



Finance Committee

Staff Report on the
Adopted Budget

FY 2016

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Coalition Leader

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Independent Democratic Conference Leader
Coalition Leader

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Robert F. Mujica

Chief of Staff
Secretary to the Finance Committee

MARCH 2015



Report of the Senate Finance Committee



STAFF ANALYSIS OF THE FY 2016 ADOPTED BUDGET

As Prepared by the Senate Majority Coalition Finance Committee / Counsel Staff

Robert F. Mujica
Chief of Staff &
Secretary, Finance Committee

Beth Garvey
Counsel to the
Majority Conference

Michael Paoli, Managing Director and Deputy Secretary, Senate Finance Committee
Adam Richardson, First Assistant Counsel, Senate Counsel Program

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Brendan Boyle	Thomas Havel
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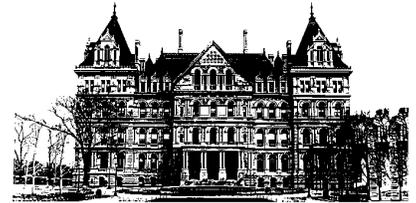
Counsel Staff

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Kenneth Connolly	Joseph Messina
James Curran	Peter Morris
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Robert Gibbon	David Previte
Colleen Glavin	Nicole Stewart
Allison Gold	NancyLynn Thiele
Lisa Harris	Thomas Wickham
Niko Ladopoulos	Rebecca Wood

Publication Editor

Jason P. Clark

TABLE OF CONTENTS



Staff Report on the Adopted Budget – March 2015

New York State Settlement Funds and Additional Capital	1
Upstate Revitalization Awards/REDCs “No Losers”	6
New York City Business Tax Conformity	7
School Aid and the Gap Elimination Adjustment (GEA)	8
New York State Water Infrastructure Improvement Act	10
Browfield Cleanup Program Reform	11
Ethics Reform	12

Report on the Adopted Executive Budget

Agencies A-C	15
Agencies D-E	22
Agencies F-G	33
Agencies H-I	34
Agencies J-L	45
Agencies M-O	49
Agencies P-R	52
Agencies S-U	55
Agencies V-W	60
Miscellaneous	61
Revenue (S.2009-B)	62

New York State Settlement Funds and Additional Capital



New York State has received approximately \$5.7 billion in monetary settlements with banks and insurers. The FY 2016 Enacted Budget includes a total of \$5.4 billion from these settlements. The remaining \$275 million was assumed as receipts from financial settlements and is included in the FY 2015 Financial Plan. The following table lists the sources of these funds:

Monetary Settlements	
	Million \$
BNP Paribas	3,591
Credit Suisse AG	715
Bank of Tokyo Mitsubishi	315
Bank of America	300
Standard Chartered Bank	300
Bank Leumi	130
Ocwen Financial	100
Citigroup (State Share)	92
MetLife Parties	50
American International Group	35
PricewaterhouseCoopers	25
AXA Equitable Life Insurance Company	20
Other Settlements (TBD)	7
Total Sources	5,680

In addition to this funding, the FY 2016 Enacted Budget includes additional multi-year capital commitments above the amount proposed by the Executive.

Settlement Funds in the Enacted Budget

The FY 2016 Enacted Budget includes \$5.4 billion in settlement fund revenues. These funds have been allocated primarily for State-wide infrastructure improvements, including \$3.05 billion for special infrastructure projects and

\$1.5 billion for upstate revitalization. Another \$850 million has been reserved for the over-payment of federal Medicare and Medicaid revenues and \$5 million has been transferred to support the New York State Office of Alcoholism and Substance Abuse Services (OASAS) Chemical Dependence Program. The following table lists the approved use of the settlement funds:

Monetary Settlements	
Approved Use of Available Settlements	Million \$
Settlements Budgeted in FY 2015 Financial Plan	(275)
Transfer to Support OASAS Chemical Dependence Program	(5)
Special Infrastructure	(3,050)
Upstate Revitalization	(1,500)
Over-payment of Federal Medicare/Medicaid Revenues	(850)
Total	(5,680)

Dedicated Infrastructure Investment Fund

The Dedicated Infrastructure Investment Capital Fund was created through Article VII legislation to accept the deposit of the settlement funds in joint custody of the State Comptroller and the Commissioner of Taxation and Finance. It consists of one account, the Infrastructure Investment Account, which includes the funding for both the \$3.05 billion in special infrastructure projects and the \$1.5 billion for upstate revitalization, for a total of \$4.6 billion. The legislation allows for the transfer of funds out of the Dedicated Fund to the General Fund in the event of an economic downturn or to pay \$850 million in settlements related to over-

payment of federal Medicare and Medicaid revenues.

The following table lists the program funding under the Infrastructure Investment account:

Infrastructure Investment Account	
Approved Use of Available Settlements	Million \$
Thruway Stabilization Program	1,285
Penn Station Access	250
Infrastructure Improvements	115
Broadband Initiative	500
Hospitals	400
Transformative Economic Development (Long Island)	150
Resiliency, Mitigation, Security, and Emergency Response	150
Municipal Restructuring	150
Southern Tier/Hudson Valley Farm Initiative	50
Subtotal	3,050
Upstate Revitalization	1,500
Total	4,550

Upstate Revitalization - \$1.5 Billion

The Legislature approved the use of \$1.5 billion in settlement funds for Upstate revitalization as the Executive proposed in the FY 16 Executive Budget. Three Upstate regions, with the exception of the Western New York region, will compete for three \$500 million awards to be paid out at \$100 million a year for five years for transformative projects. However, since the Executive budget submission, it has been made clear that all regions will receive more funds than in last year's Regional Economic Development Council (REDC) awards

The top REDC annual award the last two years was \$83 million, however no region received less than \$57 million. The three revitalization award winners will only receive approximately \$30 million through the annual REDC award

process in 2016 (for a total of \$130 million when you included the \$100 million from the upstate revitalization award). This means there will be \$90 million more to divide up amongst the other seven regions. Three of the other seven regions will receive a "first tier" award of \$105 million, and the remaining four regions will receive \$85 million in 2016 REDC awards. In order to achieve that level of awards approximately \$30-\$35 million will have to be added to the total amounts awarded over the past two years (\$715 million in 2013 and \$710 million in 2014).

Thruway Stabilization Program - \$1.3 Billion

The FY 2016 Enacted Budget includes modifications to the \$1.3 billion allocated to the Thruway for costs related to the New NY Bridge (Tappan Zee Bridge) and the Thruway Authority's core capital program. These modifications include the requirement that a plan be submitted to the Governor and the Legislature prior to the funds being disbursed. The plan will include the capital projects and the amount of funding for each project. In addition, an annual report detailing the amount of funding used in the previous calendar year will be submitted.

Penn Station Access - \$250 Million

The Metropolitan Transportation Authority (MTA) will receive \$250 million for its Penn Station Access project. The project, which is estimated to cost about \$1 billion, will connect the New Haven branch of the Metro-North Railroad to Penn Station in Manhattan, and includes the construction of four new train stations (Co-op City, Morris Park, Parkchester, Hunts Point) in the Bronx. The MTA has indicated that the Penn Station Access project will be coordinated with the scheduled December 2022 completion of East Side Access, a \$10.2 billion project that began construction in 2006 and which will connect the Long Island

Rail Road to a new terminal below Grand Central Terminal.

Infrastructure Improvements - \$115 Million

The FY 2016 Enacted Budget includes \$115 million for infrastructure improvements including rail and port capital projects and the New York State Fair. Specific projects included are: the Port of Oswego (\$40 million); the Port of Albany (\$15 million); the Port of Ogdensburg (\$10 million); and New York State Fair facility improvements (\$50 million).

Broadband Initiative - \$500 Million

The FY 2016 Enacted Budget includes \$500 million for the development of infrastructure to bring broadband to unserved and underserved areas of New York State. Priority will be given to projects that bring high-speed internet access to unserved areas of the state, public libraries and educational opportunity centers. The Urban Development Corporation is required to submit a report no later than June 30, 2016 to the Director of the Budget and all Legislative leaders detailing the total amount of public and private funds committed annually, the location of each area receiving funds and the goals of the area, planned future investment from both public and private sources and any other information deemed necessary by the Corporation.

Hospitals - \$400 Million

The Enacted Budget includes \$355 million for health care providers in geographically isolated areas to support debt retirement and capital projects. Funding can also be used for non-capital projects that support mergers, consolidations and acquisitions. The Budget also includes \$20 million to support a revolving loan fund available to primary care and community based provider capital needs. Roswell Park Cancer Institute will receive \$15.5

million to restore a 15 percent reduction proposed by the Executive. Lastly, the Enacted Budget includes \$10 million to support infrastructure and information technology costs of behavioral health providers.

Transformative Economic Development (Long Island) - \$150 Million

The Legislature modified the \$150 million in settlement funds originally appropriated for transit-oriented development to include any transformative economic development projects in Nassau and Suffolk Counties and to be approved by the Empire State Development Corporation. These projects must demonstrate that the public funds will serve as a catalyst for private investment resulting in increased employment, an increase in the commercial and residential tax base, or an enhancement of the environment or overall quality of life for residents of the counties.

Resiliency, Mitigation, Security and Emergency Response - \$150 Million

The FY 2016 Enacted Budget includes \$150 million to prepare for, prevent, deter, or respond to acts of terrorism; natural or man-made disasters, including severe weather events; risks to public safety, health, and/or other emergencies. According to the Division of the Budget (DoB), of this amount, \$40 million is for Counter-Terrorism; \$60 million is for local law enforcement equipment (vests; body-cameras; bullet-proof glass); and \$50 million is for State snow plows, new emergency vehicles and GPS systems.

Municipal Restructuring - \$150 Million

The FY 2016 Enacted Budget dedicates \$150 million of the Settlement Funds to advance government efficiency initiatives through municipal restructuring and consolidation. The

efficiency measures are aimed at reducing local real property tax burdens, including school property tax burdens.

Distribution of funding will be based on an application process developed by the Secretary of State. The \$150 million in funding can also be distributed through the Financial Restructuring Board or through existing Municipal Restructuring programs:

1) Citizens Reorganization Empowerment Grants –provides funding of up to \$100,000 to local governments for planning and administration reorganization (e.g. consolidation and dissolutions).

2) Citizen Empowerment Tax Credits – provides tax credits equal to 15% of the new tax levy for cities, towns or villages that consolidate or dissolve. Seventy percent of the aid received must be used for direct property tax relief.

3) Local Government Efficiency Grants – provides competitive grants of up to \$200,000 per municipality for funding to cover costs related to efficiency projects (e.g. cooperative services, regionalization services, consolidation, etc.).

Souther Tier/Hudson Valley Farm Initiative - \$50 Million

Fifty million dollars is included to support the agriculture industry in the Hudson Valley and Southern Tier. Of this amount, \$20 million is dedicated to farmland preservation in the Hudson Valley through the use of farmland easements. While the definition of the region is unspecified, its northern boundary is expected to include Saratoga and Washington Counties – though final determination will be made by the Director of Agriculture and Markets.

The remaining \$30 million will be devoted to an 11-county region spanning the Southern Tier for the support of economic development projects. Matching grants of up to \$100,000 will be available to individual farmers for projects that improve profitability or improve environmental conservation. The State will provide these grants on a 3:1, state-to-recipient basis, with \$25 million dedicated to this purpose. Projects to promote the agriculture industry on a regional basis such as the development of food hubs, expansion of farmers markets, and investment in food processing plants will receive \$5 million in total.

Additional Capital

Sewer/Water Infrastructure - \$50 Million

The FY 2016 Enacted Budget provides \$200 million for the Water Quality Infrastructure Improvement Act of 2015 which authorizes the Environmental Facilities Corporation (EFC) to provide grants to municipalities for the replacement and repair of existing wastewater infrastructure and drinking water infrastructure. The \$200 million will be allocated as follows: \$50 million for FY 2015-16; \$75 million for FY 2016-17; \$75 million for FY 2017-18.

Grants may constitute up to 60 percent of the overall cost of an infrastructure project and municipalities will be responsible for financing the remaining 40 percent, which may be obtained through EFC loans or outside sources. No municipality may receive more than \$5 million in grant money in any one year. Grants will be awarded on the basis of hardship, using current EFC criteria for water infrastructure programs. The hardship criteria takes into consideration the ability of a community to bear increased water rates, and provides grant money that would prevent rates from rising over a certain threshold.

State and Municipal Facilities Program - \$385 Million

The FY 2016 Enacted Budget includes \$385 million for the State and Municipal Facilities Program. The program's eligibility criteria was modified to clarify the eligibility of not-for-profit first responders and to allow for the purchase of heavy duty road maintenance and construction vehicles. Additionally, the amendments authorize the eligibility of certain nonprofit organizations whose sole purpose is to support State and municipal park facilities.

State Highways and Bridges - \$250 Million

In addition to the \$750 million the Executive proposed for State highways and bridges over five years, the FY 2016 Enacted Budget includes a \$100 million commitment for FY 2016 and a \$150 million commitment for FY 2017, for an additional five-year commitment of \$1 billion, an increase of \$250 million over the Executive proposal. The total Department of Transportation capital commitment for FY 2016 is \$3.7 billion.

Upstate Transit Capital - \$15 Million

The FY 2016 Enacted Budget includes \$15 million in Upstate transit capital flexible funding. Unlike traditional transit capital, the appropriation language has been modified to allow these funds to be used to substitute the required local matching shares of federal aid (80/20 matching program) for purchasing certain capital such as buses. If transit agencies take advantage of this flexibility it will free up operating funds. The Legislature accepted the \$5 million in traditional capital funding for non-MTA transit systems proposed in the Executive Budget. In addition, the Legislature accepted the Executive proposal to allocate \$121 million in additional downstate dedicated revenues to

capital for MTA (\$104 million) and non-MTA downstate transit systems (\$17 million).

Consolidated Local Streets and Highway Improvement Program (CHIPS) - \$50 Million

The FY 2016 Enacted Budget includes \$50 million in one-time Consolidated Local Streets and Highway Program (CHIPS) funding for extreme winter recovery, a \$10 million increase from the \$40 million included in the FY 2015 Enacted Budget. This \$50 million is in addition to the \$438 million in CHIPS funding, for a total of \$488 million for FY 2016.

Transformative Investment Program - \$400 Million

The Legislature added \$400 million for a multi-year Transformative Investment Program for capital projects located in Nassau and Suffolk Counties. These funds are for capital projects in support of manufacturing, agriculture, business parks, community anchor facilities, county and local fairgrounds, advanced technology including biotechnology and biomedical facilities, and main street revitalization. No project award under the program can be less than \$5 million.

Upstate Revitalization Awards/REDCs “No Losers”



New York State has received approximately \$5.7 billion in monetary settlements with banks and insurers. The FY 2016 Enacted Budget allocated \$1.5 billion of these funds for upstate revitalization awards.

Upstate Revitalization Initiative Awards

The Legislature approved the use of \$1.5 billion in settlement funds for the Upstate Revitalization Initiative Awards (URA) as the Executive proposed in the FY 2016 Executive Budget. Three Upstate regions, with the exception of the Western New York region, will compete for three \$500 million awards. The three “winners” will receive \$100 million a year for five years. These funds will be used to issue loans and grants for workforce development and business and tourism plan development.

“No Losers”

The proposal was met with much criticism, because although there will be three winning regions, there will also be four regions of the state that will not share in the \$1.5 billion. The Executive responded to this criticism by saying that through the Regional Economic Development Council (REDC) process there will be “no losers”. All regions will receive more funds than in last year’s REDC awards.

For the last two years the top REDC annual award was \$83 million, however no region received less than \$57 million.

The three URA winners will only be eligible for bottom tier REDC awards. They will receive

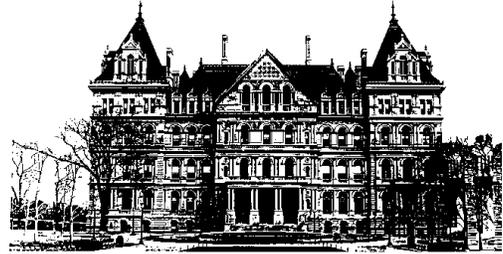
approximately \$30 million through the annual REDC award process in 2015 (for a total of \$130 million when you include the \$100 million from the URA). The result is \$90 million more in awards to divide up amongst the other seven regions.

Three of the other seven regions will receive a “first tier” award of up to \$105 million, and the remaining four regions will receive second tier awards of up to \$90 million in 2016. The first and second tier award winners will receive \$20 million to \$30 million more, respectively, than in 2013 and 2014.

The 2015 REDC awards will total \$750 million or \$35-\$40 million more than the past two years (\$715 million in 2013 and \$710 million in 2014). If every region received the full amount of the maximum prize per tier (\$105 and \$90 million) the REDC awards would have to total \$765 million.

2016 REDC Awards	
(millions of dollars)	
REDC Award Tier	Award
First Tier Award Maximum (3)	\$105
Second Tier Award Maximum (4)	\$90
Bottom Tier Award (3 URA winners)	\$30
Total	\$750
REDC Award Plus URA	
Bottom Tier REDC plus URA winners (3)	\$130
First Tier REDC Award (3)	\$105
Second Tier REDC Award (4)	\$90

New York City Business Tax Conformity



Creates a new New York City “Corporate Tax of 2015” subchapter which will govern both corporations that are currently taxed under the general corporations tax (GCT) and banks which are currently taxed under the financial corporation tax (bank tax), under the same subchapter. The creation of this new subchapter was drafted in conjunction with the New York City Finance Office and is revenue neutral to New York City.

Tax Bases: The tax bases are amended as follows:

- Eliminates the alternative minimum tax base, the bank taxable assets base and changes the entire net income base to a business income base;
- Repeals the separate tax on subsidiary capital;
- Maintains a business capital tax base and a fixed dollar minimum tax;
- Continues the phase out of the 3-factor formula for income allocation into a single receipts factor using customer sourcing rules by 2018; provides option for businesses with NYC allocated receipts of \$50 million or less, to make a one-time election starting in 2018 to retain the 3.5% weights for payroll and property factors;
- Provides for a subtraction modification for qualified affordable housing and low-income community loans.

