the Executive's proposal

STATE, DEPARTMENT OF

State Operations (S.4200)

The Senate concurs with the Executive's proposed appropriation of \$66.6 million with the following modification.

The Senate denies the hiring of five new FTE's for business and licensing services (\$700,000).

Aid to Localities (S.4203)

The Senate concurs with the Executive's proposed appropriation of \$69 million with the following modification.

The Senate denies \$3 million in additional funding for the Office of New Americans and maintains funding at \$3.4 million.

Article VII (S.4208)

PART T - The Senate concurs with the Executive's proposal to extend for one year the authority of the Secretary of State to charge increased fees for expedited handling of documents.

Article VII (S.4209)

PART S - The Senate concurs with the Executive's proposal to allow business entities to file required information statements with their annual New York State tax reform thus eliminating a biennial nine dollar fee.

STATE UNIVERSITY OF NEW YORK (SUNY)

State Operations (S.4200)

The Senate:

Denies the Executive proposal to require senior and community colleges to prepare a performance improvement plan approved by the Board of Trustees, by removing the penalty of losing ten percent of state base aid;

Denies \$18 million in performance improvement plan grants and redirects the funds to salaries and benefits.

Provides the following restorations:

\$18.5 million for the University Hospital systems;

\$333,000 for the Marine Animal Disease Lab at Stony Brook; and

\$1.3 million for Educational Opportunity Program (EOP) Centers.

The Senate provides the following additions:

\$1 million for Harvest NY at Cornell;

\$1 million for Business Development and Commercialization; and

\$2 million for the Small Business Development Center.

Aid to Localities (S.4203)

The Senate:

Denies the creation of a community school grant program and \$1.5 million associated with the proposal;

Provides the following restorations:

\$1.7 million for the Graduation, Achievement, and Placement (GAP) Program; and

\$653,000 for community college childcare centers.

Increases the base aid formula \$13.8 million (\$100/FTE);

Advances language to create a new certificate training program and provides \$5.8 million in appropriation authority; and

Provides \$750,000 to develop Department of Labor Career OneStop shops in community colleges.

Capital Projects (S.4204)

The Senate:

Reprograms \$55 million from the Urban Development Corporation and

provides an additional \$220 million to increase total capital for senior colleges and hospitals for critical maintenance and strategic initiatives by \$275 million; and

Encourages the development of a five-year capital plan funded at \$475 million annually for critical maintenance and strategic initiatives at senior colleges.

Article VII (S.4206)

PART X - The Senate advances language to include hospitals and negoti-

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ated salary increases in maintenance of effort language, and;

Article VII (S.4205)

PART CC - The Senate advances language to create reporting requirements for the Harvest NY program.

STATEWIDE FINANCIAL SYSTEM

State Operations (S.4200)

The Senate concurs with the Executive recommendation of \$30.1 million.

TAX APPEALS

State Operations (S.4200)

The Senate concurs with the Executive recommendation of \$3.1 million.

TAXATION AND FINANCE

State Operations (S.4200)

The Senate concurs with the Executive recommendation of \$459.3 million.

Aid To Localities (S.4203)

The Senate concurs with the Executive recommendation of \$926,000.

TEMPORARY AND DISABILITY ASSISTANCE

State Operations (S.4200)

The Senate concurs with the Executive's All Funds Recommendation of \$414.3 million.

Aid To Localities (S.4203)

The Senate:

Modifies the Executive's All Funds recommendation of \$5 billion as follows:

Restores and adds funding for the following General Fund programs:

Restores \$870,000 for the Disability Advocacy Program and adds an additional \$500,000;

Adds \$5.475 million for the SSI State Supplement.

