

FY 2016 Changes to the Executive Budget Submission Fact Sheet

Capital Projects

The Executive amends \$4.65 billion in capital appropriations related to settlement funds that were specifically appropriated in the Executive proposal. The funds are now added to other existing program appropriations as lump sums, and disbursements from these larger appropriations are directed through percentages in the appropriation language. In addition, proposed design build language is added to these appropriations.

Health Actions

The Executive proposes to prohibit any Medicaid funding, including State, federal and Health Care Reform Act resources, from being disbursed in FY 2016 unless certain Executive proposals are enacted as proposed. Each year the Executive proposes various Medicaid provisions that achieve cost-savings or establish new programs and initiatives through Article VII language. The Executive proposes to require certain sections of the Article VII bill must be enacted exactly as proposed in order to spend any Medicaid funding.

Education Actions

The Executive budget includes Article VII language that links the general support for public schools (GSPS) increase of \$1.063 billion to the passage of the Executive's proposed education opportunity reform agenda advanced in S.2010 / A.3010. The reform agenda includes proposals to deal with failing schools, teacher tenure, evaluation of teachers, NYC Mayoral control and changes in funding for charter schools as well as increasing total charter school authorizations statewide. Absent passage of the Executive's reform proposals the executive would withhold \$1.063 billion in additional funding from public schools across the state.

Higher Education Actions

The Executive's Article VII language links the DREAM Act (Part D) and Education Investment Tax Credit (Part E) by placing language in both parts stating that each shall only go into effect if the other part is also passed by March 31, 2015. The language would prevent one from going into effect without the other also being passed.

The Executive also links the disbursement of all TAP funds to both the DREAM Act and the Education Investment Tax Credit in the Aid to Localities bill under the Higher Education Services Corporation (HESC) Appropriation. Unless these two parts of the Article VII bill are passed, no TAP disbursements would be allowed - including tuition assistance disbursements for 302,000 students currently eligible for financial aid. DREAM Act language is also incorporated into the HESC appropriation to provide that both legal and illegal citizens are eligible for TAP awards.

Ethics Reforms

The Executive adds various new policy provisions, many of which are inserted throughout the Budget proposal. In short, these proposals appear designed to increase disclosure of outside

income on the financial disclosure forms of public officials, implement new rules for reimbursements of expenses via the State Comptroller for public official's travel in state service, amend the constitution to rescind any vested pension of public officials convicted of crimes related to public office, as well as create new disclosure attestations, signed under penalty of perjury, for legislative sponsors of new and existing capital projects. There is also language inserted that would modify the definition of independent expenditures and would allow for the Governor's appointed Enforcement Counsel to bring a civil proceeding unilaterally to enforce the new law.

APPROPRIATIONS

State Operations S. 2000-A / A. 3000-A

Alcoholic Beverage Control

- Technical Amendment, correcting an invalid number for non-personal service appropriations resulting in no change to the total appropriation.

Department of Audit and Control

- Includes language within the appropriation for the State Operations Program prohibiting the State Comptroller from disbursing per diem travel reimbursements for legislators and statewide elected officials until the ethics provisions are met. New appropriation language also includes a provision requiring documented reasonable and necessary travel expenses for reimbursement.

City University of New York

- Amends the proposed requirement for senior colleges to submit a Performance Improvement Plan to be approved by the CUNY Board of Trustees. Plans would now also be subject to approval by the Director of the Division of Budget.

State Education Department

- Adds new appropriation language to the Office of Prekindergarten Through Grade Twelve Education that prohibits the expenditure of state funds for the Department to process payments of any 2015-16 school aid increases in the event the Legislature fails to enact the identical language of the Executive's Opportunity Agenda including his changes to Annual Professional Performance Reviews for teachers and building principals.

Department of Environmental Conservation

- Makes technical corrections.
- Restores a \$2.5 million reappropriation related to the Marketing the Outdoors program.

Office of General Services

- The bill is amended to authorize that any accepted contracts for capital projects, including State facilities or State financed infrastructure improvements, may use design build bidding and contracting procedures, and that any such project in excess of \$50 million dollars utilizing design build must, if feasible, offer a project labor agreement as part of an acceptable bid.

Department of Health

- Makes technical corrections to a reappropriation total and two account sub-totals

Office for People with Developmental Disabilities

- The Executive adds \$10 million in reappropriations authority omitted from the original proposal.