Tax Rates: The tax rates are amended as follows:

- Reduces the business income tax rate from 8.85% for small businesses to 6.5% (\$1 million or less in NYC business income) and certain New York manufacturers to 4.425% (\$10 million or less in NYC business income).
- Imposes a business income tax rate of 8.85% on non-financial corporations and financial corporations with total assets of less than

\$100 billion, and imposes a business income tax rate of 9% on financial corporations with total assets of more than \$100 billion (9% is the current financial corporation tax rate);

- Raises the maximum tax calculation on capital to \$10 million, while providing a subtraction of the first \$10,000 of tax liability.

Combined Reporting: Incorporates the States combined reporting rules that require a combined return for any related business that is a unitary business and the corporation owns more than 50 percent stock in the related business. Provides an option to file a combined tax return for all related businesses that meet a 50 percent stock ownership rule. If a taxpayer elects this option, the election must be used for a 7-year period and cannot be revoked during that period.

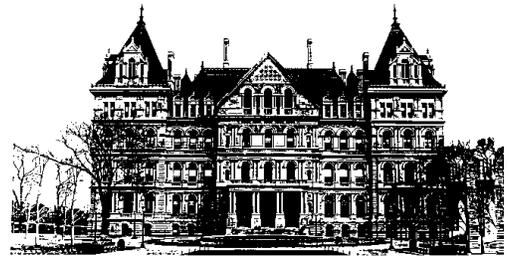
Nexus: Rejects the expansion of the nexus requirement which would have included a new economic nexus standard. Economic nexus would have subjected a corporation to New York City tax if it had at least \$1 million in receipts from activity in New York City regardless of whether the corporation employs capital, owns or leases property or maintained an office in New York City.

Other Significant Provisions:

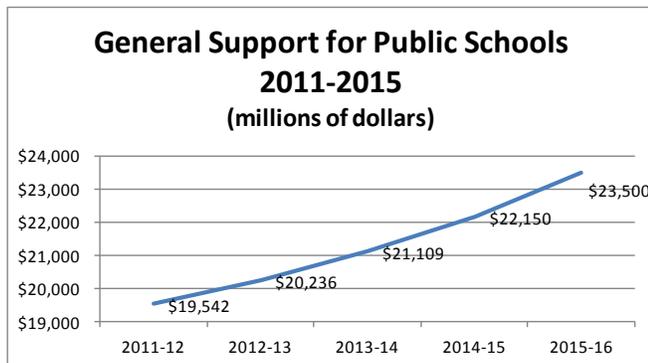
- Incorporates State corporate franchise tax (Article 9-A) net operating loss rules;
- Maintains unique New York City tax credits;

Exempts S-corporations from new changes and provides that S-corporations continue to be taxed under current rules.

School Aid and the Gap Elimination Adjustment (GEA)



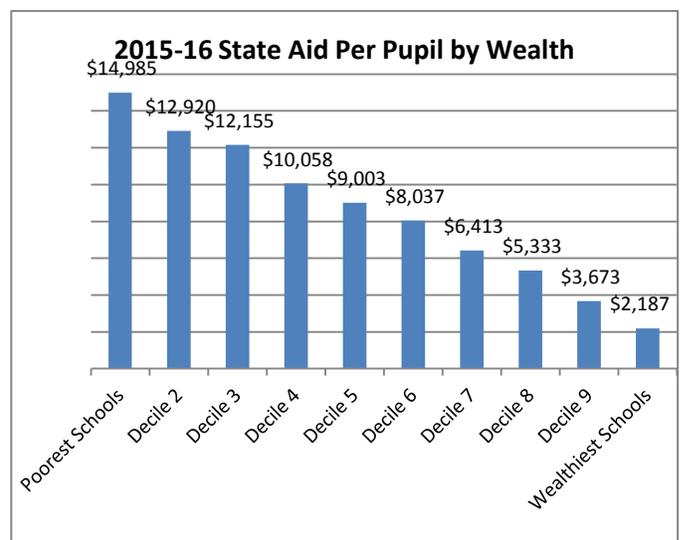
Record State Aid: The FY 2016 school aid agreement added over \$1.4 billion in education aid to school districts which provided a six percent overall increase in funding. This agreement sustains a clear commitment to education aid to school districts which provides for \$23.5 billion in General Support for Public Schools (GSPS) which is a record level of funding for New York State's Pre-k through 12 public school children. Over the last four years GSPS has been increased by \$3.96 billion or 20 percent. Over that same time period CPI growth amounted to four percent.



This increase to education includes eliminating \$603 million in the Gap Elimination Adjustment (GEA) for the 2015-16 school year, provides an additional \$428 million in foundation aid and provides for \$268 million in expense base aids which reimburses school districts for prior year expenses in school construction, transportation, BOCES and special education services.

The State's commitment to education is not only found in the overall direct state support but also in the progressivity of the distribution of aid to school districts. The following chart shows aid per pupil figures for school districts based on the combined wealth ratio. The Combined wealth ratio is a relative wealth measure that compares a school districts local property wealth and local income

wealth per pupil to the rest of the state. The chart shows poorer school districts receive more aid per pupil than wealthier school districts. In fact the poorest school districts receive almost seven times more aid per pupil than the wealthiest school districts in the State.



Gap Elimination Adjustment Reduction: For the past five fiscal years, nearly all public school districts in New York State have been negatively impacted by a bottom line reduction to their annual State Aid apportionment by a statutory formula known as the Gap Elimination Adjustment or GEA. Reeling from the effects of the downturn in the economy beginning with the housing crisis in 2008, Democrats enacted the GEA as a budget cutting

School Year	GEA at FY Start	ARRA Funds	Total Restoration	Remaining GEA
2010-11	(\$2,138.1)	\$734.2	\$0.0	(\$1,412.1)
2011-12	(\$2,785.8)	\$0.0	\$229.3	(\$2,556.5)
2012-13	(\$2,556.5)	\$0.0	\$400.2	(\$2,156.3)
2013-14	(\$2,156.3)	\$0.0	\$517.5	(\$1,638.8)
2014-15	(\$1,638.8)	\$0.0	\$602.1	(\$1,036.7)
2015-16	(\$1,036.7)	\$0.0	\$603.1	(\$433.9)

tool as it struggled with the State’s structural deficit. While the GEA was first proposed by the Executive in FY 2011, it was introduced in another form just one year earlier and was known as the Deficit Reduction Assessment. Similar to the Deficit Reduction Assessment of 1990-91 and the years of the Transition Adjustment that followed public school districts throughout the 1990’s, the GEA like its predecessor has represented a recurring bottom line cut to state aid for public education.

2010 Impact - GEA

Beginning with the FY 2010 Executive Budget, the Executive proposed a \$1.097 billion Deficit Reduction Assessment (DRA) on school districts. This reduction was proposed due to a loss in State revenues as the State was in the midst of a national recession. Subsequent to the introduction of the FY 2010 Executive Budget Proposal, the Obama administration enacted the American Recovery and Reinvestment Act (ARRA) which provided federal funds to States to help with budget shortfalls. As a result, New York State was scheduled to receive \$2.5 billion in aid from the ARRA over two years to support elementary and secondary education. In FY 2009 the State utilized \$1.2 billion in ARRA funds to provide an increase of \$403 million for General Support for Public Schools over the prior school year. However, midway through the school year, additional cuts were needed as the recession worsened and projected revenues were declining. Therefore, the State utilized an additional \$700+ million in ARRA funds to provide additional general fund relief to school districts. In the end, the receipt and use of ARRA funds prevented any GEA reduction or Deficit Reduction Assessment on school districts in 2010.

2011 Impact - GEA

In FY 2011, the Executive proposed a GEA of \$2.1 billion which was partially offset by the remaining ARRA funds resulting in a net proposed GEA of \$1.4 billion. In that same year, the Obama Administration provided the State with \$607 million in EDUJOBS funds which were intended to help save teaching positions. While the EDUJOBS program funds were distributed to school districts

to offset cuts in State funding, the GEA still remained and was shown on the enacted computerized state aid runs at \$1.4 billion. In other words, the GEA was not offset by the influx of the additional \$607 million in EDUJOBS funds.

There are those that maintain the influx of EDUJOBS program funds, which were special aid funds, were for the purpose of saving teaching positions and therefore they were not to be counted as GEA restorations. However, an equally viable argument can be made that reductions in teaching positions in the general fund due to the GEA were replaced by additional teaching positions filled with EDUJOBS program funds—even if those funds were accounted for in a special aid fund. In sum, while there was obviously a negative impact on school district revenue due to the \$1.4 billion GEA, a considerable amount of this negative impact was offset by the receipt of \$607 million of EDUJOBS program funds.

2012 Impact & Beyond - GEA

Beginning with FY 2012 and up to the current fiscal year, the impact of the GEA has been much simpler to quantify since the federal government discontinued the distribution of ARRA funds and EDUJOBS funds to the States. From 2011-12 to 2014-15 the state has followed a pattern where the Executive has proposed the GEA for all school districts in his Executive Budget and the Legislature has made changes to the Executive budget proposal to reduce the impact of the GEA even further. However in FY 2016 the Executive did not propose any reductions to the GEA and left it to the Legislature to determine how much to reduce the GEA and how to distribute those reductions. The Senate has made GEA restorations a top priority by enacting restorations to it in an attempt to reduce it further with a goal to eliminate it as soon as possible within available resources.

Status of the GEA (millions of dollars)				
School Year	GEA at FY Start	ARRA Funds	Total Restoration	Remaining GEA
2010-11	(\$2,138.1)	\$734.2	\$0.0	(\$1,412.1)
2011-12	(\$2,785.8)	\$0.0	\$229.3	(\$2,556.5)
2012-13	(\$2,556.5)	\$0.0	\$400.2	(\$2,156.3)
2013-14	(\$2,156.3)	\$0.0	\$517.5	(\$1,638.8)
2014-15	(\$1,638.8)	\$0.0	\$602.1	(\$1,036.7)
2015-16	(\$1,036.7)	\$0.0	\$603.1	(\$433.9)

NYS Water Infrastructure Improvement Act

\$200 Million



The FY 2016 Enacted Budget creates the \$200 million Water Infrastructure Improvement Act to provide grants to municipalities to supplement funding from the Clean Water and Drinking Water Revolving Loan Programs at the Environmental Facilities Corporation. The program would provide for the following:

- Authorizes the Environmental Facilities Corporation (EFC) to provide \$200 million over the next three years for water infrastructure improvement grants to municipalities.
- Funds would be appropriated as follows: \$50 million for FY 2015-16; \$75 million for FY 2016-17; \$75 million for FY 2017-18.
- Grants could be awarded for existing water improvement projects or used to supplement low or no interest loans from the Drinking Water Revolving Loan Program or the Clean Water Revolving Loan Program currently administered by the EFC.
- Grants shall be used for the replacement and repair of existing wastewater infrastructure and drinking water infrastructure, but not storm water infrastructure. In limited instances grants may be used to create new infrastructure.
- Grants may constitute up to 60% of the overall cost of an infrastructure project. Municipalities will be responsible for financing the remaining 40%, which may be obtained through EFC loans or outside sources.
- A municipality may not receive more than \$5 million in grant money in any one year.
- Grants will be awarded on the basis of hardship, using criteria previously

established by EFC for their existing water infrastructure programs.

- The hardship criteria would consider the ability of a community to bear increased water rates, and provides grants that would prevent rates from rising over a certain threshold.

Brownfield Cleanup Program Reform



The FY 2016 Enacted Budget extends and amends the Brownfield Cleanup Program. The program would provide for the following:

- Extends the Brownfield Cleanup Program (BCP) for ten years to expire March 31, 2026.
- Establishes new limitations for tangible property tax credit eligibility in New York City: (1) at least 50% of the site is located in an environmental zone (EN-zone); (2) the property is upside down, defined as having cleanup costs that exceed 75% of the independently appraised property value absent contamination; (3) the property is underutilized, the definition of which is to be determined by regulation; (4) the property is an affordable housing project, the definition of which is to be determined by regulation.
- Shifts certain cleanup costs from eligibility under site preparation tax credit component to redevelopment tax credit component.
- Establishes a voluntary program, called the BCP-EZ, which exempts voluntary cleanup from BCP procedural requirements provided the applicant waives in writing any claim to tax credits.
- Requires sites accepted before June 23, 2008, to receive certificate of completion by December 31, 2017, and sites accepted after June 23, 2008, but prior to July 1, 2015, to receive certificate of completion before December 31, 2019, or face removal from program.
- Provides “bonus” tangible property tax credits of 5% for projects located in EN-zones, projects in conformance with Brownfield Opportunity Area (BOA) plans, affordable housing projects, sites used

primarily in manufacturing, and sites remediated to a Track 1 level.

- Eliminates insurance remediation tax credit and real property tax credit for sites accepted into program after July 1, 2015.
- Exempts hazardous waste generated at certain sites from fees and special assessments.
- Makes various administrative changes to streamline implementation of program.

Ethics Reform



Client Disclosure

The Ethics Reform language further enhances client disclosure to require lawyers, licensed real estate brokers or agents, any SED licensed professional or any filer working for a lobbying firm to give a more detailed description of their job duties for which they receive a salary. Filers must state specifically if you provide services directly to clients, and in which general areas the firm practices.

Current law restrictions from POL § 73 (7) apply, except that it is immediately prohibited to accept compensation in connection with passage of a bill or resolution.

Since last year, a referral a member has received from a lobbyist in excess of \$50,000 has been subject to disclosure by the lobbyist. The threshold is reduced to \$10,000 and requires disclosure of the client as well. If a filer earns more than \$10,000, then any client for whom the attorney, CPA, or other professional directly performed services for compensation of more than \$5,000 would be disclosed. The following services would be exempt from disclosure:

- Bankruptcy, Domestic Relations, Criminal, Family Court, Estate Planning, Individuals represented pursuant to an insurance policy (insurer must be identified);
- Medical, Pharmaceutical or Dental services, or Residential Real Estate Services;
- For issues relative to minors, disclosure would be by initials only, unless an OCA/JCOPE exemption is sought; and
- For trade secrets or if federal law or guidelines requires secrecy, then the disclosure would be placed in an OCA lockbox until such time as the information can be disclosed, unless the exemption is sought.

The legislation creates a new optional exemption process at either OCA or JCOPE. If OCA/JCOPE finds that the identity of the client should be exempt, then the disclosure is not necessary, and the OCA/JCOPE will inform the member of its decision. This final determination must be made in 3 days and can be appealed.

OCA/JCOPE may consider the Code of Professional Responsibility and shall consult with Legislative Ethics Commission or JCOPE depending on where filer is employed and any professional or bar associations. OCA/JCOPE will balance a number of factors including the nature and size of client and whether:

- The client has any business before the state, if so how significant;
- The client has any particularized interest in pending legislation and if so how significant;
- Disclosure may reveal trade secrets;
- Disclosure could result in retaliation against client;
- Disclosure may cause undue harm to client;
- Disclosure may result in undue harm to attorney-client relationship;
- Disclosure may result in an unnecessary invasion of privacy to client; and
- Disclosure of any information related to an application by OCA is made a misdemeanor.

New Rules

New rules apply to new clients and new matters on and after 12/31/15 as follows:

- If a filer does not provide services to clients then the filer is required to describe what services are provided and the amount;
- Expands municipal lobbying to require JCOPE registration for lobbying of any locality with more than 5,000 residents;
- For state-related business there is currently a threshold of \$50,000 for contracts or \$25,000

for a grant before that representation has to be disclosed. The new proposal reduces both thresholds to \$10,000; and

- Requires each house to come up with verification policies for per diems:
 - Requires that each house come up with a policy which may be different for in or out of session;
 - Preference for electronic verification measures; and
 - Requires posting on website.

Personal Use

Personal Use changes require that an advisory opinion or any other formal or informal guidance of the Board of Elections is binding on Enforcement Counsel. If a candidate loans money to his or her campaign, he cannot be paid interest or finance charges. The “Personal Use” definition is modified to clarify it is exclusively for the personal benefit of an individual. The legislation adds categories of expenditures that are presumed personal *unless* related to the holding of public office, campaign or party position:

- Clothing
- Tuition;
- Child Care;
- Country Club or Health Club dues or memberships;
- Mortgage or rent on primary residence unless apportioned for personal use;
- Salary to member of family or staff if not related to campaign or holding state office; and
- Payment of fines or penalties for the candidate

Enforcement Counsel / Independent Expenditures (IE)

- Expands the notion of “specific words” expenditures being required to qualify as an IE. Currently you must use “vote” or “oppose” or “support” etc. to qualify as an IE expenditure captured by law;
- New provision creates a 60 day pre-general/30 day pre-primary blackout that will capture a communication to an audience of

more than 500 where a clearly identified candidate is named or depicted; and

- Addresses concerns about 501 (c)(3) being captured if name of candidate is used.

Pension Forfeiture

- First passage of a Constitutional Amendment that would allow for pension forfeiture to be applied to those individuals who joined the pension system prior to 2011 and who are convicted of specific felonies related to their public office.
- After the effective date of the Constitutional Amendment (at earliest January 1, 2018), provides language to strengthen the protections for a spouse or minor children who are beneficiaries of such pension, by mandating an award for such beneficiary in a proceeding where pension forfeiture was ordered.
- Requires that the proceeding to forfeit all or any portion of a state pension be a separate post-sentencing hearing.