The Senate restores or adds funding for the following TANF programs:

Adds \$815,000 for the Displaced Homemaker Program;

Restores \$800,000 for ACCESS - Welfare to Careers and adds an additional \$200,000;

Restores \$2.676 million for Child Care Facilitated Enrollment - Upstate and Oneida County and adds an additional \$1.324 million;

Restores \$2.46 million for Non-Residential Domestic Violence Programs and adds an additional \$540,000;

Restores \$82,000 for the Rochester-Genesee Regional Transportation Authority.

Capital Projects (S.4204)

The Senate concurs with the Executive's All Funds Recommendation of \$63.5 million.

Article VII Proposals (S.4206)

PART I - The Senate modifies the Executive's proposal to authorize the Supplemental SSI Federal COLA pass-through to provide an increase in the standard of monthly need for enhanced residential care, effective January 1, 2016.

THRUWAY AUTHORITY

State Operations (S.4200)

The Senate concurs with the Executive proposal for \$21.5 million.

Article VII Proposals (S.4208)

Part G - The Senate modifies the Executive proposal to authorize the DOT and the Thruway to provide mutual aid and enter into shared services agreements by including language that allows the Thruway to enter into aid agreements with municipalities to assist motorists in the event of an emergency.

Part J - The Senate concurs with the Executive proposal to reduce by \$2.5 million, from \$24 million to \$21.5 million, State funding to the Thruway.

TRANSPORTATION, DEPARTMENT OF Aid To Localities (S.4203)

The Senate:

Adds \$9.3 million operating aid for non-MTA transit systems.

The Senate provides necessary funding to the New York City Department of Transportation for a preliminary design investigation of traffic mitigation measures on the Hutchinson River Parkway in the vicinity of the Hutchinson Metro Center Complex.

Capital Projects (S.4204)

The Senate

Adds \$50 million for the Consolidated Local Streets and Highway Program (CHIPS).

Modifies the Executive proposal by reducing the amount of the transfer from downstate operating aid to capital by \$5.7 million.

Provides \$2.4 million to reopen two rest areas/text stops and provides \$1 million for renovations of one rest area/text stop.

Article VII Proposals (S.4208)

Part B - The Senate denies the Executive proposal for Design Build and intends to study the prior authorization for Design Build.

Part C - The Senate denies the Executive proposal for a new \$100 safety inspection fee for for-hire/for-profit commercial carrier vehicles (11 or more passengers). The Senate concurs with the Executive proposal to eliminate the Intrastate Authority Application \$50 fee.

Part D - The Senate concurs with the Executive proposal to allow RGRTA to receive increased dedicated revenues resulting from the FY 2015 merger of RGRTA and Ontario County transit.

Part E - The Senate modifies the Executive proposal to create the Transit Assistance for Capital Investments Fund by limiting the amount that can be transferred from dedicated transit operating revenue accounts to

this new account.

Part F - The Senate concurs with the Executive proposal to extend for one year the "hold harmless" provision that allows rural transit systems to receive aid for providing service to Medicaid recipients.

Part BB - The Senate concurs with the Executive proposal to increase the number of years a municipal transit system may finance bus purchases from 5 to 10 years, based on vehicle probable useful life.

New Part PP - The Senate proposes including the Bridge and Road Investment and Dedicated Fund Guaranteed Enforcement (BRIDGE) Reform Act (S.909) that removes DOT and DMV expenses from the Dedicated Highway and Bridge Trust Fund, while lowering the amount of General Fund transfer

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into the fund.

New Part FFF - The Senate proposes language that would require the Interagency Coordinating Committee on Rural Public Transportation to convene and report on challenges facing rural populations and their transportation systems.

New Part GGG - The Senate proposes language that would tie Upstate transit systems General Fund operating aid growth to the State sales tax growth and guarantee that non-MTA downstate systems State operating aid growth is at the same level as Upstate systems.

TRIBAL STATE COMPACT

Aid To Localities (S.4203)

The Senate:

Accepts the Executive's proposed appropriation level of \$91.7 million;

and

Adds language to require the City of Salamanca and the County of Cattaraugus to submit a spending plan to the Senate Finance Committee and the Chairman of the Assembly Ways and Committee.