Office of Parks, Recreation and Historic Preservation

- Makes a technical correction.

Department of Taxation and Finance

- Makes a technical correction removing \$125,000 in the Revenue Processing and Reconciliation Program for the administration of the Education Tax Credit (Part E of ELFA bill) to be consistent with the Executive Budget recommendation.

Division of State Police

- Adds \$5 million for an additional 75 recruits increasing the class size to 225 for the Trooper recruitment class in March of 2015.

State University of New York

- Amends the proposed requirement for senior colleges to submit a Performance Improvement Plan to be approved by the SUNY Board of Trustees. Plans would now also be subject to approval by the Director of the Division of Budget.

Division of Veterans' Affairs

- Decreases the personal service-regular appropriation for the Veterans' Counseling Services Program from \$5,488,000 to \$5,448,000, consistent with FY 2015 levels.

Miscellaneous – All State Departments and Agencies

New York Power Authority Asset Transfer

The amendment makes a technical correction to fix two typographical errors

Aid to Localities S. 2003-A / A. 3003-A

City University of New York

- Amends the proposed requirement for community colleges to submit a Performance Improvement Plan to be approved by the CUNY Board of Trustees to now also be subject to approval by the Director of the Division of Budget.

Department of Economic Development

- The bill is amended to correct a mathematical technical error and an incorrectly referenced calendar year.

State Education Department (SED)

- Makes technical correction to the amounts shown for reappropriations in the header table.
- Makes technical correction to appropriation language. Clarifies that 2015-16 and 2016-17 appropriations for increases in state aid are contingent upon school districts implementing standards and procedures for Annual Professional Performance Reviews (APPR) for teachers and building principals. Such APPR plans must be approved by the commissioner no later than September 1, 2015.
- Makes technical correction to appropriation language. Clarifies that 2015-16 and 2016-17 appropriations for increases in state aid are contingent upon the Legislature enacting the Executive's Opportunity Agenda.
- Amends appropriation language to include the appropriation for 2015-16 and 2016-17 for Universal Pre-Kindergarten (§3602-e) equal to the amounts shown for school districts on the enacted state aid run for the 2014-15 school year.
- Amends reappropriation language for 2015-16 (in the enacted 2014-15 state budget) to make it conform to the 2015-16 appropriation language in the 2015-16 Executive Proposal.
- Makes technical corrections to the State Lottery Fund account and the VLT Education account appropriations and reappropriations for General Support for Public Schools.
- Makes technical corrections to the \$8 million in funds available for takeover and restructuring of failing schools and links it to the new Article VII language proposed by the Executive as sections 211-f and 211-g of the Education Law.
- Amends the Master Teachers \$5 million appropriation to restrict 80 percent of stipends awarded to teachers of math, science, and related fields and up to 20 percent for bilingual education, ESL, or teachers with dual certification in a content area and special education.

Office of Children and Family Services

- Makes technical correction to the appropriation language for the CSEA Child Care quality grant program.

Department of Health

Center for Community Living Program:

- Removes language in the General Public Health Work Program appropriation that references a prior year budget action.
- Adds language to allow funding from the Cost of Living Adjustment appropriation to be used for the following purposes: the Study of Racial Disparities, the Minority Male Wellness and Screening Program and the Latino Outreach Program.
- Makes technical corrections.

Medical Assistance Administration Program (Medicaid Administration):

- Makes technical corrections.

Medical Assistance Program (Medicaid):