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REPORT ON THE ADOPTED EXECUTIVE BUDGET

ALL STATE AGENCIES AND OPERATIONS

Adirondack Park Agency

State Operations (S. 2000-C)

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

Aging, Office for the

State Operations (S. 2000-C)

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

Aid to Localities (S. 2003-C)

- The Legislature modifies the Executive recommendation for Aid to Localities as follows:
 - Restores funding for the following programs:
 - \$200,000 for Lifespan Elder Abuse Services;
 - \$86,000 for the New York Foundation for Seniors Home Sharing and Respite; and
 - \$31,500 for the Senior Action Council.
 - Increases funding for the following programs:
 - \$2.5 million for the Community Services for the Elderly Program; and
 - \$500,000 for the Long Term Care Ombudsman Program.
 - Provides funding for the following programs or initiatives:
 - \$50,000 for Meals on Wheels Programs and Services of Rockland;
 - \$100,000 for the Emerald Isle Immigration Center;
 - \$312,000 for the Jewish Community Council of Greater Coney Island;
 - \$200,000 for the Hebrew Home for the Aged;
 - \$100,000 for Samuel Field YM & YWHA; and
 - \$100,000 for Riverdale Senior Services.

Article VII Proposals (S. 2007)

- PART N – The Legislature modifies the Executive proposal to authorize the Office to seek input from the public regarding the establishment of an Office of Community Living by requiring statewide input from stakeholders and requiring specific reporting requirements.

Agriculture and Markets, Department of

State Operations (S. 2000-C)

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

Aid to Localities (S. 2003-C)

- The Legislature amends the Executive recommendation as follows:
 - Restores
 - \$1 million for Agribusiness Child Development Centers;
 - \$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;
 - \$50,000 for Cornell Honeybee research and extension;
 - \$50,000 for Cornell Onion research;
 - \$220,000 for Dairy Profit Teams at Farm Viability;
 - \$175,000 for the EEE 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;
 - \$150,000 for the Turfgrass Association;
 - \$100,000 for the Wood Products Council.
- Provides an additional
 - \$125,000 for Christmas Tree Growers;
 - \$378,000 for Cornell Pro-Dairy;
 - \$250,000 for Dairy Quality Assurance and Control Program;
 - \$200,000 for Deer Fence Matching Grants;
 - \$500,000 for Farm-to-Seniors Program;
 - \$1.5 million for the Farm Viability Institute;
 - \$416,000 for FarmNet;
 - \$125,000 for Cornell Maple Research;
 - \$200,000 for FFA;
 - \$213,000 for the Maple Producers Association;
 - \$560,000 for Rabies programs at Cornell;
 - \$100,000 for Precision Agriculture Studies;
 - \$1 million for Regional Food Hubs;
 - \$100,000 for the Vegetable Growers Association;
 - \$250,000 for the Tractor Rollover Prevention program; and
 - \$306,000 for the Wine and Grape Foundation.

Capital Projects (S.2004-C)

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

Article VII Proposals (S. 2008-B)

- PART V – The Legislature concurs with the Executive proposal to eliminate fees associated with seven licenses for business activities and restructures the license period for two additional activities.
- PART EE – The Legislature includes language creating a low/no-interest revolving loan fund to provide loans of up to \$50,000 for the purpose of drain tile installation.
- PART FF – The Legislature includes language authorizing the Empire State Development Corporation to provide grants to beginning farmers to enhance the profitability of farming operations through the purchase of machinery, construction equipment, improvement of physical structures, or other costs as deemed appropriate.

Alcoholic Beverage Control Board

State Operations (S. 2000-C)

- The Senate concurs with the Executive appropriation level of \$18.07 million.

Alcoholism and Substance Abuse Services, Office of

State Operations (S. 2000-C)

- The Legislature concurs with the Executive recommendation of \$115.3 million.

Aid to Localities (S. 2003-C)

- The Legislature concurs with the Executive recommendation of \$471.7 million, and provides the following funding increases:
 - \$2 million for New York City Department of Education Substance Abuse Prevention and Intervention Specialists; and
 - \$1 million for opiate abuse treatment and prevention programs.

Capital Projects (S. 2004-C)

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

Audit and Control, Department of

State Operations (S. 2000-C)

- The Legislature modifies the Executive recommendation of \$275.7 million as follows:
 - Denies the Executive proposal to transfer the Environmental Protection and Oil Spill Compensation Fund Administration Program to the Department of Environmental Conservation, restoring \$513,000 and 10 Full Time Equivalent positions.
 - Increases Internal Service Fund appropriations for the Chief Information Office and Executive Direction Programs by a total of \$8.2 million to allow the Department to better direct operational spending and mitigate a potential budget deficit.

Aid to Localities (S. 2003-C)

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

Budget, Division of the

State Operations (S. 2000-C)

- The Legislature denies the proposal to authorize 47 Executive agencies to issue Lean Certification Bonuses of up to \$5,000 for certified employees that administer processes and procedures to reduce waste; and
- Amends the Executive recommendation for State Operations as follows:
 - Restores \$10,000 for the National Conference of Insurance Legislators;
 - Restores \$469,000 for the Council of State Governments; and
 - Provides an additional \$47,550 for the National Conference of State Legislatures.

Children and Family Services, Office of

State Operations (S. 2000-C)

- The Legislature concurs with the Executive recommendation of \$478.75 million.

Aid to Localities (S. 2003-C)

- The Legislature modifies the Executive recommendation of \$3.37 billion as follows:
- \$5.4 million increase to provide 100 percent reimbursement to New York City and Counties for capital costs associated with raising the age of juvenile jurisdiction, subject to a chapter of the laws of 2015 as submitted by the governor as a program bill.
- The Legislature restores and/or increases funding for the following General Fund programs:
 - \$1.25 million for 2-1-1;
 - \$1.75 million for Community Reinvestment programs;
 - \$2.13 million in additional funding for Runaway and Homeless Youth Act programs for a total of \$4.5 million;
 - \$3 million for Safe Harbour – sexually exploited youth programs;
 - \$1.29 million in additional funding for the Youth Development Program for a total of \$15.4 million;
 - \$2.57 million in additional funding for Child Advocacy Centers for a total of \$8 million;
 - \$750,000 for the NYS Alliance of Boys and Girls Clubs;
 - \$150,000 for OHEL Children’s Home and Family Services;
 - \$2 million in additional funding for the Advantage Afterschool program for a total of \$19.3 million;
 - \$2.45 million for Settlement Houses;
 - \$1 million for Caretaker Relative;
 - \$100,000 for Legal Services for the Elderly and Disadvantaged of Western NY;
 - \$757,200 to improve staff to client ratios;
 - \$250,000 for Community Action Organization of Erie County;
 - \$200,000 for CASES – Center for Alternative Sentencing and Employment Services;
 - \$75,000 for National Federation of the Blind – Newsline; and
 - \$35,000 for Hellen Keller CORE Adaptive Living program.
- The Legislature adds funding for the following General Fund programs:
 - \$3.5 million in additional child care subsidies to expand child care assistance programs;
 - \$500,000 for the Alliance of New York State YMCAs;
 - \$50,000 for the American Legion Boys State program;
 - \$100,000 for Central NY Ronald McDonald House Charities;
 - \$500,000 for child care facilitated enrollment for the 34th street corridor in Manhattan;
 - \$324,000 for child care facilitated enrollment in Onondaga county;
 - \$100,000 for the Greater Whitestone Taxpayers Community Center;
 - \$466,000 for New Alternatives for Children Aftercare;
 - \$200,000 for the YMCA of Greater New York;
 - \$150,000 for the Bedford Stuyvesant Restoration Corporation;
 - \$100,000 for Broadway Housing Communities;
 - \$100,000 for Gateway Youth Outreach;
 - \$50,000 for Nicholas Center for Autism;
 - \$100,000 for Family and Children’s Association;
 - \$50,000 for the Boro Park Jewish Community Council;
 - \$25,000 for the Brooklyn Chinese-American Association;
 - \$75,000 for Guardians of the Sick;
 - \$175,000 for the HASC Center;
 - \$25,000 for the Jewish Association for Services for the Aged;
 - \$25,000 for Kids of Courage;
 - \$25,000 for SBH Community Service Network;

- \$25,000 for Young Men’s and Young Women’s Hebrew Association of Boro Park; and
- \$25,000 for the Wyandanch Family Life Center.

Capital Projects (S. 2004-C)

- The Legislature modifies the Executive recommendation of \$147.7 million as follows:
 - Provides that expenditures from the new \$110 million capital program related to raising the age of juvenile jurisdiction shall be subject to a chapter of the laws of 2015 as submitted by the governor as a program bill.

Article VII Proposals (S. 2006-B)

- PART J – The Legislature denies without prejudice the Executive proposal regarding raising the age of juvenile jurisdiction and overall juvenile justice reform, with the following exceptions:
 - The Legislature concurs with the provisions to:
 - Expand the ability of the Office of Children and Family Services (OCFS) to contract with Boards of Cooperative Educational Services (BOCES) to provide special education programs and career and technical education services in juvenile justice facilities to also include music, art and foreign language programs, and to extend the expiration of these provisions by three years, until June 30, 2018;
 - Require OCFS, in consultation with the State Education Department, to report to the Governor and the Legislature by December 1, 2015, and again by December 1, 2017, on the cost effectiveness and programmatic impact of delivering such programs through BOCES; and
 - Provide that the qualifications for OCFS juvenile facility directors shall be prescribed by the Director of Classification and Compensation within the Department of Civil Service, in consultation with the Commissioner of OCFS.
- PART K – The Legislature concurs with the Executive 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 Legislature concurs with the Executive 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. 2000-C)

- The Legislature amends the Executive recommendation for State Operations as follows:
 - Provides an additional:
 - \$500,000 for CUNY LEADS;
 - \$5 million for CUNY SEEK;
 - \$250,000 for the Graduate Center Pipeline Program; and
 - \$1.5 million for the Murphy Institute.
 - Amends requirements for performance improvement plans by removing penalties for plans that are not approved and language requiring bonuses for START-UP NY participation. Plans would now be expanded to include post-graduation career outreach.
 - Denies language requiring a study examining the consolidation of back-office functions between SUNY and CUNY.

Aid to Localities (S. 2003-C)

- The Legislature amends the Executive recommendation for Aid to Localities as follows:
 - Provides an additional:
 - \$2.5 million for ASAP Remediation Program;
 - \$750,000 for Career Center Development;
 - \$241,000 for College Discovery
 - \$6.2 million for Community College Base Aid; and
 - \$902,000 for Community College Childcare Centers.
 - Amends requirements for community college performance improvement plans by:
 - Tying plans to Job Linkage Program funding.
 - Removing alignment to Regional Economic Development Councils.
 - Directing Community Colleges to establish their own regional collaborative groups.

Capital Projects (S. 2004-C)

- The Legislature concurs with the Executive recommendation of \$160.9 million.

Civil Service, Department of

State Operations (S. 2000-C)

- The Legislature concurs with the Executive recommendation of \$50.9 million.

Commission of Corrections, State

State Operations (S. 2000-C)

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

Corrections and Community Supervision, Department of

State Operations (S. 2000-C)

- The Legislature concurs with the Executive recommendation of \$2.9 billion, including funding for a new correctional officer academy class.

Aid to Localities (S. 2003-C)

- The Legislature concurs with the Executive recommendation of \$28.2 million, with the following modification:
 - Amends appropriation language to allow for a re-entry program to be conducted at another correctional facility in addition to Queensboro correctional facility as determined by the Commissioner.

Capital Projects (S. 2004-C)

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

Article VII Proposals (S. 2005-B)

- PART A – The Legislature concurs with the Executive proposal to allow for the Commissioner of the Department of Corrections and Community Supervision to grant Medical Parole Release to certain inmates, and modifies to require the Chairperson or designee of the Board of Parole within five days to review the Commissioner’s decision.

Council of the Arts

State Operations (S. 2000-C)

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

Aid to Localities (S. 2003-C)

- The Legislature concurs with the Executive recommendation of \$42.5 million.

Criminal Justice Services, Division of

State Operations (S. 2000-C)

- The Legislature concurs with the Executive recommendation of \$67.9 million.

Aid to Localities (S. 2003-C)

- The Legislature modifies the Executive recommendation for Aid to Localities as follows:
 - Includes \$600,000 for Federal Edward Byrne Justice Assistance Grant (JAG) for targeted anti-drug, anti-violence, crime control and treatment and prevention programs.
- The Legislature modifies the Executive proposal related to local programs, by providing the following funding:
 - \$2.9 million for law enforcement, anti-drug, anti-violence, crime control and treatment and prevention programs;
 - \$2.8 million for civil or criminal legal services;
 - \$2.7 million for Rape Crisis Centers;
 - \$1.6 million for programs that prevent domestic violence or aid victims of domestic violence;
 - \$1.2 million for additional Prisoner's Legal Services;
 - \$1 million for additional New York State Defenders Association funding;
 - \$715,267 for additional Alternative to Incarceration programs;
 - \$609,000 for programs that prevent domestic violence or aid victims of domestic violence
 - \$604,000 for Law Enforcement and Emergency Services agencies for equipment and technology enhancements;
 - \$500,000 for Finger Lakes Law Enforcement;
 - \$316,000 for Westchester County Policing Program, for a total of \$2.3 million;
 - \$315,000 for Operation S.N.U.G – Bronx Jacobi Medical Center Auxiliary Incorporated;
 - \$250,000 for Brooklyn Legal Services Corp A;
 - \$250,000 for Community Service Society – Record Repair Counseling;
 - \$250,000 for Legal Aid Society of Staten Island;
 - \$250,000 for Queens Child Guidance;
 - \$200,000 for Vera Institute of Justice – Common Justice;
 - \$200,000 for Vera Institute of Justice – Immigrant Family Unity Project;
 - \$200,000 for Legal Education Opportunity Program;
 - \$200,000 for New York City Police Department Training: Museum of Tolerance New York – Tools for Tolerance Program;
 - \$180,000 for Legal Action Center;
 - \$175,000 for Consortium of the Niagara Frontier;
 - \$175,000 for Brooklyn Defender;
 - \$150,000 for Friends of Island Academy;
 - \$150,000 for Legal Aid Society – Immigration Law Unit;
 - \$150,000 for Legal Services of New York City;

- \$150,000 for Make the Road New York;
- \$150,000 for Albany Law School – Immigration Clinic;
- \$150,000 for Greenpoint Outreach Domestic and Family Intervention Program;
- \$127,000 for Correctional Association;
- \$118,733 for Goddard Riverside Community Center;
- \$100,000 for John Jay College;
- \$100,000 for Fortune Society;
- \$100,000 for Bailey House – Project FIRST;
- \$100,000 for Neighborhood Initiatives Development Corporation;
- \$100,000 for District Attorney- Queens County;
- \$100,000 for District Attorney – Richmond County;
- \$100,000 for the Police Department of the City of New York for a Community Police Relations Program in the County of the Bronx;
- \$75,000 for Groundswell;
- \$65,000 for District Attorney – Rockland County;
- \$50,000 for Mohawk Consortium;
- \$50,000 for Exodus Transitional Community;
- \$50,000 for Harlem Mothers SAVE;
- \$31,000 for Osborne Association;
- \$30,000 for New York University Veteran’s Entrepreneurship Program;
- \$26,000 for Bergen Basin Community Development Corporation;
- \$20,000 Jacob Riis Settlement House; and
- \$19,000 for Elmcour Youth and Adult Activities Program.

Article VII Proposals (S. 2005-B)

- PART B – The Legislature modifies the Executive proposal to extend criminal justice and correctional services provisions/programs due to expire September 1, 2015. The Legislature modifies the provision that extends the formula distribution of certain monies recovered by District Attorneys in NYC from two years to one year and requires every District Attorney to provide an annual report detailing the total amount of monies received, with a description of how and where such funds are distributed by the District Attorney’s Office.

Deferred Compensation Board

State Operations (S. 2000-C)

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

Developmental Disabilities Planning Council

State Operations (S. 2000-C)

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

Economic Development, Department of

State Operations (S. 2000-C)

- The Legislature concurs with the Executive recommendation of \$25.6 million.

Aid to Localities (S. 2003-C)

- The Legislature concurs with the Executive recommendation of \$54.5 million and provides the following additions:
 - \$127,667 to each of the State's ten Centers of Excellence;
 - \$500,000 for the Centers of Advanced Technology;
 - \$500,000 for tourism matching grants;
 - \$100,000 for the Finger Lakes Tourism Alliance;
 - \$250,000 for a proposed Center of Excellence in Atmospheric Innovation at the University at Albany;
 - \$600,000 for the Smart Lighting laboratory at Rensselaer Polytechnic Institute;
 - \$100,000 for the Queens Economic Development Corporation;
 - \$50,000 for Long Island Farm Bureau tourism promotion;
 - \$50,000 for Long Island Wine Council tourism promotion;
 - \$1,000,000 for statewide incubator support, and
 - \$75,000 for the Michigan Street African American Heritage Corridor.

Education, Department of

State Operations (S. 2000-C)

- The Legislature increases the Executive recommendation and provides additional funding of \$800,000 in SED's facilities planning for a total of \$588.6 million. This addition is intended to reduce the backlog of school district construction plan review and approvals.
- \$1 million for the design of additional state measures, the development of growth models, and all other aspects of the teacher and principal evaluation system.

Aid to Localities (S.4612-B)

- The Legislature:
 - Provides for an overall increase to general support for public schools (GSPS) of over \$1.4 billion;
 - This increase to education includes eliminating \$603 million in the Gap Elimination Adjustment (GEA) for the 2015-16 school year, provides an additional \$428 million in foundation aid and provides for \$268 million in reimbursement for expense base aids which aids 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;
 - Increases nonpublic school aid by \$5 million;
 - Increase aid to 4201 schools by \$2.2 million;
 - Increases aid to independent living centers by \$1 million;
 - Increase funding for after-four transportation in New York City by \$4.5 million;
 - Provides \$15 million for education grants;
 - Provides \$25 million to provide more equitable per pupil funding through supplemental tuition payments for charter schools;
 - Provides a restoration of \$1.5 million for workforce education;
 - 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;
 - Restores \$100,000 for National History Day;

- Accepts the Executive proposal of \$8 million in competitive grants for the failing school initiative;
- Accepts the Executive proposal of \$25 million in competitive grants for Pre-K for three year olds;
- Accepts the Executive proposal of \$5 million in competitive grants for Master Teachers expansion;
- Accepts the Executive’s proposal of \$3 million in competitive grants for the Teacher Residency program;
- Accepts the Executive proposal of \$3 million in competitive grants for Masters in Education Scholarships; and
- Accepts the Executive proposal of \$3 million in competitive grants for the Qualitystars NY program.