Proposes to reexamine the Oneida, Mohawk, and Seneca Compact amendments related to payments to local governments and the allocations made to

other units of government.

VETERANS' AFFAIRS

State Operations (S.4200)

The Senate concurs with the Executive's All Funds recommendation of \$8.2 million.

Aid To Localities (S.4203)

The Senate modifies the Executive's All Funds recommendation of \$9.3 million, as follows:

Restores \$25,000 for the Vietnam Veterans of America;

Restores \$50,000 for the Veterans of Foreign Wars Buffalo Service Office;

Restores \$75,000 for the Veterans of Foreign Wars New York City Service Office;

Adds \$200,000 for Veterans' Legal Services of the Hudson Valley.

WELFARE INSPECTOR GENERAL

State Operations (S.4200)

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

WORKERS' COMPENSATION BOARD

State Operations (S.4200)

The Senate concurs with the Executive recommendation of \$187.2 million.

Capital Projects (S4204)

The Senate denies without prejudice the Executive request for an appropriation of \$60 million.

Article VII Proposal (S.4205)

PART D - The Senate concurs with the Executive recommendation to repeal certain fees charged by the Workers' Compensation Board.

PART GG - The Senate advances legislation 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 employees.

MISCELLANEOUS ITEMS

The Senate concurs with the Executive recommendation of \$200 million for Public Security and Emergency Response.

Aid To Localities (S.4203)

The Senate:

Denies the Executive's recommended \$16 million increase in appropriation authority for the Pay for Success Contingency Reserve; and

Denies without prejudice the Executive's proposed \$25 million for Raise the Age.

Capital Projects (S.4204)

The Senate:

Concurs with the Executive's All Funds recommendation of \$30 million for a new round of competitive HECAP funding; and

Accepts the Executive's proposal to create a Nonprofit Infrastructure Capital Investment program but is concerned with the lack of a formal process for distributing funding that is transparent, accountable and eliminates the potential for conflicts of interest.

Article VII Proposals (S.4205)

PART I - Intentionally Omitted

Article VII Proposals (S.4206)

PART B - The Senate modifies the Executive proposal to remove SED from some program approval processes by including private and independent schools, keeping programs related to the professions under SED's purview, and allowing SED to retain approval authority over deficient institutions. The Senate also supports the inclusion of degree granting proprietary schools in this language.

PART G - The Senate accepts the Executive proposal to allow minority ownership of public accounting firms by non-CPAs.

PART H - The Senate modifies the Executive proposal to comply with Title IX requirements.

PART R - The Senate advances language to remove deadlines from the HECAP

statute to allow for future rounds of capital grant awards.

PART V - The Senate advances language allowing chiropractors and doctors to form partnerships.

Article VII Proposals (s.4208)

(S2005) Part O - The Senate denies the Executive proposal to create the Dedicated Infrastructure Investment Fund for the disbursement of settlement funds.

New Part CCC - The Senate proposes language to limit the ability of the Port Authority of New York and New Jersey to assess cargo facility fees without an agreement between the carrier and the Port Authority.

REVENUE

Article VII Proposal (S.4209)

PART A - The Senate denies the Executive proposal to cap the annual growth of STAR at zero percent.

PART B - The Senate concurs with the Executive's proposal to eliminate the New York City STAR personal income tax rate reduction benefit for .SO DOC S R950 RESO TEXT 2015 taxpayers with incomes above \$500,000.

PART C - The Senate concurs with the Executive proposal to convert the STAR delinquency/offset program into a tax clearance program.

PART D - The Senate denies converting the STAR benefit into a refundable personal income tax credit for new homeowners.

PART E - The Senate modifies the Executive proposal to recoup improper STAR benefits to include recouping improperly granted subsidized housing benefits and improperly granted rent control benefits.