- Adds language that prohibits any disbursements from the Medicaid appropriations unless various Medicaid cost-containment initiatives, investments, and program extenders proposed in the Health and Mental Hygiene Article VII bill (S.2007-A) are enacted exactly as proposed by the Executive:
 - Authorize the Commissioner to negotiate directly with pharmaceutical companies for Statewide supplemental rebates for certain drugs.
 - Reduce pharmacy reimbursement for certain prescription drugs.
 - Increase pharmacy dispensing fees for certain prescription drugs.
 - Authorize the Commissioner to require prior authorization for drugs within the Clinical Drug Review Program for any drug prior to the recommendation of the Drug Utilization Review Board.
 - Authorize the Commissioner to require prior authorization for certain prescription drugs if a drug manufacturer does not provide a minimum supplemental rebate.
 - Eliminate “prescriber prevails” provisions in the fee-for-service program.
 - Require providers to submit claims for prescription drugs within the federal 340B program to managed care plans in an amount equal to the invoice price of the drug.
 - Establish a new hospital quality pool.
 - Authorize enhanced payments for sole community hospitals.
 - Increase the carve-out for Critical Access Hospitals within the Vital Access Provider (VAP) Program.
 - Establish a carve-out within the VAP program for providers serving rural areas
 - Authorize grants to health homes for integration with the criminal justice system
 - Carve out family planning services from Ambulatory Patient Group and hospital rates.
 - Limit Medicaid cost-sharing payments to providers for certain dual eligible Medicare enrollees to the Medicaid rate.
 - Eliminate spousal refusal provisions.
 - Authorize an assessment of the mobility and transportation needs of the disabled and other special needs populations.
 - Authorize that any savings realized from the Community First Choice Option (CFCO) to be reinvested for implementing the Olmstead plan.
 - Permanently eliminate certain Medicaid cost containment measures.

- Extend provisions related to the Indigent Care Pool.
- Authorize Value Based Payments for Medicaid Managed Care Plans and Performing Provider Systems (PPSs) within the Delivery System Reform Incentive Program.
- Reduces two-year funding for the Vital Access Provider program by \$10 million.
- Adds a new two year appropriation for services and expenses associated with ending the AIDS epidemic in the amount of \$10 million.
- Makes technical corrections.

Higher Education Services Corporation

- Modifies the Tuition Assistance Program (TAP) language by incorporating DREAM Act language to make individuals without lawful immigration status eligible for TAP.
- Prohibits anyone, including the 302,000 students currently receiving TAP assistance, from receiving TAP payments unless Article VII language is enacted regarding the DREAM Act and the Education Investment Tax Credit.
- Technical correction to authorize payment of prior year liabilities for the Aid for Part-Time Study Program.
- Technical correction to fix the year referenced for STEM awards.
- Technical correction to clarify the definition of income for the proposed Get-On-Your-Feet loan repayment program.

Division of Housing and Community Renewal

- Makes technical corrections to the name of the RESTORE program.
- Makes other technical corrections.

Office of Mental Health

- The Executive amends appropriation language to allow the Office of Mental Health to receive grants from any Federal agency, not just the U.S. Department of Health and Human Services.

Office for People with Developmental Disabilities

- The Executive adds \$150 million in reappropriation authority omitted from the original Executive proposal.

State University of New York

- Amends the proposed requirement for community colleges to submit a Performance Improvement Plan to be approved by the SUNY Board of Trustees, to now also be subject to approval by the Director of the Division of Budget.

Regional Economic Development Program

- The Executive amends the Regional Economic Development Program by inserting new language into the reappropriation that would require compliance with ethics reform

provisions prior to any contracts or grant agreements executed for the program by any State Agency or Authority. The effective date of this clause would be July 15.

Capital S. 2004-A / A. 3004-A

City University of New York

- Eliminates the schedule of projects at senior colleges, and provides an identical amount of \$103 million in a single lump sum.
- Provides an additional \$25 million to be disbursed by the Urban Development Corporation, based in part on a competitive selection process among the Regional Economic Development Councils.
- Any disbursements from the \$128 million would be subject to certification from the Division of Budget that projects are considered to be “in the public interest.”
- Provides transfer language to allow funds to be suballocated to other agencies or authorities to achieve the stated purpose of the funds.
- Includes language mirroring the Article VII language which authorizes the use of Design-Build contracts for CUNY projects for both new and reappropriated funds.

Department of Corrections and Community Supervision

- Includes new reappropriation language to authorize the Department of Corrections and Community Supervision to utilize Design-Build contracts.

State Education Department (SED)

- Technical change to the reappropriation amount to reflect Smart Schools Bond Act

Department of Environmental Conservation

- Includes language related to the use of Design-Build contracts.
- Makes technical corrections to reappropriation language.

Office of Children and Family Services

- Amends appropriation language for the \$110 million Raise the Age of Juvenile Jurisdiction capital program to allow OCFS to utilize design-build contracts.

Office of General Services

- Adds language to appropriations and reappropriations for OGS capital design and construction projects that are in excess of \$50 million and that utilize design build that must if feasible, provide for the potential of a project labor agreement as part of an acceptable bid.