Capital Projects (S.2004-C)

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

Article VII Proposals (S.2006-B)

- PART A - The Legislature takes the following actions:
 - Accepts the Executive contract for excellence proposal;
 - Accepts the Executive proposal on commercial gaming grants;
 - Rejects 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;
 - Extends for one year the provision requiring the State to reset building aid amortization interest rates every ten years;
 - Increases the appropriation authority to \$12.6 million for after four p.m. transportation of students in NYC;
 - Clarifies that the position of Chief Privacy Officer within SED is a 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 up to the amount of a district’s GEA to maintain educational programs

PART EE - Education Opportunity Agenda

Subpart A: Graduate Teacher Admission Requirements / School Deregistration / Teacher Registration

- For programs commencing instruction after July 1, 2016 graduate level teacher and educational leader programs will be required to set a minimum 3.0 GPA requirement and a minimum score on the Graduate Record Examination (GRE) or other equivalent examination for admission into such programs.
 - Schools may exempt up to 15% of their incoming classes from such requirements
- Beginning with teacher certification examinations taken after July 1, 2015 programs for graduate level teachers and educational leadership that have less than 50% of their prospective teacher candidates pass any part of the teacher certification examinations for three consecutive years shall be prohibited from admitting new students.

- Programs prohibited from admitting new students shall continue operations until the time all current students are set to graduate if they were attending on a full-time basis.
- During this period, the Commissioner of Education may reinstate the program if it has demonstrated significant improvement. If such a determination is not made, the program will be deregistered.
- Teacher and principals will be required to complete 100 hours of rigorous continuing education requirements, the content and substance of which must be approved by the commissioner of education, every five years. Individuals will have to certify to the State Education Department every five years that this requirement has been complied with.

Subpart B: NYS Masters-in-Education Scholarship

- To be eligible an individual must: (1) have earned their undergraduate degree from a New York college or university while maintaining status as a NYS resident, (2) have achieved academic excellence, to be defined through regulations, in their undergraduate program, (3) enroll in a masters level teacher education program at a SUNY or CUNY school, and (4) signs a contract to work in a NYS public school, OR charter school for five years after graduating.
- Up to 500 awards will be authorized to cover two years worth of tuition at a public institution. Individuals that violate the terms of this agreement will have the full amount of the scholarship converted into a student loan.

Subpart C: Tenure

- The probationary period for teachers and principals hired after July 1, 2015 will be **4 years**. Within a four year period a teacher must achieve an APPR rating of “effective” or “highly effective” in at least three of those years.
 - Teachers who receive an “ineffective” in the final year of their probationary period cannot be offered tenure, but the school board may continue the probationary period of the individual for another year.
 - The offer of tenure can be made contingent of a certain APPR rating in the final year of a teachers probationary period.
- Probationary teachers may be terminated at any point in time, for any statutorily permissible reason. There is no longer a requirement that APPR scores must be considered when terminating a teacher in probationary status.

Subpart D: School Receivership

- There are 178 individual schools that may be subject to receivership, these are schools that have been federally designated as “priority” for at least three years for failing to meet minimum standards of student achievement and other factors. Within the 178 figure, there are 27 schools that have been deemed persistently failing, because they have been in priority status for 10+ years.
- Upon a designation as a persistently failing or failing school, schools will need to create a department approved school intervention plan. The goals set forth in such plan take into consideration a variety of factors ranging from student attendance to school culture. Also a community engagement team will be created to foster parental input.
- For persistently failing schools (27) the superintendent, or the Chancellor in NYC, will be given the powers of the receiver for 1 year. During this 1 year period the school must make demonstrative progress on goals that are locally set, but approved by SED, within a turnaround plan. The commissioner will determine if goals are adequately met. If progress is not made schools will go into receivership.

- For all other failing schools (151) the same rules apply, but the superintendent will be granted the powers of the receiver for a period of two years. During this period progress must be made or the school will be placed into receivership at the end of the two years.
 - Going forward schools that have been designated as priority schools for 3 consecutive years will be subject to the rules above.
- If the goals of the plan are met and the school is removed from priority status the powers cease. The commissioner can also extend, on a yearly basis, the powers of the superintendent for schools making progress. If a school is placed into receivership, the local school district will have 60 days to pick a receiver. The receiver can be an individual, another school district, or a non-profit entity. The receiver will be paid for by a state appropriation.
- The receiver will have the authority to supersede all decisions of the board of education. They will also be able to modify the budget of individual school buildings. Additionally, all failing schools will become community schools. The receiver is also given broad discretionary powers including: adding pre-k, require professional development, order the conversion of the school into a charter school (subject to parental approval via vote), alteration of curriculum, as well as other powers.
- The receiver is also given the authority to abolish all teaching and administrator positions. The administrator positions will then be refilled at the discretion of the receiver. The teaching positions will be filled by a staffing committee (2 members appointed by receiver, 2 appointed by collective bargaining unit)- provided however that at least 50% of teachers hired shall be the most qualified, most senior in their positions.
- The receiver may also request that the collective bargaining unit negotiate a collective bargaining agreement for the duration of the receivership to address the following areas:
 - Lengthening the school day,
 - Lengthening the school year,
 - Professional development for teachers and administrators,
 - Changing class sizes,
 - Changing programs, assignments, and teaching conditions in the school.
- If the school day/year is increased, there shall also be a proportional increase in compensation for members of the bargaining unit. If negotiations do not reach a final settlement, all open issues will be decided by the commissioner. Collective bargaining is not required for persistently failings schools, the above changes may be submitted to the collective bargaining unit. Other failing schools are required to submit such changes to the collective bargaining unit for 30 days after which open issues will be resolved by a conciliator and then the commissioner if needed.

Subpart E: Teacher/ Principal Discipline and Hearings

- The commissioner will be authorized to revoke the teacher certification of a teacher who is convicted of a violent felony where a child is the intended victim of the offense. This subjects those individuals to an expedited 3020-A hearing.
- All hearings will be heard by a single hearing officer.
- For charges of incompetence where the penalty sought is dismissal a new section 3020-B is created. Under this provision any teacher or principal who receives two consecutive ineffective APPR ratings may have a proceeding brought against them at the discretion of the school board. Those who receive three consecutive ineffective APPR ratings shall have proceedings brought against, at which the only defense will be fraud.
- Allows a school district to suspend an employee without pay who is charged with misconduct constituting physical or sexual abuse of a student. This suspension must be brought before a

hearing officer within 10 days to determine whether there is probable cause to support the continuation of the suspension without pay. The length of the suspension is capped at 120 days.

- Provides for full and fair disclosure at hearings by the employee and the employer and allows the hearing officer to set a schedule for discovery.
- Allows for a child witness to testify through closed circuit television in limited circumstances where it is likely testifying before the employee in question could result in serious mental or emotional harm.
- Requires the hearing officer to give serious consideration to the recommended penalty of the board of education and requires a rejection of such recommended penalty to be accompanied by a written decision.

Subpart F: Annual Professional Performance Reviews (APPR)

- A new section 3012-D is created which will authorize the commissioner of education to adopt regulations, after a public comment period, establishing new requirements for teacher and principal evaluations. These evaluations must serve as a significant factor for employment decisions and professional development.
- The commissioner will set all the weights, or ranges of weights, and scoring bands across two categories:
 - Student Performance
 - State subcomponent -- For teachers that have a state administered exam (Math and ELA 3-8; Common Core exams) a state provided growth score is based on those exams. For all other classroom teachers a Student Learning Objective (SLO) will be used with goal setting targets set by the commissioner
 - Optional local subcomponent -- The decision to use this optional subcomponent is locally negotiated. This can consist of either: (1) a second state provided growth score based on the state administered exams, or (2) a state approved assessment using a state provided or approved growth model. If option (2) is chosen, which assessment is used will be determined through collective bargaining.
 - Teacher Observation
 - The amount of and method of observations will be subject to collective bargaining to the extent the minimum rules set by the commissioner are adhered to. A state approved rubric must be used.
 - The observations must include:
 - Classroom observations conducted by a principal or trained administrator,
 - Classroom observations by an impartial, independent evaluator (who can be from within the district, but not from within the same school building)
 - The observations may (subject to collective bargaining) include observations by a trained peer teacher that has been rated effective or highly effective.
- Teachers rated ineffective in either category cannot be rated higher than developing overall. Additionally, if a district chooses option (2) for the optional local subcomponent a teacher rated ineffective in such category cannot be rated higher than ineffective overall. Also a student, to the extent practicable, cannot be instructed by ineffective teachers for two consecutive years.
- These new requirements will set by the commissioner by June 30, 2015 and will apply to all plans beginning in the 2016-17 school year. School districts will be required to adopt a new plan by November 15, 2015 or risk losing any increase in state aid.

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 - The amount of and method of observations will be subject to collective bargaining to the extent the minimum rules set by the commissioner are adhered to. A state approved methodology must be used.
 - The observations must include:
 - Classroom observations conducted by a principal or trained administrator,
 - Classroom observations by a impartial, independent evaluator (who can be from within the district, but not from within the same school building), these independent evaluators may include in district teachers and principals
 - The observations may (subject to collective bargaining) include observations by a trained peer teacher that has been rated effective or highly effective.
- Teachers rated ineffective in either category cannot be rated higher than developing overall. Additionally, if a district chooses option (2) for the optional local subcomponent a teacher rated ineffective in such category cannot be rated higher than ineffective overall. Also a student, to the extent practicable, cannot be instructed by ineffective teachers for two consecutive years.
- These new requirements will set by the commissioner by June 30, 2015 and will apply to all plans beginning in the 2016-17 school year. School districts will be required to adopt a new plan by November 15, 2015. Under current law, enacted in 2013, all school district must have an APPR plan approved by the commissioner or risk losing increases in state aid.

Aid to Localities (S. 2003-C)

- The Legislature modifies the Executive recommendation by providing additional funds for the following programs:
 - \$3.0 million for the Higher Education Opportunity Education Program (HEOP);
 - \$1.55 million for Liberty Partnerships;
 - \$1.33 million for the Science and Technology Entry Program (STEP);
 - \$1.0 million for the Collegiate Science and Technology Entry Program (CSTEP); and
 - \$1.5 million for Foster Youth College Success STEM Initiative.

Capital Projects (S.2004-C)

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

Elections, State Board of

State Operations (S. 2000-C)

- The Legislature modifies the Executive recommendation of \$11.1 million by providing an additional \$342,000 to cover the costs of maintaining election publishing requirements.

Article VII Proposals (S. 2005-B)

- PART E – The Legislature denies the Executive proposal to modify campaign contributions and oversight and publicly finance campaigns.
- PART F – The Legislature denies the Executive proposal to eliminate election printing and publication requirements.

Empire State Development Corporation (Urban Development Corporation)

Aid to Localities (S. 2003-C)

- The Legislature concurs with the Executive's recommendation of \$43 million with the following modifications:
 - Adds \$225,000 for Capital Culture;
 - Restores \$250,000 for Kingsbridge – Riverdale Development Corporation;
 - Adds \$60,000 for the Cayuga Community Center;
 - Adds \$250,000 for Onondaga County Facility Improvements;
 - Adds \$300,000 for the Glimmerglass Opera;
 - Adds \$750,000 for the New Amory Unity Center;
 - Adds \$500,000 for Kings County security improvements;
 - Provides \$150,000 for promotion efforts for Watkins Glen;
 - Restores \$200,000 for the New Bronx Chamber of Commerce;
 - Provides \$1 million for the Bronx Overall Economic Development Corporation;
 - Provides \$350,000 for the Adirondack North Country Association;
 - Provides \$3 million for military base retention efforts;
 - Provides a total of \$550,000 for the Center State Center for Economic Opportunity;
 - Provides \$350,000 for Veterans Entrepreneurship Centers and requires that funds be placed at centers with the most services and demonstrated needs;
 - Adds \$250,000 for Camp Venture;
 - Adds \$250,000 for a regional high-technology Economic Gardening pilot program;
 - Provides \$1 million for the NuAir Alliance at the Griffis former Air Force Base;
 - Provides \$100,000 for the New York State Racing Fan Council;
 - Adds \$2 million for the Bronx's Children Museum;
 - Restores \$150,000 for Fishing Tournament promotions;
 - Provides \$1 million for Beginning Farmers;
 - Restores \$600,000 for Seneca Army Depot;
 - Provides \$600,000 for Advanced Manufacturing Career Opportunity grant program;
 - Provides \$300,000 for Community Development Financial Institutions;
 - Restores \$365,000 for the Minority and Women-Owned Business Development and Lending Program;
 - Restores \$200,000 for Canisius College, and
 - Adds \$150,000 for the Harlem Arts Center.

Capital Projects (S. 2004-C)

- The Legislature concurs with the Executive recommendation of \$1.89 billion with the following modification:
 - Adds \$400 million for capital projects in areas not eligible for the Upstate Revitalization Initiative or the Buffalo Regional Innovation Cluster Program.

Article VII Proposals (S. 4610-A)

- PART A – The Legislature includes legislation to forgive outstanding debt owed by the County of Albany.
- PART B – The Legislature includes legislation to include Stewart and Republic Airports in the START-UP NY program.

Article VII Proposals (S. 2008-B)

- PART M – The Legislature concurs with the Executive proposal to extend Empire State Development Corporation's (ESDC) authority to administer the Empire State Economic Development Fund for one year.
- PART N – The Legislature concurs with the Executive proposal to extend for one year the general loan powers of ESDC.
- PART Q – The Legislature modifies the Executive's proposal to delay, by one year, the deadline for the statewide disparity study regarding the participation of minority and women-owned business enterprises in State contract until February 15, 2017. The deadline for the disparity study will now be August 15, 2016.

Employee Relations, Office of

State Operations (S. 2000-C)

- The Legislature concurs with the Executive recommendation of \$4.8 million

Energy Research and Development Authority

Capital Projects (S. 2004-C)

- The Legislature concurs with the Executive's recommendation of \$12.5 million.

Article VII Proposals (S. 2008-B)

- PART O – The Legislature concurs with the Executive in the authorization for the Comptroller to receive \$913,000 deposited to the General Fund from the New York State Energy Research and Development Authority.
- PART P – The Legislature concurs with the Executive proposal to move many of the New York State Energy Research and Development Authority's existing internal functions off budget, (the climate change office at the Department of Environmental Conservation, the University of Rochester's Laser Lab, and added spending for \$3.4 million in maintenance costs associated with the FuelNY program), while continuing to fund these functions from a special 18-a assessment on gas and electric corporations. The Legislature provides the following modifications:
 - The Legislature adds a requirement for detailed reporting of the activities funded through the 18-a assessment; and
 - The Legislature increases funding for the Laser Lab.
- PART RR – The Legislature includes language to direct the New York State Energy Research and Development Authority to submit semi-annual reports to the Governor and the Legislature detailing total revenues collected within the reporting period and details on how these revenues are disbursed.

- PART SS – The Legislature includes language to extend the Green Jobs Green New York program for one year and adds a requirement that the New York State Energy Research and Development Authority increase participation in the program by low-to-moderate income households.

Environmental Conservation

State Operations (S. 2000-C)

- The Legislature concurs with the Executive recommendation of \$469.9 million with the following modifications:
 - Provides \$2.1 million for the oil spill prevention, training, response and personal safety equipment, mapping and analysis services;
 - Adds \$150,000 for a study pursuant to Chapter 543 of the Laws of 2014 for the Northrup Grumman site; and
 - Adds \$150,000 for expansion of the existing free collection and disposal program for unwanted drugs.

Aid to Localities (S. 2003-C)

- The Legislature concurs with the Executive recommendation of \$1.2 million with the following modifications:
 - Restores \$550,000 for Cornell Community Integrated Pest Management;
 - Adds \$100,000 for the Universal Waste Rule Training Program;
 - Adds \$80,000 for flood mitigation projects in the Town of Avon;
 - Adds \$85,000 for flood mitigation projects in the Village of Avon;
 - Adds \$100,000 for flood mitigation projects in the Village of Caledonia;
 - Adds \$1 million for hazardous waste cleanup in Roberto Clemente park in the Town of Islip;
 - Adds \$500,000 for Catskill Park Master Plan Stewardship;
 - Adds \$210,000 for Udell's Cove preservation;
 - Adds \$5 million for the development and implementation of a Long Island nitrogen management and mitigation plan;
 - Adds \$250,000 to the Town of North Elba/ORDA;
 - Adds \$275,000 to Chautauqua County for invasive species eradication projects;
 - Adds \$25,000 to Jefferson County for Goose Bay invasive species eradication projects; and
 - Adds \$400,000 for assistance to localities for invasive species and dredging projects.