PART F - The Senate concurs with the Executive proposal to allow homeowners who registered for STAR with the Department of Taxation and Finance, but failed to file timely exemption applications with their local assessor to receive the benefit of the exemption for taxable year 2014.

PART G - The Senate modifies the Executive's real property tax relief

credit to establish the New York property tax relief check program that would provide \$1.5 billion in property tax relief to 3.3 million New York home owners when fully implemented.

PART H - The Senate modifies the Executive proposal to make permanent the current limitations on the itemized deductions for high income earners under the State and New York City Personal Income Tax, by extending for two years.

PART I - The Senate modifies the Executive proposal to make various technical changes to Personal Income Tax and MTA Mobility Tax, to allow farms that lease real property from a related party to qualify for the manufacturer's real property tax credit.

PART J - The Senate accepts the Executive proposal to require a commercial production tax credit economic impact report.

PART K - The Senate modifies the Executive proposal to amend the Excelsior Tax Credit to include entertainment companies as a qualifying business, by eliminating entertainment companies and expanding the eligibility to video game developers.

PART L - The Senate denies the Executive proposal to amend the Investment Tax Credit (ITC) to limit the investment tax credit base of a master tape of a film, television show or commercial to only those costs that were incurred solely in New York State.

PART M - The Senate denies the Executive proposal to rename and reconfigure the current New York Youth Works Tax Credit Program as the Urban Youth Jobs Program Tax Credit.

PART N - The Senate modifies the Executive proposal to reduce the business income base rate under the Corporate Franchise Tax for small businesses with income less than \$390,000 over three years to businesses with incomes less than \$500,000. Businesses with income between \$400,000 and \$500,000 will have a blended rate between 6.5 percent and 2.5 percent and business with income of \$400,000 or less will have a tax rate of 2.5 percent and to provide a business income/farm income exemption for small businesses and farms that file under Personal Income

Tax.

PART O - The Senate modifies the Executive proposal to create the Employee Training Incentive Program (ETIP) to create an Technology Internship Program and credit.

PART P - The Senate denies the Executive proposal to amend the additional tax on telecommunications services (sections 184 and 184-a) to clarify that communication companies include wireless communications.

PART Q - The Senate denies the Executive proposal to impose refund restrictions on Article 9 taxpayers.

PART R - The Senate modifies the Executive's Brownfield Cleanup Program proposal.

PART S - The Senate concurs with the Executive proposal to allow the Department of Taxation and Finance to collect corporate information statements and tax filings and provide the information to the Department of State (DOS). DOS filing fees will also be eliminated.

PART T - The Senate modifies the Executive proposal to provide various amendments to the Corporate Tax reform statute, to include only the technical amendments.

PART U - The Senate concurs with the Executive proposal to eliminate the sales and use tax on beer, cider, and liquor at tastings held on premise

at licensed alcohol producers; Currently the exemption only applies to wine tastings.

PART V - The Senate concurs with the Executive proposal to update an outdated sales tax definition of telephone calling cards to clarify that mobile calling cards are included.

PART W - The Senate denies the Executive proposal to impose new requirements on Industrial Development Authorities if it provides state tax exemption benefits.

PART X - The Senate denies the Executive proposal to expand sales tax collection requirements for marketplace providers.

PART Y - The Senate denies the Executive proposal to close certain

perceived sales and use tax avoidance strategies.

PART Z - The Senate concurs with the Executive proposal to exempt solar power purchase agreements from state and local sales tax.

PART AA - The Senate concurs with the Executive proposal to allow petroleum business tax refunds for farm use of highway diesel motor fuel.

PART BB - The Senate modifies the Executive proposal making technical amendments to the Estate Tax to amend the "cliff" from five percent to ten percent of the exemption.

PART CC - The Senate denies the Executive proposal to require statewide registration of motor fuel wholesalers.

PART DD - The Senate modifies the Executive proposal to extend the ability of the Department of Taxation and Finance to issue warrantless wage garnishments for one year.