Department of Health (DOH)

- Establishes a capital projects fund and transfers \$900 million from the Dedicated Infrastructure Investment Fund to DOH as follows:
 - Increases the health care facility transformation appropriation to \$1.1 billion by adding \$400 million for grants to essential health care providers within a defined and isolated geographic region to the \$700 million appropriation within Kings County. Disbursements from the appropriation are set forth utilizing percentages.
 - Increases to \$800 million the \$300 million appropriation for health care facility transformation within Oneida County, by adding \$500 million from the upstate revitalization initiative. Disbursements from the appropriation are set forth utilizing percentages for each initiative.

The new appropriations include authority for all or a portion of funds to be sub-allocated or transferred to any department, agency or public authority for the described purposes.

Office of Mental Health

- The Executive amends appropriation and reappropriation language to authorize State entities to utilize Design-Build contracts.

Office for People with Developmental Disabilities

- The Executive amends reappropriation language to authorize State entities to utilize Design-Build contracts.

Metropolitan Transportation Authority

- Increases the Dedicated Infrastructure Investment Fund appropriation from \$750 million to \$1.15 billion by adding \$400 million to the Capital Projects Fund (\$250 million for the Penn Station project, \$150 million for the transit-oriented development project).
- Adds language within this appropriation that designates disbursements of the following:
 - \$250 million to the Penn Station project
 - \$150 million to transit-oriented development
 - \$750 million to all other capital projects.
- Makes technical corrections.

Office of Parks, Recreation and Historic Preservation

- Adds \$50 million to the State Park Infrastructure Fund.
- Adds language within these appropriations that designates disbursements of the following by percentages:
 - \$110 million for New York Works Infrastructure Projects at state parks and historic sites.

- \$2.5 million for New York Works Infrastructure Projects at the Olympic Regional Development Authority.
- \$50 million for Regional Economic Development Council.
- Includes language related to the use of Design-Build contracts.

Division of State Police

- Includes new appropriation and reappropriation language to authorize the Division of State Police to utilize Design-Build contracts.

State University of New York

- Eliminates the schedule of projects at senior colleges, and provides an identical amount of \$200 million in a single lump sum.
- Provides an additional \$25 million to be disbursed by the Urban Development Corporation, based in part on a competitive selection process among the Regional Economic Development Councils.
- Any disbursements from the \$225 million would be subject to certification from the Division of the Budget that projects are considered to be “in the public interest”, which is not defined in the briefing materials.
- Provides transfer language to allow funds to be suballocated to other agencies or authorities to achieve the stated purpose of the funds.
- Includes language mirroring the Article VII language which authorizes the use of Design-Build contracts for SUNY projects for both new and reappropriated funds.
- Technical correction to community college project appropriations.

State University of New York Community Colleges

- Makes technical amendments.

Department of Transportation

- Increases by \$2.3 billion the highway capital projects appropriation from \$413 million to \$2.7 billion. This reflects the transfer of Dedicated Infrastructure Investment Funds for:
 - \$500 million of the \$1.5 billion for the Upstate revitalization
 - \$500 million for a Broadband initiative
 - \$1.3 billion for the Thruway stabilization program
- Increases by \$1.015 billion the CHIPS appropriation from \$438 million to \$1.4 billion. This reflects the transfer of Dedicated Infrastructure Investment Funds for:
 - \$500 million of the \$1.5 billion for Upstate revitalization
 - \$150 million for Municipal restructuring
 - \$150 million for Resiliency, mitigation, security, and emergency response
 - \$50 million for Southern Tier and Hudson Valley farmland
 - \$115 million for Infrastructure improvements, and
 - \$50 million for the Regional Economic Development Councils (REDCs)
- Adds language within these appropriations that designates percentages of disbursements for each category.

- Adds language authorizing the use of design-build for capital highway and bridge projects.
- The Executive amends capital program reappropriations by inserting new language that would require compliance with ethics reform provisions prior to any contracts or grant agreements executed by any State Agency or Authority.