Capital Projects (S.2004-C)

- The Legislature concurs with the Executive recommendation of \$566.9 million with the following modification:
 - Adds \$200 million for a multi-year Water Quality Infrastructure Improvement Act.
 - Adds \$5 million to the Environmental Protection Fund, for a total of \$177 million, which provides:
 - \$15.3 million for Solid Waste Programs
 - \$61.7 million for Parks and Recreation Programs, including:
 - \$500,000 for Clute Park;
 - \$150,000 for Yates County SWCD Keuka Outlet Trail;
 - \$250,000 for Flood Smart Communities; and
 - \$250,000 for the Schuyler County SWCD Jackson Creek project.
 - \$100 million for Open Space Programs

Article VII Proposals (S. 2008-B)

- PART X – The Legislature concurs with the Executive proposal to increase license fees and surcharges for major facilities, increases the oil spill fund cap, and allows DEC to undertake oil spill prevention efforts. The Legislature also denies the transfer of the oil spill fund from the Office of the Comptroller to DEC, and limits the fee and surcharge increases to facilities that are end users.
- PART Y – The Legislature modifies the Executive proposal to increase permit program fees for Title V facilities and state pollutant discharge elimination system (SPDES) fees, and denies an increase in state air quality control program fees.
- PART Z – The Legislature denies the Executive proposal to eliminate the fee associated with water well driller registrations.
- PART AA – The Legislature modifies the Executive proposal to create a new Habitat Conservation and Access account to support fish and wildlife habitat management and public access projects in the amount of \$1.5 million through the sale of lifetime hunting and fishing licenses.
- PART DD – The Legislature includes language to extend the allowance for New York City, Nassau County, and Suffolk County to retain 25% of all fines collected as penalties for violations of state bottle redemption laws within their respective jurisdictions.
- PART II – The Legislature includes language to extend the implementation of the Diesel Emissions Reduction Act (DERA) to December 31, 2016.

Article VII Proposals (S. 2006-B)

- PART S – The Legislature includes language to waive the asbestos project notification fee for local governments that are abating or demolishing buildings which are a public nuisance or unsafe.
- PART BB – The Legislature concurs with the Executive proposal to:
 - Extend the Brownfield Cleanup Program for ten years to March 31, 2026;
 - Eliminate fees and special assessments on hazardous waste generated at certain sites; and
 - Eliminate the insurance remediation and real property tax credits for future sites.

The Legislature modifies the Executive proposal to:

- Create a new limitation for the tangible property tax credit to apply to only New York City;
- Shift certain costs from the site preparation tax credit component to the redevelopment tax credit component;
- Create a voluntary cleanup program (BCP-EZ) enabling participants to bypass procedural requirements;
- Require completion of project by a certain date for existing participants or face removal from program; and
- Create new tangible property tax credit bonuses for certain redevelopment and cleanup objectives.

Article VII Proposal (S.4610-A)

- PART G - Creates the Water Quality Infrastructure Improvement Act of 2015 which provides state financial assistance payments to municipalities for the replacement or repair of clean water and drinking water infrastructure. Municipalities are eligible for reimbursement of up to 60 percent of project costs, with a limit of \$5 million per municipality. Preference is given to municipalities that

meet hardship criteria established by the Environmental Facilities Corporation or result in the greatest reduction in serious risk to public health.

Executive Chamber

State Operations (S. 2000-C)

- The Legislature concurs with the Executive recommendation of \$17.9 million.

Financial Services

State Operations (S. 2000-C)

- The Legislature concurs with the Executive recommendation of \$340.1 million.

Aid to Localities (S. 2003-C)

- The Legislature modifies the Executive recommendation of \$85.4 million to provide an additional \$250,000 for services and expenses of the pilot program for entertainment industry employees.

Article VII Proposals (S. 2007-B)

- PART G– The Legislature denies the Executive proposal to fund parts of the New York State Health Exchange through a tax on insurers.
- PART Y – The Legislature concurs with the Executive proposal to extend the Excess Medical Malpractice Program for one year, however, denies the requirement that practitioners obtain a tax certification as a condition of eligibility to participate in the Excess Medical Malpractice Insurance Program.

Article VII Proposals (S. 2008-B)

- PART GG – The Legislature includes PART GG to extend the pilot program for entertainment industry employees until July, 1 2016.

Gaming Commission

State Operations (S. 2000-C)

- The Legislature concurs with the Executive recommendation of \$112.0 million.

General Services, Office of

State Operations (S. 2000-C)

- The Legislature concurs with the Executive recommendation of \$1.027 billion.

Capital Projects (S. 2004-C)

- The Legislature concurs with the Executive recommendation of \$242 million in new appropriation authority.

Article VII Proposals (S. 2005-B)

- PART M – The Legislature modifies the Executive proposal to extend and increase the authority to promptly enter into construction contracts during emergencies by increasing the contract threshold from \$300,000 to \$600,000.
- PART N – The Legislature concurs with Executive proposal to increase from \$50,000 to \$150,000 the limit on a State agencies ability to enter into contracts.

General State Charges

State Operations (S. 2000-C)

- The Legislature concurs with the Executive recommendation of \$3.6 billion.

Article VII Proposals (S. 2005-B)

- PART H – The Legislature modifies the Executive proposal to grant pay raises to certain management / confidential employees that were excluded from the proposed raise.
- PART J – The Legislature modifies the Executive proposal to grant an amnesty period pursuant to an eligibility audit of the New York State Health Insurance Program, to authorize such amnesty period during the State fiscal year ending March 31, 2016.
- PART K – The Legislature modifies the Executive proposal regarding the rainy day fund, to increase the maximum balance from three to five percent of aggregate General Fund disbursements during the immediately following fiscal year and to increase the maximum amount that may be deposited into the General Fund from 30 basis points to 75 basis points of the aggregate amount to be disbursed from the General Fund in the current fiscal year; and denies the proposal to change contractual services reporting and to require retirement system reporting.

Green Thumb Program

State Operations (S. 2000-C)

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

Greenway Heritage Conservancy of the Hudson River Valley

State Operations (S. 2000-C)

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

Health, Department of

State Operations (S. 2000-C)

- The Legislature modifies the Executive recommendation of \$3.0 billion as follows:
 - Restores \$1.2 million for the New York State Physician's Profile Website;
 - Restores \$1.1 million for State audits of hospitals related to resident working hours;
 - Denies authorizing up to 300 term appointments in the Office of Health Insurance Program and provides \$500,000;
 - Denies \$3.3 million for an individual assessment contract;
 - Provides \$500,000 for the Community Health Advocate Statewide Consortium; and
 - Provides \$140,000 to promote umbilical cord blood donation.

Aid to Localities (S. 2003-C)

- Public Health and Health Care Reform Act (HCRA) – The Legislature takes the following actions:
 - Denies the Executive proposal to consolidate 41 public health programs into five competitive pools, and provides \$21.3 million to restore the proposed 15 percent reduction;
 - Denies the Executive proposal to eliminate the Enhancing the Quality of Adult Living (EQUAL) program and restores \$6.5 million;
 - Provides \$7.5 million to eliminate the 28 percent rate reduction to Child Health Plus plans above the 2010 Statewide average beginning April 1, 2015;
 - Restores funding for the following programs:

- \$2 million Doctors Across New York (DANY);
 - \$2 million Infertility Services;
 - \$1.4 million Women’s Health Initiatives;
 - \$750,000 Family Planning Services;
 - \$600,000 Recommendations of the Task Force on Lyme and Tick Borne Diseases;
 - \$525,000 HIV/AIDS Community Services Programs;
 - \$525,000 HIV/AIDS Community-Based at Risk Programs;
 - \$400,000 Primary Care Development Corporation;
 - \$395,000 Niagara Health Quality Coalition;
 - \$310,000 Maternity and Early Childhood Foundation;
 - \$250,000 Rural Dentist Demonstration Program;
 - \$209,000 Finger Lakes Health System Agency;
 - \$200,000 Alzheimer’s Disease Resource Center of Long Island;
 - \$200,000 Comuni-Life: Life is Precious;
 - \$200,000 Endometriosis Foundation;
 - \$200,000 Lymphatic Disease Patient Registry and Tissue Bank;
 - \$50,000 New York State Breast Cancer Network;
 - \$50,000 Epilepsy Foundation of New York; and
 - \$39,500 New York School-Based Health Alliance.
- Increases funding for the following programs or initiatives:
 - \$1.5 million Spinal Cord Injury Research Board; and
 - \$332,000 Comprehensive Care Centers for Eating Disorders.
 - Provides funding for the following programs or initiatives:
 - \$1 million Rape Prevention Crisis Centers;
 - \$1 million Nurse Family Partnership;
 - \$400,000 Premium Health Center;
 - \$350,000 Columbia Memorial Hospital;
 - \$300,000 Suicide Prevention and Crisis Service, Inc;
 - \$250,000 New York State Dental Association Demonstration;
 - \$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;
 - \$175,000 Ezra Medical Center;
 - \$150,000 Kirkside Retirement Home;
 - \$50,000 Urban Health Plan;
 - \$25,000 American Italian Cancer Foundation; and
 - \$25,000 Jewish Family Services of Rockland.
- The Legislature provides \$272,000 to cover costs associated with authorizing the administration of Narcan in schools in emergency situations; and
 - The Legislature denies the Executive 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 – The Legislature takes the following actions:

- Denies the Executive 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;
 - 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 \$4.1 million;
 - Authorize Minimum Supplemental Rebates, and restores \$1.3 million; and
 - Authorize prior approval for certain drugs prior to the approval of the Drug Utilization Review Board, and restores \$100,000.
- Denies the Executive proposals to:
 - Limit Medicaid reimbursement for services provided to individuals dually enrolled in Medicaid and Medicare PART C, and restores \$21.9 million;
 - Eliminate Spousal Refusal provisions, and restores \$10.7 million;
 - Place Managed Long Term Care Transportation services under statewide transportation management, and restores \$7.4 million;
 - Authorize Limited Services Clinics, and restores \$5 million; and
 - Authorize up to 300 Office of Health Insurance Program (OHIP) term appointments, and restores \$500,000.
 - Includes legislation to:
 - Establish a young adult demonstration program for individuals with severe chronic medical or health problems, or multiple disabling conditions, and provides \$1 million;
 - Authorize a capital reimbursement cap for the Jewish Home of Rochester, and provides \$200,000;
 - Make grants to assist Medicaid enrollment of high risk populations discharged from state and local correctional facilities, and provides \$500,000;
 - Develop expedited procedures for determining medical assistance eligibility for any applicants with an immediate need for personal care; and provides \$500,000;
 - Provide \$3 million for supplemental Medicaid rates for ambulance providers;
 - Provide \$1 million for supplemental Medicaid rates for air ambulance providers; 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.
 - Denies the \$15 million obstetrics assessments tax reduction;
 - Re-estimates Medicaid expenditures within the State Medicaid Global Cap saving \$32.8 million; and
 - Delay the impact of the Executive Order on immigration and saves \$38.3 million in FY 2016.

Capital Projects (S. 2004-C)

- The Legislature concurs with the Executive recommendation of \$1.2 billion.

Article VII Proposals (S. 2007-B)

- PART A – The Legislature modifies the Executive proposal to achieve savings reflected in the FY 2016 budget:
 - The Legislature denies the proposals to eliminate:
 - The Enhancing the Quality of Adult Living (EQUAL) program; and
 - The New York State Physician’s Profile Website.
 - The Legislature includes legislation to:
 - Amend the Physician’s Profile Website by adjusting the existing reporting timeframes and requiring DOH to study the feasibility of incorporating health insurance network participation information on the website.
 - Amend the EQUAL program to provide guidelines related to program expenditures;
 - Authorize mail order pharmacies to obtain consent to the delivery of mail order prescription drugs;
 - Add an umbilical cord blood banking awareness program to the Wellness and Outreach Program;
 - Extend the Enriched Social Adult Day Services project for two years;
 - Require a quarterly report on the use of Statewide Health Innovations Network of New York (SHIN-NY) funds and clarifies that recent report issued by the Health Information Technology workgroup was an interim report; and
 - Require a report on the implementation of the State Health Innovation Plan (SHIP).
- PART B – The Legislature modifies the Executive proposal to implement Medicaid Redesign Team recommendations:
 - The Legislature denies the proposals that would:
 - Increase the current Average Wholesale Price (AWP) 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;
 - Reduce the assessment on inpatient obstetrical services;
 - Carve out family planning services from the Ambulatory Patient Group (APG) rates and hospital inpatient reimbursement methodology;
 - Limit Medicaid reimbursement to providers for services provided to individuals dually enrolled in Medicaid and Medicare PART C;
 - Require spousal support for the costs of community-based long-term care;
 - 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
 - Carve out long term care transportation from Medicaid managed care.

- The Legislature modifies the proposals to:
 - Authorize DOH to negotiate supplemental rebate agreements directly with the pharmaceutical manufacturer by:
 - requiring the State to impose evidenced based standard clinical criteria;
 - limiting rebate authority to antiretroviral and hepatitis C drug classes;
 - ensuring rebate agreements do not diminish rights currently afforded to patients; and
 - ensuring adequacy of reimbursement rates for managed care plans for such drugs.
 - Codify and extend the State Medicaid Global Cap and related provisions by keeping global cap provisions in unconsolidated law;
 - Establish an inpatient hospital quality pool by adding requirements to report on the distribution of funds thirty days prior to awards and to report quarterly on the disbursement of funds;
 - Provide enhanced payments for inpatient and outpatient services at sole community hospitals by adding requirements to report on the distribution of funds thirty days prior to awards and to report quarterly on the disbursement of funds;
 - Increase the Critical Access Hospital carve-out within the Vital Access Provider (VAP) program from \$5 million to \$7.5 million by adding reporting requirements;
 - Carve-out \$10 million in VAP funding for providers serving rural areas and isolated geographic regions of the state, and for essential community providers, by adding requirements to report on the distribution of funds thirty days prior to awards and to report quarterly on the disbursement of funds;
 - Require co-payments for certain individuals enrolled in Medicaid Managed Care by requiring the state to apply for a federal waiver from the Centers for Medicare and Medicaid Services to continue the current co-payment exemption, and stipulate the proposal will take effect if the waiver is denied;
 - Reinvest any State savings associated with the Community First Choice Option Program into the State's Olmstead plan by requiring DOH to submit a spending plan to the Legislature and to report annually on the amount of savings generated and expenditures;
 - Discontinue notice periods for approved inpatient rates of payment to hospitals by requiring that at least 30 days notice be given;
 - Authorize DOH to establish rates of payment to insurers in the Basic Health Program by requiring the independent actuary selected by the department to set the rates to also provide the legislature with a comprehensive annual report related to the establishment of the rates; and
 - Establish a nursing home energy efficiency demonstration program by clarifying the parameters of the program and establishing reporting requirements to the Legislature.

- The Legislature includes legislation to:
 - Require lead entities of a system established under the Medicaid Delivery System Reform Incentive Payment (DSRIP) program to establish a project advisory committee;
 - Authorize grants to coordinate care between health homes and the criminal justice system by adding funding to assist Medicaid enrollment of high risk populations discharged from state and local correctional facilities;

- Require DOH to create and implement a contingency plan in the event federal reimbursement or eligibility rules change federal reimbursement to the state; and to require the department to report to the legislature annually on the fiscal impact of the Basic Health Program, its impact on the State's uninsured population, and demographic information of enrollees in the program;
 - Require managed care plans to adopt expedited procedures for approving personal care services for a medical assistance recipient who requires immediate personal care;
 - Require DOH to develop expedited procedures for determining medical assistance eligibility for any medical assistance applicant with an immediate need for personal care;
 - Require DOH to ensure rate adequacy in establishing rates for Medicaid managed long term care plans;
 - Establish a Medicaid evidence based review advisory committee to provide advice and make recommendations to the department related to coverage of health technology or services;
 - Establish up to three young adult special populations demonstration programs for individuals with severe and chronic medical or health challenges, or multiple disabling conditions;
 - Establish a hospital-home care-physician collaboration program to facilitate innovation in hospital, home care agency and physician collaboration to improve community health care needs;
 - Establish universal codes for payment of medical assistance claims to long term care providers, and to require the use of electronic transfers in paying claims to providers;
 - Codify the criteria DOH must consider when reviewing applications for Vital Access Provider funding, including the extent to which the applicant is geographically isolated in relation to other providers;
 - Establish a shared savings program for nursing homes that choose to refinance their mortgage loans;
 - Provide supplemental medical assistance payments for emergency medical transportation services;
 - Repeal the 28 percent rate reduction for Child Health Plus plans above the 2010 statewide average;
 - Require DOH to provide appropriate actuarial data to managed care providers 30 days prior to submission of the rates to the federal government for approval and to provide the annual Medicaid managed care operating reports to the Legislature; and
 - Authorize a capital reimbursement cap for the Jewish Home of Rochester to ensure completion of the construction of the facility.
- PART C – The Legislature modifies the Executive proposal to extend ambulatory behavioral health fees paid by managed care organizations for patients enrolled in the Child Health Plus (CHP) program until December 31, 2017, and to extend the fee for service ambulatory patient group (APG) rate-setting methodology for behavioral health services until June 30, 2017 for New York City, and December 31, 2017 for the rest of the state and for individuals under the age of 21.
 - PART D – The Legislature modifies the Executive proposal to permanently extend various provisions of the Public Health, Social Services and Mental Hygiene Laws:
 - The Legislature denies the proposal that would extend the collaborative drug therapy management program for teaching hospitals for three years.