PART EE - The Senate denies the Executive proposal to allow the Department of Taxation and Finance in conjunction with the Department of Motor Vehicle to reduce the tax delinquency threshold to suspend driver's licenses from \$10,000 to \$5,000.

PART FF - The Senate modifies the Executive proposal to extend for one year excess medical malpractice insurance coverage by removing a tax clearance requirement before the insurance coverage is granted to practitioners.

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titioners.

PART GG - The Senate concurs with the Executive proposal to require a tax clearance for the recipients of state or local grant funds.

PART HH - The Senate concurs with the Executive proposal to create a reciprocal tax collection agreement with other states.

PART II - The Senate denies the Executive proposal to create a multi-agency information sharing database.

PART JJ - The Senate denies the Executive proposal to require an electronic tax clearance upon application or renewal for professional and business licenses;

PART KK - The Senate denies the Executive proposal to require a tax

clearance for new state employees.

PART LL - The Senate concurs with the Executive proposal to allow the Office of Children and Family Services to share day care subsidy information with the Department of Taxation and Finance.

Part MM - The Senate concurs with the Executive proposal to extend the Video Gaming vendor's capital awards program for one year.

PART NN - The Senate concurs with the Executive proposal to extend for one year certain tax rates and simulating provisions to maintain the pari-mutual betting and simulcasting structure in place in New York.

PART OO - The Senate modifies the Executive's proposal to expand electronic gaming offerings at Video Lottery Gaming facilities to limit the expansion of the proposed electronic gaming devices to a term of two years.

PART PP - The Senate concurs with the Executive proposal to extend the term of the Reorganization Board of the New York Racing Association, Inc. for an additional year.

PART QQ - The Senate omits the Executive proposal to conform New York City's corporate tax system to the changes New York State made to its Corporate Franchise Tax. The Senate takes the position that New York City's corporate tax reform should be amended to not increase taxes for individual taxpayers.

PART RR - The Senate concurs with the Executive proposal to expand the alternative fuel vehicle refueling property and electric vehicle recharging property tax credit, to allow the credit for those properties that have received grants to build such property, but only those costs that have not been paid from such grants.

PART SS - The Senate advances language to eliminate the 18-A surcharge by the end of 2015.

PART TT - The Senate advances language to increases the maximum sales tax vendor credit for quarterly filers from two hundred dollars to four hundred dollars.

PART UU - The Senate advances language to provide an optional simple personal income tax calculation.

PART VV - 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 WW - The Senate advances language to repeal the Stock Transfer Tax.

PART XX - The Senate advances language to allow mixed martial arts (MMA) organizations and professional MMA to be permitted in this state and set forth the jurisdiction of the New York State Athletic Commission to regulate professional MMA arts promotion, participants, bouts and exhibitions.

PART YY - The Senate advances language to eliminate local sales tax sunset provisions.

PART ZZ - The Senate advances language to allow for a sales tax exemption for aviation aircraft.

PART AAA - The Senate advances language to cap the sales and use tax imposed on vessels.

PART BBB - The Senate advances language to create a credit for the rehabilitation of distressed commercial properties.

PART CCC - The Senate advances language to allow businesses to include all business income for the purpose of calculating the QEZE tax credit.

PART DDD - The Senate advances language to allow a sales tax exemption for Farm Abstracts.

PART EEE - The Senate advances language to allow a state and local sales and use tax exemption for the purchase of school buses by private transportation companies.

PART FFF - The Senate advances language authorizing a sales and use tax exemption on equipment and electricity used in the operation of a ski resort.

PART GGG - The Senate advances language to exempt municipalities, except New York City from the Metropolitan Commuter Transportation Mobility Tax.

PART HHH - The Senate advances language to change the reimbursement to libraries for taxes paid for the Metropolitan Commuter Transportation Mobility Tax, to an exemption.