- The Legislature modifies the Executive proposals to permanently extend certain programs or initiatives by extending authorization for two years:
 - Authorize for bad debt and charity care allowances for certified home health agencies (CHHA's);
 - Provide provisions relating to Medicaid capital cost reimbursement;
 - Provide the Nursing Home reimbursable cash assessment program;
 - Provide for the exclusion of the 1996-97 trend factor projections or adjustments from nursing home and inpatient rates;
 - Provide for the .025 percent trend factor reduction for hospitals and nursing homes;
 - Require that nursing homes, hospitals certified home health care agencies, and long-term home care providers maximize Medicare revenues;
 - Eliminate a \$1.5 million reconciliation limit for the certified home health care agency and long term home care health care program administrative and general caps;
 - Require that parties to a contract between a hospital and a managed care organization continue to abide by the terms of the contract for two months from the effective date of contract termination or nonrenewal, unless certain circumstances are met;
 - Limit the reimbursement of long term home health care program administrative and general costs to not exceed a Statewide average;
 - Authorize the Commissioner to contract for Medicaid transportation management;
 - Provide provisions related to the Statewide Planning and Research Cooperative System (SPARCS) and the Statewide Health Information Network of New York (SHIN-NY); and
 - Extend for two years the elimination of a trend factor for nursing homes, hospitals and other various long-term care provider.
- The Legislature modifies the Executive proposals to permanently extend certain programs or initiatives by extending authorization for four years:
 - Authorize certain provisions related to the New York State Medical Care Facilities Financing Act, which relate to the financing of certain health care capital improvements;
 - Provide provisions related to Medicaid co-payments;
 - Provide provisions related to managed long-term care plans, including those related to increased certificates of operation, the authorization of the Commissioner to submit waivers necessary to continue Medicaid managed- long term care, and guidelines for patient assessment timeframes;
 - Authorize the managed long-term care program;
 - Authorize the episodic payment per 60 days period of care for certified home health agencies;
 - Authorize for emergency services personnel in certain areas of the State to be certified or recertified without a written examination if they meet certain requirements; and
 - Provide provisions related to the New York State Medical Care Facilities Financing Act, which permits flexibility in contracting for goods and services by State-operated hospitals.
- PART E – The Legislature modifies the Executive proposal to extend the Indigent Care Pool for three years by:
 - Eliminating the Department of Health's authority to make adjustments to the distribution methodology without Legislative approval; and

- Authorizing the Commissioner to adjust voluntary hospital inpatient Upper Payment Limit (UPL) payments in the event the cap is reached by seeking a waiver from CMS to authorize voluntary hospital outpatient UPL to provide relief to the inpatient UPL cap.
- PART F – The Legislature denies the Executive proposal to require Value Based Payments within the Delivery System Reform Incentive Program (DSRIP) or in the commercial marketplace.
- PART G – The Legislature denies the Executive proposal to tax all health insurers to fund operations of the state health benefit exchange, New York State of Health.
- PART H – The Legislature denies the Executive proposal to:
 - Authorize Limited Services Clinics;
 - 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.
- PART I – The Legislature modifies the Executive proposal to make statutory changes related an End of AIDS initiative by denying provisions that would:
 - Exempt hypodermic syringes and needles obtained and possessed from the state’s syringe exchange and pharmacy and medical provider-based expanded syringe access programs from the prohibition in General Business Law;
 - Remove the limit on the number of syringes that a pharmacy can sell; and
 - Discontinue the ban on advertising the availability of syringes without a prescription.
- PART J – The Legislature denies the Executive proposal to provide an exemption to the Nurse Practice Act for advanced home health aides.
- PART K – The Legislature denies the Executive proposal to implement various provisions related to the Certificate of Need (CON) process and includes language to add "improper delegation of authority to a management consultant by the governing authority or operator" to the list of reasons DOH may initiate the appointment of a temporary operator to a facility.
- PART L – The Legislature modifies the Executive proposal to expand the regulation of office based surgery by excluding office-based anesthesia in the definition of office-based procedures and to eliminate a requirement to register with DOH.
- PART M – The Legislature concurs with Executive proposal related to water fluoridation.
- PART Q – The Legislature denies the Executive proposal to allow up to five business corporations to invest in hospitals.
- PART V – The Legislature includes legislation to authorize school districts, schools and their employees to administer opiod antagonists on school grounds in emergency situations and to authorize licensed medical professionals to administer opiod antagonists in emergency situations.
- PART W – The Legislature includes legislation to:
 - Require the Department to provide an annual report on all Health Care Reform Act (HCRA) revenues and disbursements;
 - Establish a HCRA Modernization Task Force to evaluate and make recommendations regarding the efficacy and transparency of the HCRA statute and HCRA fund; and
 - Increase funding for the Doctor’s Across New York Program by \$2 million annually.
- PART X – The Legislature includes language to extend risk-based capital exemptions for medical malpractice insurance carriers for an additional three years.
- PART Y – The Legislature modifies the Executive proposal to extend the excess medical malpractice insurance pool by removing the requirement of a physician to receive a tax clearance from the Department of Tax and Finance before being eligible for coverage. The Legislature extends the excess pool for one year.

Article VII Proposals (S.4610-A)

- PART J - Includes legislation to:
 - Authorize a Health Care Transformation program for Kings County to fund projects related to transforming the delivery of health care. Projects awarded funds under this program are not eligible for funding under the Capital Restructuring Financing Program.
 - Establish a health care facility transformation program in Oneida County, related to the consolidation of multiple licensed health care facilities into an integrated system of care. Projects awarded funds under this program are not eligible for funding under the Capital Restructuring Financing Program.
 - Establish an essential health care provider support program for hospitals to support debt retirement, capital or non-capital projects, consolidation and restructuring activities.
 - Clarify that grants or awards distributed pursuant through the Capital Restructuring Financing Program must, to the extent practicable, be distributed proportionally by region (New York City and Rest of State) in relation to applications submitted. Projects awarded funds under through this program are not be eligible for funding through the Oneida or Brooklyn program.
 - Establish a capital revolving loan fund for community health care providers. The fund would be overseen by the Dormitory Authority of New York State (DASNY) and the commissioner of health.
 - Establish Vital Access Provider funding specifically for facilities that qualify for Interim Access Assurance Funds (IAAF).

Higher Education Services Corporation (HESC)

State Operations (S. 2000-C)

- The Legislature concurs with the Executive recommendation of \$73 million.

Aid to Localities (S. 2003-C)

- The Legislature amends the Executive recommendation as follows:
 - Provides an additional:
 - \$50,000 for Farmer’s Loan Forgiveness;
 - \$250,000 for Social Worker Loan Forgiveness; and
 - \$980,000 for additional TAP for disabled students.
 - Amends the Get On Your Feet Loan Forgiveness program to limit recipients to those earning less than \$50,000, including combined income for joint filers; and
 - Establishes a new merit scholarship program, providing an annual scholarship of \$500 to 5,000 students.

Capital Projects (S.2004-C)

- The Legislature concurs with the Executive recommendation of \$30 million.

Article VII Proposals (S. 2006-B)

- PART C – Modifies the proposed Get On Your Feet loan forgiveness program to limit recipients to those earning less than \$50,000, including combined income for joint filers.
- PART D – Denies a proposal to allow undocumented citizens to be eligible to receive State financial awards for higher education.
- PART F – Modifies the standardized college financial aid award letter to reflect suggested components from a federal standardized letter.

- PART V – Includes language to afford ADA-eligible recipients of TAP a more accommodating time frame to complete their education if their disability precludes them from completing a full courseload.
- PART W – Includes language bringing New York’s 529 contribution plan in line with federal law.
- PART Z – Includes language to develop a new merit-based scholarship for New York high school graduates, with 5,000 awards to be awarded to the 2015-16 college freshman class.

Homeland Security and Emergency Services, Division of

State Operations (S. 2000-C)

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

Aid to Localities (S. 2003-C)

- The Legislature modifies the Executive recommendation for Aid to Localities as follows:
 - Provides an additional \$500,000 for the Red Cross emergency response preparedness, including support for capital projects and ensuring an adequate blood supply, for a total of \$3.8 million.

Capital Projects (S. 2004-C)

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

Housing and Community Renewal

State Operations (S. 2000-C)

- The Legislature concurs with the Executive recommendation of \$94.8 million with the following modification:
 - Denies \$8 million for the Tenant Protection Unit.

Aid To Localities (S. 2003-C)

- The Legislature concurs with the Executive recommendation of \$524.8 million with the following modification:
 - Restores \$742,000 for the NYCHA tenant pilot program.
 - Adds \$50,000 for the Rockland Housing Action Coalition.
 - Adds \$120,000 for Brooklyn Housing and Family Services.
- Allocates \$439.5 million in JP Morgan Settlement funds for:
 - New York City Housing Authority capital repairs;
 - Mitchell-Lama repairs and rehabilitation;
 - 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; and
 - Main Street Program.

Capital Projects (S. 2004-C)

- The Legislature concurs with the Executive recommendation of \$91.2 million

Article VII Proposals (S. 2006-B)

- PART M - The Legislature concurs with the Executive proposal to utilize \$125 million in excess Mortgage Insurance Fund reserves for certain programs, including:
 - \$21.6 million for reimbursing costs associated with the Rural Rental Assistance Program;
 - \$42 million for facilitating the refinancing and capital repair of Mitchell-Lama properties;
 - \$8.4 million for Neighborhood Preservation Program contracts, with \$150,000 for the neighborhood preservation coalition;
 - \$3.5 million for Rural Preservation Program contracts, with \$150,000 for the rural housing coalition;
 - \$17 million for Rural and Urban Community Investment Fund program;
 - \$7.5 million for purposes of carrying out the provisions of the low income housing trust fund program;
 - \$8.5 million for the Homes for Working Families program contracts; and,
 - \$16.3 million for the Homeless Housing and Assistance Corporation in the Office of Temporary and Disability Assistance, for the support of the state supportive housing program, the solutions to end homelessness program, support of aids housing program, or grantees under those programs.

Article VII Proposals (S. 2008-B)

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

Hudson River Valley Greenway Communities Council

State Operations (S. 2000-C)

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

Human Rights

State Operations (S. 2000-C)

- The Legislature concurs with the Executive recommendation of \$18 million.

Indigent Legal Services, Office of

State Operations (S. 2000-C)

- The Legislature modifies the Executive recommendation to provide an additional \$100,000 for operational expenses of the Office for a total of \$1.9 million.

Aid to Localities (S. 2003-C)

- The Legislature concurs with the Executive recommendation of \$84 million.

Information Technology Services, Office of

State Operations (S. 2000-C)

- The Legislature concurs with the Executive recommendation of \$848.2 million with the following modification:
 - Denies the Executive bonus program for the successful completion of training programs and the \$2 million in anticipated funding is directed instead to provide additional training for current State information technology with no bonus system.

Capital Projects (S. 2004-C)

- The Legislature reduces appropriation authority from 2013 by \$7 million.

Article VII Proposals (S. 2008-B)

- PART HH – The Legislature modifies the Executive proposal to implement the previous consolidation of information technology staff with the Office of Information Technology Services as follows:
 - Denies the creation of new temporary appointments without examination; and
 - Modifies the general proposal to allow staff to become eligible for positions without taking a qualifying examination to limit this option to specific instances.

Inspector General, Office of the State

State Operations (S. 2000-C)

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

Interest on Lawyers Account

State Operations (S. 2000-C)

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

Aid to Localities (S. 2003-C)

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

Judicial Conduct, Commission on

State Operations (S. 2000-C)

- The Legislature modifies the Executive recommendation of \$5.48 million as follows:
 - \$100,000 increase for personal and nonpersonal service spending.

Judicial Nominations, Commission on

State Operations (S. 2000-C)

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

Judicial Screening Committees

State Operations (S. 2000-C)

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

Justice Center for the Protection of People with Special Needs

State Operations (S. 2000-C)

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

Aid to Localities (S. 2003-C)

- The Legislature concurs with the Executive recommendation of \$649,000.

Labor, Department of

State Operations (S. 2000-C)

- The Legislature concurs with the Executive recommendation of \$631.7 million.

Aid to Localities (S. 2003-C)

- The Legislature modifies the Executive recommendation of \$3.5 billion as follows:
 - \$1.6 million for the Displaced Homemakers;
 - \$980,000 for the Chamber-On-The-Job Training Program;
 - \$350,000 for the New York Council on Occupational Safety and Health (NYCOSH);
 - \$155,000 for NYCOSH, Long Island;
 - \$200,000 for NYCOSH, Western New York;
 - \$2 million for the Workforce Development Institute (WDI);
 - \$3million for the WDI Manufacturing Initiative;
 - \$50,000 for the Rochester Tooling and Machining Institute;
 - \$100,000 for Hillside Works;
 - \$300,000 for the Summer of Opportunity Youth Employment Program, Rochester;
 - \$150,000 for the AFL-CIO Cornell University Domestic Violence Program;
 - \$150,000 for the AFL-CIO Cornell University Leadership Program;
 - \$400,000 for the Worker Institute at the Cornell School of Industrial and Labor Relations;
 - \$500,000 for the Brooklyn Chamber of Commerce to administer “Brooklyn Goes Global”, “Good Help” and the “Brooklyn Neighborhood Entrepreneurship Program;
 - \$500,000 for the general support and activities of the Brooklyn Chamber of Commerce;
 - \$200,000 for the Building Trades Pre-Apprenticeship Ship Program, Rochester;
 - \$200,000 for the Building Trades Pre-Apprenticeship Ship Program, Western New York;
 - \$200,000 for the Building Trades Pre-Apprenticeship Ship Program, Nassau County;
 - \$300,000 for Youth Build;
 - \$125,000 for the Midwood Development Corporation Supplemental Sanitation and Supported Employment Program;
 - \$50,000 for the Team STEPPS long term training program at the Academy for Leadership in Long Term Care at St. John Fischer;
 - \$300,000 for the North American Logger Training School to be hosted at Paul Smith’s College;
 - \$30,000 for the Office of Adult and Career Education Services (OACES);
 - \$310,000 for the Jubilee Home of Syracuse, Inc; and,
 - \$500,000 for The Solar Energy Consortium (TSEC).

Article VII Proposals (S. 2006-B)

- PART N – The Legislature denies the Executive proposal to increase the Minimum Wage.
- PART O – The Legislature concurs with the Executive proposal to repeal 21 fees that, in the aggregate, generate less than \$150,000 in revenue.
- PART P – The Legislature modifies the Executive proposal to grant certain health care professionals unpaid leave to fight Ebola by extending the sunset for one year and requiring that the Commissioner of Labor promulgate regulations.

Article VII Proposals (S. 4610-A)

- PART F – The Legislature modifies the Executive proposal to for the Infrastructure Investment Act as follows:

- Implements the Infrastructure Investment Act for two years;
- Requires a study after the first year; and
- Requires consultation with local labor organizations and construction industry when using design-build contracts.

Labor Management Committees

State Operations (S. 2000-C)

- The Legislature concurs with the Executive recommendation of \$39.8 million.

Law, Department of

State Operations (S. 2000-C)

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

Capital Projects (S. 2004-C)

- The Legislature concurs with the Executive recommendation of \$1 million.

Legislature and Judiciary (S. 2001-A)

Legislature

- The Legislature concurs with the Executive recommendation of \$217.8 million, including:
 - \$91.9 million for Senate operations;
 - \$108.1 million for Assembly operations;
 - \$17.5 million for joint Legislative Entities such as the Legislative Library, Messenger Service, Ethics Commission, Bill Drafting, and Health Services; and
 - \$274,635 for the Lieutenant Governor, as the Presiding Officer of the Senate.

Judiciary

- The Legislature modifies as follows:
 - Reduces by \$9 million the Executive recommendation for state operations for nonpersonal services.
 - Concurs with the Executive proposal of \$121.6 million for aid to localities.
 - Concurs with the Executive proposal of \$696 million for general state charges.

Article VII Proposal (S. 4610-A)

- PART E - Commission on Executive, Legislative and Judicial Compensation Establishes a new Compensation Commission to examine the adequacy of pay levels and other benefits, and make recommendations on the salaries and allowances for:
 - Certain Executive Branch Employees, including the Governor, Lt. Governor, Attorney General, Comptroller, and those Executive Branch Employees named in section 169 of the Executive Law;
 - Members of the Legislature (The Commission is empowered to make recommendations on the like annual salaries and allowances of legislators, pursuant to sections 5 and 5-a of the legislative law); and
 - State-paid Judges and Justices of the Unified Court System and New York City Housing Judges.
 - Commission Membership. The Commission, would consist of seven members, appointed as follows:

- Three by the Governor;
 - One by the Temporary President of the Senate;
 - One by the Speaker of the Assembly; and
 - Two by the Chief Judge (one of which would serve as chair and be a non-voting member for non judicial raises).
- Qualifications of Members. The members of the Commission would receive no compensation, but would receive reimbursement for actual and necessary expenses. To the extent practicable, the members would be required to have experience in one or more of the following:
 - Determination of Executive Compensation;
 - Human Resource Administration; or
 - Financial Management.
- Grounds for Making Recommendations. In making its recommendations for salaries and allowances, the Commission would consider factors such as:
 - Overall economic climate;
 - Rates of inflation;
 - Changes in public sector spending;
 - The state's ability to fund increases; and
 - Compensation levels and non salary benefits received by:
 - Executive branch and legislators in other states;
 - Executive branch and legislators in the federal government;
 - Other professionals in government; and
 - Other professionals in other economic sectors (i.e. academia, non-profit and private enterprise).
- Ethics Recommendations. The Commission would be permitted to consider and make non binding recommendations on earning income from outside sources, per diems and other allowances.
- Commission's Operations. The Commission would commence its operations on June 1, 2015. It would be required to complete its work, by issuing a report with recommendations, for judicial salaries, by December 31, 2015 (and then every four years thereafter) and for legislative and executive salaries, by November 15, 2016 (and then every four years thereafter). It should be noted that the report could include a recommendation of either one or two pay raises for the executive and legislative branches (with one commencing January 1, 2017 and the other, if recommended, commencing 2019). Upon issuing its report, the Commission would be dissolved, and would then be re-established and appointed again every four years (i.e. next June 1, 2019, ect).
- Votes of the Commission: All findings, conclusions, determinations and recommendations of the commission would require a majority vote (4 members) but no finding, conclusion, determination or recommendation could be adopted on an executive or legislative pay raise without a vote from each of the appointed authorities (thereby providing each branch with veto power).
- Commission's Recommendations. The Commission's recommendations would take effect, and have the effect of law (without any additional action needed to be taken by the legislature), unless abrogated or modified by the legislature. Such abrogation or modification must take place before April 1, 2016 for judicial salaries, and before January 1, 2017 for legislative and executive salaries (and then every four years thereafter).
- Rounded Up Salaries. The adjusted salaries would be rounded up to the next highest hundred dollars.

Lieutenant Governor, Office of the

State Operations (S. 2000-C)

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

Local Government Assistance

Aid to Localities (S. 2003-C)

- The Legislature modifies the Executive recommendation by restoring the following:
 - For municipalities that do not receive a Aid and Incentives (AIM) to municipalities:
 - \$75,000 for Mastic Beach;
 - \$27,000 for Woodbury;
 - \$19,000 for South Blooming Grove;
 - \$2,000 for Sagaponack;
 - \$772,500 for local initiatives related to Indian Land Claims as follows:
 - \$340,000 for Franklin County;
 - \$340,000 for Seneca County ; and
 - \$92,500 for Cayuga County.
 - \$2.1 million in local Video Lottery Terminal maintaining the FY 2015 level;
 - \$2 million in Village Per Capita Aid;
 - \$2 million to Onondaga County for local PILOT program;
 - \$250,000 to the City of Syracuse for Shared Services;
 - Provides \$300,000 in local aid to the Village of Amityville for Flood Mitigation;
 - Provides \$250,000 in local aid to the City of Oneonta;
 - Provides \$100,000 in local aid to the Town of Babylon for revitalization; and
 - Provides \$50,000 in local aid to the Wyandanch Fire Department.
 - \$2 million to the County of Nassau for temporary public highway and public safety assistance;
 - \$2 million to the County of Suffolk for temporary public highway and public safety assistance; and,
 - \$2 million to the City of Rochester for a partial restoration of temporary municipal relief

Article VII Proposals (S. 2005-B)

- PART L – The Legislature denies the Executive proposal to decrease Video Lottery Terminal Aid for 17 municipalities.

Article VII Proposals (S. 4610-A)

- PART A – The Legislature includes legislation to provide state debt forgiveness to the City of Albany for the Albany Civic Center.

Medicaid Inspector General, Office of the State

State Operations (S. 2000-C)

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

Mental Health, Office of

State Operations (S. 2000-C)

- The Legislature concurs with the Executive recommendation of \$2.2 billion.

Aid to Localities (S. 2003-C)

- The Legislature concurs with the Executive recommendation of \$1.4 billion, and provides:
 - \$175,000 for the South Fork Mental Health Initiative;
 - \$800,000 for the NLP Research and Recognition Project, Inc.;
 - \$1 million for United Health Services Hospitals, Inc.;
 - \$1.5 million for Crisis Intervention Team and diversion services;
 - \$300,000 for FarmNet;
 - \$100,000 for the Mental Health Association in New York State, Inc.;
 - \$100,000 for the North Country Behavioral Healthcare Network;
 - \$1 million for children’s prevention and awareness initiatives;
 - \$250,000 for the Riverdale Mental Health Association;
 - \$150,000 for the Jewish Board of Family and Children’s Services;
 - \$150,000 for the Mental Health Association of Rockland County, Inc.;
 - \$50,000 for Family Residences and Essential Enterprises, Inc.; and
 - \$3.2 million for the Joseph P. Dwyer Veteran Peer to Peer Pilot Program.

Capital Projects (S. 2004-C)

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

Article VII Proposals (S. 2008-B)

- PART JJ – The Legislature concurs with the Executive proposal to extend the authority for the recovery of Medicaid exempt income from community residence providers by the Office of Mental Health through June 30, 2016.
- PART KK – The Legislature modifies the Executive proposal to extend the pilot program restructuring educational services for children and youth residing in Office of Mental Health hospitals through June 30, 2018.

Mental Hygiene, Department of

State Operations (S. 2000-C)

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

Article VII Proposals (S. 2008-B)

- PART LL – The Legislature concurs with the Executive proposal to extend a facility director’s authority to apply a patient’s personal funds for care and treatment without violating the director’s fiduciary obligation, through June 30, 2018.
- PART NN – The Legislature modifies the Executive proposal to exempt time-limited mental hygiene demonstration programs from the Office of the State Comptroller’s contract procurement requirements until March 31, 2018.
- PART PP – The Legislature includes language authorizing the Office for People with Developmental Disabilities to contract with outside entities to conduct an assessment of the mobility and transportation needs of persons with disabilities and other special needs populations.

Metropolitan Transportation Authority

Aid to Localities (S. 2003-C)

- The Legislature concurs with the Executive recommendation of \$2.3 billion.

Capital Projects (S. 2004-C)

- The Legislature concurs with the Executive recommendation of \$750 million.

Article VII proposals (S. 2008-B)

- PART K – The Legislature denies the Executive proposal to increase penalties for perceived toll violations and permit electronic tolling.
- PART L – The Legislature denies the Executive proposal to extend for four years procurement rules of the MTA and NYCT.

Military and Naval Affairs, Division of

State Operations (S. 2000-C)

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

Aid to Localities (S. 2003-C)

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

Capital Projects (S. 2004-C)

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

Mortgage Agency, State of New York

State Operations (S. 2000-C)

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

Aid to Localities (S. 2003-C)

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

Motor Vehicles, Department of

State Operations (S. 2000-C)

- The Legislature concurs with the Executive recommendation of \$104.3 million

Aid to Localities (S. 2003-C)

- The Legislature concurs with the Executive recommendation of \$21.4 million.

Capital Projects (S.2004-C)

- The Legislature concurs with the Executive recommendation of \$199.3 million.

Article VII Proposal (S. 2008-B)

- PART H – The Legislature denies the Executive proposal to eliminate the requirement for registrants of overweight vehicles (in excess of 80,000 pounds) to amend their registration with the Department of Motor Vehicles after receiving an overweight permit from the Department of Transportation.
- PART I – The Legislature modifies the Executive proposal to make New York State compliant with federal regulations regarding commercial driver learner’s permits by including language that brings the State up to the current federal regulations.

Article VII Proposal (S.2009-B)

- PART ZZ - The Legislature concurs with the Executive proposal to permit the City of Buffalo to adjudicate traffic violations. The effective date had to be changed in a chapter amendment from May 1, 2015 to July 1, 2015.

National And Community Service

State Operations (S. 2000-C)

- The Legislature concurs with the Executive recommendation of \$30.3 million.

Aid to Localities (S. 2003-C)

- The Legislature concurs with the Executive recommendation of \$350,000.

New York Works Task Force

State Operations (S. 2000-C)

- The Legislature concurs with the Executive proposal of \$850,000.

Olympic Regional Development Authority

State Operations (S. 2000-C)

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

Capital Projects (S. 2004-C)

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

Parks, Recreation and Historic Preservation

State Operations (S. 2000-C)

- The Legislature concurs with the Executive recommendation of \$224.7 million

Aid To Localities (S. 2003-C)

- The Legislature concurs with the Executive recommendation of \$12.2 million with the following additions:
 - \$250,000 Yaddo Restoration Project;
 - \$250,000 Shea's Performing Arts Center;
 - \$100,000 for the Bayside Historical Society;
 - \$100,000 for the Poppenheusen Institute;
 - \$200,000 for the NYC Parks Department for tree stump removal; and
 - \$180,000 for the Friends of Brinkerhoff Colonia Cemetery.

Capital Projects (S. 2004-C)

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

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Article VII Proposals (S. 2008-B)

- PART S – The Legislature concurs with the Executive proposal to extend by two years the authority for the Dormitory Authority to enter into design and construction management agreements.

People with Developmental Disabilities, Office for

State Operations (S. 2000-C)

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

Aid to Localities (S. 2003-C)

- The Legislature concurs with the Executive recommendation of \$2.2 billion, with the following modifications to provide funding for:
 - \$18,000 for the Living Resources Corporation;
 - \$150,000 for the Cerebral Palsy Associations of New York State;
 - \$100,000 for Otsar Family Services, Inc.;
 - \$100,000 for Human Care Services for Families and Children, Inc.;
 - \$350,000 for Jawonio, Inc.;
 - \$2 million for new service opportunities for individuals with disabilities that are currently living at home and whose caregivers are unable to continue caring for them; and
 - \$1 million for Office for People with Developmental Disabilities reporting and panel responsibilities.

Capital Projects (S. 2004-C)

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

Article VII Proposals (S. 2008-B)

- PART MM – The Legislature modifies the Executive proposal in relation to providing professional services in non-certified settings.
- PART OO – The Legislature modifies the Executive proposal in relation to the consolidation of the Office for People with Developmental Disabilities rate setting functions and related authority to the Department of Health.
- PART QQ – The Legislature includes language to require the Office for People with Developmental Disabilities to:
 - Conduct a statewide review of individuals on the residential registration waitlist and develop a plan to increase housing alternatives;
 - Develop a plan to assist individuals currently working in sheltered workshop programs choice in transitioning to integrated community work settings;
 - Establish a panel to assist in the development of a transformation plan;
 - Report monthly on developmental centers and community investments; and
 - Make information available and report on the implementation of the front door policy.

Article VII Proposals (S.4610-A)

- PART H –Modifies the Executive proposal to create the Dedicated Infrastructure Investment Fund as follows:
 - Removes the authority to use the funds for disaster readiness, response and resiliency
 - Restricted use of the funds for federal Medicare and Medicaid overpayments
 - Restricts the use of funds during economic downturn

Prevention of Domestic Violence, Office of

State Operations (S. 2000-C)

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

Aid to Localities (S. 2003-C)

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

Public Employment Relations Board

State Operations (S. 2000-C)

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

Public Ethics, Joint Commission On

State Operations (S. 2000-C)

- The Legislature modifies the Executive recommendation of \$4.4 million and provides an additional \$1.2 million to administer and enforce ethics reform provisions.

Article VII Proposals (S.2006-B)

- *Part CC* – The Legislature includes legislation providing for ethics reform. Changes include enhanced outside income disclosure requirements, reform of the per diem system, and expanded campaign finance disclosures and restrictions.
- *Part DD* – The Legislature includes legislation requiring the establishment of an eight member review commission to review and evaluate the performance of the Joint Commission on Public Ethics and the Legislative Ethics Commission by May 1, 2015.

Concurrent Resolution of the Senate and Assembly (S.4611)

- *An amendment to section 7 of Article 5 of the Constitution to remove all pension or retirement benefits from any public official who is convicted of a felony.*

Public Service

State Operations (S. 2000-C)

- The Legislature concurs with the Executive recommendation of \$86.4 million including an additional \$2 million in Federal funds for the pipeline safety program.

Aid to Localities (S. 2003-C)

- The Legislature concurs with the Executive recommendation of \$5.75 million.

Article VII Proposals (S. 2008-B)

- *PART W* – The Legislature concurs with the Executive proposal to allow the Long Island Power Authority expanded authority to refinance legacy debt through the use of Utility Tariff Bonds with the following modifications:
 - Includes language to restrict the terms and balances of refinanced bonds to the existing bond term arrangements; and
 - Modifies the LIPA Reform Act of 2013 to direct LIPA, the legacy plant operator and the current system operator to begin the process of planning for the repowering of the legacy LILCO power generating facilities located in Hempstead, Port Jefferson, and Brookhaven.
- *PART R* – The Legislature concurs with the Executive proposal for authorization to transfer funds collected from assessments on cable television companies by the Department of Public Service to the Department of Health to fund their public service education programs.

State, Department of

State Operations (S. 2000-C)

- The Legislature concurs with the Executive recommendation of \$66.6 million with the following modification:
 - Provides \$21,000 for the State Commission on Uniform State Laws.

Aid to Localities (S. 2003-C)

- The Legislature modifies the Executive recommendation of \$68.8 million as follows:
 - Restores \$505,000 for the Public Utility Law Project;
 - Restores \$3.5 million for Dutchess County; and
 - Restores \$1.4 million for Dutchess County Coordinated Jail Based Services.

Article VII Proposals (S. 2008-B)

- PART T – The Legislature concurs with the Executive recommendation to extend, for one year, the ability of the Department to charge additional fees for expedited and special handling of documents.
- PART U – The Legislature concurs with the Executive recommendation to eliminate the fee associated with licensing of apartment information brokers.

Article VII Proposals (S. 2009-B)

- PART S – The Legislature concurs with the Executive recommendation to allow business entities to file contact information via their State income tax filings, and eliminate the required filing fee with the Department of State if the contact information is provided through a State income tax form.

State Police, Division of

State Operations (S. 2000-C)

- The Legislature concurs with the Executive recommendation of \$709 million, including:
 - An increase of \$5 million for the Trooper recruitment class in March of 2015, to increase the class size by 75 more recruits for a total of 225 new State Troopers.

Capital Projects (S. 2004-C)

- The Legislature concurs with the Executive recommendation of \$31.5 million.

Article VII Proposals (S. 2005-B)

- PART C – The Legislature concurs with the Executive proposal to authorize the transfer of certain State Police employees in finance and human resource functions to the Office of General Services (OGS) Business Center.

State University of New York (SUNY)

State Operations (S. 2000-C)

- The Legislature amends the Executive recommendation as follows:
 - Provides an additional:
 - \$100,000 for American Chestnut Research and Restoration Program;
 - \$2.5 million for ATTAIN labs;
 - \$250,000 for Cornell Vet School;

- \$1.5 million for Educational Opportunity Centers;
- \$5.7 million for Education Opportunity Programs;
- \$18.6 million for Hospital Operating Support Subsidy;
- \$4.7 million for Salaries and Benefits;
- \$1.5 million for Small Business Centers;
- \$333,000 for Stony Brook Animal Lab; and
- \$600,000 for Underrepresented Graduate Fellows Program.
- Amends requirements for performance improvement plans by removing penalties for plans that are not approved and language requiring bonuses for START-UP NY participation. Plans would now be expanded to include post-graduation career outreach.
- Denies language requiring a study examining the consolidation of back-office functions between SUNY and CUNY.

Aid to Localities (S. 2003-C)

- The Legislature amends the Executive recommendation as follows:
 - Provides an additional:
 - \$1 million for Career Center Development;
 - \$1.1 million for Community College Childcare Centers;
 - \$13.8 million in Community College Base Aid Increase;
 - \$1.5 million for the GAP Remediation Program;
 - \$600,000 for Harvest NY;
 - \$250,000 for SUNY Orange Bridge Program;
 - \$241,000 for College Discovery.
 - Amends requirements for community college performance improvement plans by:
 - Tying plans to Job Linkage Program funding.
 - Removing alignment to Regional Economic Development Councils.
 - Directing Community Colleges to establish their own regional collaborative groups.

Capital Projects (S.2004-C)

- The Legislature concurs with the Executive recommendation of \$462.4 million.

Article VII Proposals (S. 2006-B)

- PART B – The Legislature denies a plan to streamline the education program approval process at the State Education Department.
- PART H – Proposed language to create a uniform process for addressing campus sexual assaults for all New York State institutions is omitted and was introduced as stand alone legislation.
- PART Q – The Legislature modifies the proposal to make experiential learning a graduation requirement at SUNY and CUNY by first directing the systems to examine whether opportunities can be adequately made available to all students.
- PART R – The Legislature concurs changes to deadline requirements for the Higher Education Matching Grant Program to allow for future rounds of grants to be awarded.
- PART U – The Legislature includes language allowing the SUNY hospital system to accept and distribute Medicaid funds from the federal government through a new escrow account for the Delivery System Reform Incentive Payment Program.
- PART X – The Legislature includes language guaranteeing openings in collegiate opportunity programs for eligible foster youth.

- PART Y – The Legislature includes language directing community colleges and BOCES to develop a new career pathway allowing students in grades 7-12 to learn more about careers related to a Associate in Occupational Studies degree.

Statewide Financial System

State Operations (S. 2000-C)

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

Tax Appeals

State Operations (S. 2000-C)

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

Taxation and Finance

State Operations (S. 2000-C)

- The Legislature concurs with the Executive recommendation of \$459.2 million

Aid to Localities (S. 2003-C)

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

Temporary and Disability Assistance, Office of

State Operations (S. 2000-C)

- The Legislature concurs with the Executive recommendation of \$414.3 million.

Aid To Localities (S. 2003-C)

- The Legislature modifies the Executive recommendation of \$5 billion as follows:
 - Restores and/or adds funding for the following General Fund programs:
 - \$1 million in additional funding for the Disability Advocacy Program for a total of \$3.6 million;
 - \$200,000 for the Council of Jewish Organizations of Flatbush;
 - \$2.5 million in additional funding for consolidated homelessness programs for a total of \$34.2 million;
 - \$15 million for a new homelessness prevention pilot program in New York City;
 - \$500,000 for United Way of Greater Rochester for a Rochester Anti-Poverty Task Force;
 - \$350,000 for Jones Hill at WCA Hospital in Jamestown, NY;
 - \$125,000 for United Way of Central NY for a Syracuse Anti-Poverty Task Force;
 - \$10,000 for the Mechanicville Area Community Services Center; and
 - \$100,000 for United Way of Broome County for an Anti-Poverty Task Force.
 - The Legislature restores and/or adds funding for the following TANF programs:
 - \$1,519,000 in additional child care subsidies to expand child care assistance programs;
 - \$3 million for non-residential domestic violence programs;
 - \$800,000 for ACCESS – Welfare-to-Careers;
 - \$4 million for ATTAIN;
 - \$102,000 for BRIDGE;
 - \$1.5 million for Career Pathways;

- \$25,000 for Centro of Oneida;
- \$141,000 for Child Care CUNY;
- \$5.7 million for child care facilitated enrollment in NYC/Monroe County, including \$2.3 million total for Monroe County;
- \$2.7 million for child care facilitated enrollment in Capital District/Oneida County;
- \$193,000 for Child Care SUNY;
- \$112,000 for Community Solutions for Transportation;
- \$1 million for emergency homeless assistance;
- \$250,000 for ESL/Adult Literacy;
- \$1.57 million for preventive services;
- \$82,000 for Rochester-Genesee Regional Transportation Authority;
- \$200,000 for Strengthening Families Through Stronger Fatherhood;
- \$950,000 for wage subsidy; and
- \$144,000 for Wheels for Work.

Capital Projects (S. 2004-C)

- The Legislature concurs with the Executive recommendation of \$63.5 million.

Article VII Proposals (S. 2006-B)

- PART I – The Legislature concurs with the Executive proposal to authorize the pass-through of the federal Supplemental Security Income (SSI) COLA.

Thruway Authority

State Operations (S. 2000-C)

- The Legislature concurs with the Executive recommendation to provide \$21.5 million.