PART III - The Senate advances language to exempt preschools from the Metropolitan Commuter Transportation mobility Tax.

PART JJJ - The Senate advances language to double the tuition deduction and tax credit over four years.

PART KKK - The Senate advances language to create an asbestos remediation credit.

PART LLL - The Senate advances language to increase an agent's cigarette markup fee along with provisions to create a reward system for individ-

uals that report and assist in the prosecution of others for the unlawful possession and sale of cigarettes.

PART MMM - The Senate advances language to direct funding proportional to need for the Veterans Entrepreneurship Assistance program.

PART NNN - The Senate advances language to create an additional 5% Film Production Tax Credit for certain counties.

PART OOO - The Senate advances language to provide a credit for the construction of middle income housing.

PART PPP - The Senate advances language to amend a the tax law definitions to clarify the definition of a captive insurance company that is owned by a REIT.

PART QQQ - The Senate advances language to create the REPAIR tax credit .SO DOC S R950 RESO TEXT 2015

for senior homeowners for repairs that improve their health and safety.

PART RRR - The Senate advances language to fix an ambiguity in the empire zones credit provisions.

PART SSS - The Senate advances language authorizing a temporary sales tax exemption related to the implementation of the Dodd-Frank Act.

PART TTT - The Senate advances language to amend the green buildings tax credit to include green homes.

PART UUU - The Senate advances language to create a senior utility circuit breaker which would provide a refundable tax credit to any senior household that pays more than seven percent of their annual income in utilities. The amount of relief would equal fifty percent of utility expenses above this seven percent threshold.

PART VVV - The Senate advances language to impose a property tax cap in the City of New York.

PART WWW - The Senate advances language to provide that the division of the state police will complete criminal background checks for all casino vendor license applicants.

PART XXX - The Senate advances language to provide modernization in outdated formulas for off-track betting such as: maintenance of effort, market origination fees, uncashed ticket retention, consent and capital acquisition fund.

PART YYY - The Senate advances language to increase by 1% the retention of purse monies related to Worker's Compensation Insurance coverage.

PART ZZZ - The Senate advances language to eliminate dark day payments for OTBs;

PART AAAA - The Senate advances language to extend for one year the vendor fee rates for a vendor track located in Sullivan County.

PART BBBB - The Senate advances language to establish a program to protect eligible low income tenants from future rent increases.

PART CCCC - The Senate advances language to authorize a tax exemption for senior citizen tenants residing in manufactured home parks in certain municipal corporations and school districts.

PART DDDD - The Senate advances language to extend authorization to eligible municipalities to offer a real property tax incentive to encourage the development of affordable housing and the remediation of blighted or underutilized areas within such municipalities;

PART EEEE - The Senate advances language to increase the NYC STAR personal income tax credit from \$125 to \$214 for married taxpayers and \$62.50 to \$107 for single taxpayers, over a three year period.

PART FFFF: The Senate advances language to create a state tax deduction for interest paid on an undergraduate loan to match the federal deduction at one-hundred percent.

Part GGGG - The Senate advances language to establish the public housing revitalization fund and establish certain oversight provisions, to be funded with a portion of city and state funds.

The Senate advances a proposal to pass a constitutional amendment to cap State spending at two percent;

The Senate proposes freezing the authorization to spend out of the personal service account within the Empire State Development Corporation if any required Empire State Film Tax Credit reports are not issued to the Legislature by the deadline set in statute and the freeze will continue until the report is issued;

The Senate will continue to examine consequences for New York's existing gaming industry and municipalities as a result of the siting of any newly licensed casino to maintain the continued viability of such industry within the state, including adjustments of vendor fees and elimination of statutory restrictions or enhancement of market opportunities.

The Senate will further examine internet gaming for games of skill, reflecting recent changes in the classification of these games.

The Senate will work diligently to provide incentives and surety for developers within the city of New York in the area of zoning in an effort to provide continued economic advancement and job creation.