Article VII Proposal (S. 2008-B)

- PART J – The Legislature concurs with the Executive proposal to reduce by \$2.5 million, from \$24 million to \$21.5 million, State funding to the Thruway.
- PART G – The Legislature modifies the Executive proposal to authorize shared services agreements between the Department of Transportation and the Thruway Authority by limiting the proposal to emergency situations and severe weather events.

Transportation, Department of

State Operations (S. 2000-C)

- The Legislature concurs with the Executive recommendation to provide \$33.1 million.

Aid to Localities (S. 2003-C)

- The Legislature modifies the Executive recommendation as follows:
 - \$10 million for Upstate transit systems operating aid.
 - \$10.3 million for the Verrazano Bridge Rebate program to keep the residential discount at its current level and provide a percentage discount for the commercial vehicle rebate program.
 - \$7 million of this funding is provided through Metropolitan Transportation Authority Dedicated Funds.
 - \$300,000 for maintenance costs associated with the South Cascade Drive/Miller Road (former Route 219) Bridge.

- \$1 million 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.
- \$1 million to study accessibility and capacity at the Kingsbridge Road/Jerome Avenue subway station in the Bronx.

Capital Projects (S.2004-C)

- The Legislature modifies the Executive recommendation for Capital, from \$4.9 billion to \$5.1 billion, as follows:
 - \$100 million for State highway and bridge projects for FY 2016.
 - There is an additional \$150 million commitment for FY 2017, for a total additional five-year commitment of \$1 billion for State highways and bridges, an increase of \$250 million from the Executive proposal. The total 2 year capital commitment is \$7.2 billion.
 - \$50 million in one-time Consolidated Local Streets and Highway Program (CHIPS) funding for extreme winter recovery for a total of \$488 million.
 - \$15 million for Upstate transit capital funding that is more flexible than traditional capital because it can be used for the local match to federal funding.
 - \$2.5 million to open the Wells Bridge highway rest area/text stop located on Interstate 88.
 - \$1 million to renovate the Glens Falls highway rest area/text stop located on Interstate 87.

Article VII Proposals (S. 2008-B)

- PART A – Modifies the Executive proposal to make permanent the authorization for the Dedicated Highway and Bridge Trust Fund (DHBTF) and the Dedicated Mass. Transportation Trust Fund (DMTTF) to receive DMV revenues and for the DHBTF to fund DMV operations, by extending the authorization for five years.
- PART C – Modifies the Executive proposal by denying a new \$100 safety fee for for-hire /for-profit commercial carrier vehicles and by concurring with the elimination of the \$50 Intrastate Authority Application fee.
- PART D – Concurs with the Executive proposal to allow the Rochester-Genesee Regional Transportation Authority (RGRTA) to receive increased dedicated revenues resulting from the FY 2015 merger of RGRTA and Ontario County transit.
- PART E – Concurs with the Executive proposal to create the Transit Assistance for Capital Investments Fund for capital expenses of both the MTA and non-MTA downstate transit systems.
- PART F – Concurs with the Executive proposal to extend for one year the “hold harmless” provision that allows rural transit systems to receive aid for providing transportation service to Medicaid recipients.
- PART BB – Concurs with the Executive proposal to increase the number of years a municipal transit system may finance bus purchases from five years to ten years to align with vehicle probable useful life.

Tribal State Compact

Aid to Localities (S. 2003-C)

- The Legislature concurs with the Executive recommendation of \$91.7 million.
- The Legislature modifies the appropriation language to require the City of Salamanca and the County of Cattaraugus to submit a spending plan to the Chairman of the Senate Finance Committee and the Chairman of the Assembly Ways and Means Committee.

Veterans' Affairs, Division of

State Operations (S. 2000-C)

- The Legislature concurs with the Executive recommendation of \$8.2 million.

Aid To Localities (S. 2003-C)

- The Legislature modifies the Executive recommendation of \$9.3 million as follows:
 - Restores:
 - \$50,000 for the Veterans of Foreign Wars Buffalo Service Office;
 - \$75,000 for the Veterans of Foreign Wars New York City Service Office;
 - \$25,000 for the Vietnam Veterans of America;
 - \$200,000 for Warrior Salute;
 - \$100,000 for the Veterans Justice Project; and
 - \$100,000 for the SAGE Veterans Project.
 - Provides an additional:
 - \$200,000 for Legal Services of the Hudson Valley Veterans and Military Families Advocacy Project;
 - \$250,000 in additional funding for the Veterans Outreach Center (Monroe County) for a total of \$500,000;
 - \$500,000 for the NYS Defender's Association Veteran's Defense Program; and
 - \$250,000 for American Legion Department of New York Indigent Burial Expenses.

Victims Services, Office of

State Operations (S. 2000-C)

- The Legislature concurs with the Executive recommendation of \$10.6 million.

Aid to Localities (S. 2003-C)

- The Legislature modifies the Executive recommendation by providing an additional \$900,000 for Rape Crisis Centers, for a total of \$2.8 million.

Welfare Inspector General

State Operations (S. 2000-C)

- The Legislature concurs with the Executive recommendation of \$1.16 million.

Workers' Compensation Board

State Operations (S. 2000-C)

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

Capital (S. 2004-C)

- The Legislature concurs with the Executive recommendation of \$60 million.

Article VII Proposals (S. 2005-B)

- PART D – The Legislature concurs with the Executive proposal to repeal ten rarely used fees that, in the aggregate, generate less than \$100,000 in revenue.

Miscellaneous Items

Aid To Localities (S. 2003-C)

- The Legislature concurs with the Executive recommended \$16 million increase in appropriation authority for the Pay for Success Contingency Reserve, for a total of \$69 million.
- The Legislature modifies the proposal of \$25 million for Raise the Age as follows:
 - Provides that \$14 million in State-level expenditures shall be subject to a chapter of the laws of 2015 as submitted by the governor as a program bill; and
 - Provides that \$11 million shall be available immediately to counties and New York City on a pro-rata basis to assess readiness and begin implementation planning for raising the age of juvenile jurisdiction and overall juvenile justice reform. Funds will be made available pursuant to program plans submitted by local Departments of Probation and/or Social Services after joint approval by the Division of Criminal Justice Services and the Office of Children and Family Services.

Capital Projects (S. 2004-C)

New York State Special Infrastructure Account

- The Legislature modifies the Executive proposal to include the following:
 - \$500 million for the New NY Broadband initiative;
 - \$1.3 billion for the Thruway stabilization program for payment of costs related to the New NY Bridge (Tappan Zee Bridge) and the Thruway Authority's core capital program;
 - \$250 million for the Metropolitan Transportation Authority for Metro-North Railroad access to Penn Station;
 - \$50 million for the Southern Tier and Hudson Valley Farm program;
 - \$115 million for infrastructure improvements including rail and port capital projects and the state fair;
 - \$150 million for Municipal restructuring;
 - \$150 million for transformative economic development projects for Nassau and Suffolk
 - \$150 million for counterterrorism and disaster resistance, including public safety; and
 - \$400 million for health care related projects including:
 - \$355 million for geographically isolated hospitals
 - \$15.5 million for Roswell Park Cancer Institute
 - \$19.5 million for a community healthcare revolving fund
 - \$10 million for infrastructural costs associated with transitioning behavioral health services to Medicaid managed care.

Nonprofit Infrastructure Capital Investment Program – (\$50 million)

- Grants will be available to nonprofit human services organizations that provide direct services to New Yorkers through state contracts, state authorized payments, and/or state payment rates.
- Funding shall be made available for uses throughout the state through a competitive process that shall include representatives from multiple state agencies.
- Representative agencies include, but are not limited to: the Office of Children and Family Services, the Office of Temporary and Disability Assistance, the Office for People with Developmental Disabilities, the Office of Mental Health and the Dormitory Authority.
- Proposals from eligible nonprofits shall include, at minimum: the amount of funds requested in relation to the size and scope of the proposed project and the number of clients who will benefit; a detailed description of the project; and the extent to which the proposed project reflects a necessary improvement or upgrade to continue to serve the organization's target population, or a population they would be able to serve if such upgrades or improvements were made.

State and Municipal Facilities Program

- The Legislature concurs with the Executive recommendation of a new appropriation of \$385 million.
- The Legislature amends the program's prior years reappropriations to include as eligible grantees:
 - Public park conservancies or not-for-profit corporations organized for the purpose of investing in parks owned by the State or local municipality;
 - All not for profit firefighting organizations including fire departments, fire companies, fire districts and fire commissions; and
 - All not-for-profit volunteer rescue and ambulance squads.
- Allows for the eligible grantees to be reimbursed for the purchase and acquisition of the following:
 - Heavy duty road maintenance and construction vehicles; and
 - Heavy duty fire, emergency response and police vehicles.

Revenue

Article VII Provisions (S. 2009-B)

The Legislature takes the following actions:

- PART A – Denies the Executive proposal to cap the actual dollar amount of basic and enhanced benefits to property owners under the STAR program, beginning with the 2015-2016 school year, at the 2014-2015 levels.
- PART B – Concurs with the Executive proposal to eliminate the STAR personal income tax credit for individuals making over \$500,000 annually in the City of New York. This proposal is meant to provide consistency in the STAR benefit statewide, as those individuals outside of the city that receive the benefit as a real property tax exemption are wholly ineligible if their income exceeds \$500,000 annually.
- PART C – Denies the Executive proposal to convert the STAR delinquency/offset program into a tax clearance program and extend this program permanently.
- PART D – Denies the Executive's proposal that would close the existing STAR exemption program to new applicants and establish a new refundable personal income tax (PIT) credit in its place.
- PART E – Modifies the Executive proposal to allow the Department of Tax and Finance to recoup improperly granted STAR exemptions. Specifically, the legislature limited the look back period for such recoupment from 6 to 3 years consistent with other tax recoupment provisions and decreased certain other amounts that could be accrued on top of the recoupment.
- PART F – Concurs with the Executive proposal to allow homeowners who registered with the Department of Tax and Finance under the STAR re-registration program, and not with their local assessor for the STAR exemption, to receive the benefit of the exemption for tax year 2014;
- PART G – Denies the Executive proposal to establish a Property Tax Relief Credit;
- PART H – 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 – 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 – Concurs with the Executive proposal to require a commercial production tax credit economic impact report.

- PART K – Modifies the Executive proposal to amend the Excelsior Tax Credit to include entertainment companies as a qualifying business to also include video game developers and music production companies.
- PART L – 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 N – Denies the Executive proposal to reduce the business income base rate under the Corporate Franchise Tax for small businesses.
- PART O – Modifies the Executive proposal to create the Employee Training Incentive Program (ETIP) to include a Technology Internship Program and credit.
- PART P – Modifies the Executive proposal to amend the current additional tax on telecommunications services (sections 184 and 184-a) to simplify the administration of the excise tax on telecommunications for wireless communication by consolidating the tax into sections 186-c and 186-e and adjusting the rate to include both sections of law.
- PART Q – Denies the Executive proposal to impose refund restrictions on Article 9 taxpayers.
- PART R – Brownfield Cleanup Program (See ELFA Article VII S. 2006-B PART BB).
- PART S – Concurs with the Executive proposal to allow the Department of Taxation and Finance to collect corporate information statements on tax filings and provide the information to the Department of State (DOS). The DOS filing fees will be eliminated for those companies that send in a tax filing with the information statement.
- PART T – Modifies the Executive proposal to provide various technical amendments to the Corporate Tax reform statute.
- PART U – Concurs with the Executive proposal to eliminate sales and use tax on beer, cider and liquor at tastings held on premise at licensed alcohol producers.
- PART V – Concurs with the Executive proposal to modernize and clarify the definition of telephone calling cards for sales tax collection purposes.
- PART W – Denies the Executive proposal to impose new requirements on Industrial Development Authorities if they provide state tax exemption benefits.
- PART X – Denies the Executive proposal to require market place providers to collect and remit sales and use taxes for transactions completed by unrelated sellers.
- PART Y – Denies the Executive proposal to close certain perceived sales and use tax avoidance strategies.
- PART Z – Concurs with the Executive proposal to exempt solar power purchase agreements from state sales tax and allows an option for local governments to exempt sales tax as well.
- PART AA – Concurs with the Executive proposal to allow petroleum business tax refunds for farm use of highway diesel motor fuel.
- PART BB – Modifies the Executive proposal making technical corrections to the Estate Tax by including an additional technical correction related to Estate Gift Tax provisions.
- PART CC – Denies the Executive proposal to require statewide registration of motor fuel wholesalers.
- PART DD – Modifies the Executive proposal to extend the ability of the Department of Taxation and Finance to issue warrantless wage garnishments for two years.
- PART EE – 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 – Intentionally Omitted and replaced with PART D (S. 4610–A) -- Creates a new New York City “Corporate Tax of 2015” which will govern both corporations that are currently taxed under the general corporations tax (GCT) and banks which are currently taxed under the financial

corporation tax (bank tax), under the same subchapter. The creation of this new subchapter was drafted in conjunction with New York City Finance Office and is revenue neutral to New York City.

Tax Bases: The tax bases are amended as follows:

- Eliminates the alternative minimum tax base, the bank taxable assets base and changes entire net income base to a business income base;
- Repeals the separate tax on subsidiary capital;
- Maintains a business capital tax base and a fixed dollar minimum tax;
- Continues the phase out of the 3-factor formula for income allocation into a single receipts factor using customer sourcing rules by 2018; provides option for businesses with NYC allocated receipts of \$50 million or less, to make a one-time election starting in 2018 to retain the 3.5% weights for payroll and property factors;
- Provides for a subtraction modification for qualified affordable housing and low-income community loans.

Tax Rates: The tax rates are amended as follows:

- Reduces the business income tax rate from 8.85% for small businesses to 6.5% (\$1 million or less in NYC business income) and certain New York manufacturers to 4.425% (\$10 million or less in NYC business income).
- Imposes a business income tax rate of 8.85% on non-financial corporations and financial corporations with total assets of less than \$100 billion, and imposes a business income tax rate of 9% on financial corporations with total assets of more than \$100 billion (9% is the current financial corporation tax rate);
- Raises the maximum tax on capital to \$10 million, while providing a subtraction of the first \$10,000 of tax liability.

Combined Reporting: Incorporates the States combined reporting rules that require a combined return for any related business that is a unitary business and the corporation owns more than 50 percent stock in the related business. Provides an option to file a combined tax return for all related businesses that meet a 50 percent stock ownership rule. If a taxpayer elects this option, the election must be used for a 7-year period and cannot be revoked during that period.

Nexus: Rejects the expansion of the nexus requirement which would have included a new economic nexus standard that would have subjected a corporation to New York City tax if it had at least \$1 million in receipts from activity in New York City regardless of whether the corporation employs capital, owns or leases property or maintained an office in New York City.

Other Significant Provisions:

- Incorporates State corporate franchise tax (Article 9-A) net operating loss rules;
 - Maintains unique New York City tax credits;
 - Exempts S-corporations from new changes and provides that S-corporations continue to be taxed under current rules.
- PART GG – Denies the Executive proposal to require a tax clearance for the recipients of state or local grant funds.

- PART HH – Denies the Executive proposal to create a reciprocal tax collection agreement with other states.
- PART II – Denies the Executive proposal to create a multi-agency information sharing database.
- PART JJ – Denies the Executive proposal to require tax clearance upon application or renewal for professional and business licenses.
- PART KK – Denies the Executive proposal to require a tax clearance for new state employees.
- PART LL – Denies 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 – Concurs with the Executive proposal to extend, for one year, the deadline to receive approval and to complete capital projects that are reimbursed through the Video Lottery Gaming (VLG) vendor’s capital award program.
- PART NN – Concurs with the Executive proposal to extend for one year certain rates and simulating provisions to maintain New York’s pari-mutual betting and simulcasting structure. These provisions have been extended numerous times since they were enacted in the early 1990’s.
- PART OO – Concurs with the Executive proposal to amend section 1602 of the Tax Law in order to define “video lottery gaming” as including games of chance that contain a minor level of skill.
- PART PP – Modifies the Executive proposal extending the maximum term of the New York Racing Association, Inc. (NYRA) Reorganization Board of Directors from three years to four years with an immediate effective date.
- PART QQ – New York City’s corporate tax conformity (see ELFA S. 2006-B Part__).
- PART RR – 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 – Includes language to allow for a sales and use tax exemption on vessels applying to receipts in excess of \$230,000. Also creates a 90 day use tax exemption for vessels.
- PART TT – Includes language to allow for an aviation air-craft sales tax exemption.
- PART UU – Includes language authorizing a temporary sales tax exemption for purchase transactions which become taxable as a result of the implementation of the Federal Dodd-Frank Act; the exemption authorization expires June 30, 2019 and all covered transactions must be completed no later than June 30, 2024.
- PART VV – Includes language to increase from 1 percent to 2 percent the retention of purse monies which are deposited into the New York Jockey Injury Compensation Fund, Inc. The increased rate will sunset April 1, 2017.
- PART WW – Includes language to extend for one year the vendor fee rates for a vendor track in Sullivan County.
- PART XX – Includes language providing Off-Track Betting Advanced Deposit Waging (ADW) rate distribution parity for multi-jurisdictional providers involved in joint affiliations or contractual agreements. This change would take effect on December 31, 2016.
- PART YY – Includes language to change the reimbursement to libraries for taxes paid for the Metropolitan Commuter Transportation Mobility Tax, to an exemption.
- PART ZZ – Includes a chapter amendment to the Executive proposal to permit the City of Buffalo to adjudicate traffic violations by changing the effective date from May 1, 2015 to July 1, 2015. (see also TED Article VII S. 2008 PART CC).

Article VII Provisions (S. 2006-B)

- PART AA – The Legislature modifies the Executive proposal to rename and reconfigure the current New York Youth Works Tax Credit Program as the Urban Youth Jobs Program Tax Credit to increase the credit cap under the existing program by \$10 million.
- PART FF – The Legislature modifies the Executive proposal to conform New York City’s corporate tax system to the changes New York State made to its Corporate Franchise Tax by excluding the economic nexus provision.