New York State Urban Development Corporation

Reappropriations for the New York State Capital Assistance and the New York State Economic Development Assistance programs are amended to include new ethics requirements including:

- Any legislative member requesting a grant after July 1, 2015 shall attest that the grant is for a legal purpose, and that neither the member, or a relative or housemate of the member has any financial interest with the requested grant.
- If the member is a lawyer or real estate broker or agent, or a member of a licensed profession, or a registered lobbyist then that member must give a detailed accounting of any and all such “outside” income, with certain specified exceptions.
- For every client of a firm that the member has an affiliation with that receives services over \$5,000, a detailed listing of the services the client received.
- No contract connected to any member request tied to these programs shall be let unless all of the above conditions are fully met.

Appropriation Changes

The proposed appropriation of \$1.9 billion is amended and reduced by \$1.65 billion to reflect the elimination of the \$150 million appropriation for Regional Economic Development Council (REDC) awards and \$1.5 billion for the Upstate Revitalization competition (three awards of \$500 million each to go to three of the seven upstate regional councils). These eliminated appropriations would be lumped into other agency appropriations as follows:

- \$500 million to Department of Transportation Highway capital.
- \$500 million to Department of Transportation CHIPS.
- \$500 million to Department of Health capital.
- \$50 million in REDC awards to Department of Transportation CHIPS.
- \$50 million of REDC awards to Office of Parks and Historic Preservation capital.
- \$25 million of REDC awards to SUNY capital.
- \$25 million of REDC awards to CUNY capital.

Worker’s Compensation Board

- Moves the Workers’ Compensation Board capital appropriation for \$60 million out of miscellaneous appropriations to the agency appropriation section.

Miscellaneous – All State Departments and Agencies

Community Enhancement Facilities Assistance Program

- The Executive amends capital program reappropriations by inserting new language that requires additional certifications related to conflicts of interest prior to any contracts or grant agreements executed by any State Agency or Authority.

Economic Development – Capital

- The Executive amends capital program reappropriations by inserting new language that requires additional certifications related to conflicts of interest prior to any contracts or grant agreements executed by any State Agency or Authority.

Economic Development Program

- The Executive amends capital program reappropriations by inserting new language that requires additional certifications related to conflicts of interest prior to any contracts or grant agreements executed by any State Agency or Authority.

High Technology and Development Program

- The Executive amends capital program reappropriations by inserting new language that requires additional certifications related to conflicts of interest prior to any contracts or grant agreements executed by any State Agency or Authority.

Higher Education Facilities Capital Matching Grants Program

- Technical correction referencing name of the account.

Regional Economic Development Program

- The Executive amends capital program reappropriations by inserting new language that requires additional certifications related to conflicts of interest prior to any contracts or grant agreements executed by any State Agency or Authority.

New York State Special Infrastructure Account

- Eliminates appropriations totaling \$3 billion in Capital Dedicated Infrastructure Investment Funds and adds these appropriations into other State Agencies capital appropriations as lump sums:
 - Thruway Stabilization Program (\$1.3 billion)
 - Broadband Initiative (\$500 million)
 - Hospitals (\$400 million)
 - Metro-North Stations (Penn Station Access) (\$250 million)
 - Municipal Restructuring (\$150 million)
 - Resiliency, Mitigation, Security and Emergency Response (\$150 million)
 - Transit Oriented Development (\$150 million)
 - Infrastructure Improvements (\$115 million)
 - Southern Tier and Hudson Valley Farmland (SIA) (\$50 million)

State and Municipal Facilities Program

- The Executive proposes projects funded from the State and Municipal Capital program have a minimum project threshold of \$20 million.

Strategic Investment Program

- The Executive amends capital program reappropriations by inserting new language that requires additional certifications related to conflicts of interest prior to any contracts or grant agreements executed by any State Agency or Authority.

ARTICLE VII

S. 2005-A / A. 3005-A -- Public Protection / General Government

Part O - Create the Dedicated Infrastructure Investment Fund

- Removes the two separate accounts in the fund
- Removes the definitions of the two separate funds
- Clarifies that money on deposit in the Dedicated Infrastructure Investment Fund can also be transferred to the Medicaid Information System MMIS Statewide Escrow Fund 60901 in an amount not to exceed the anticipated decline of federal Medicare and Medicaid revenues.

Part P - Sweeps and Transfers

- Authorizes the comptroller to transfer up to \$850 million from the general fund to any special revenue fund for the purpose of addressing potential declines in anticipated levels of Federal Medicare and Medicaid revenues.
- Provides that \$4.55 billion could be transferred from the general fund to the new (consolidated) dedicated infrastructure investment fund,

NEW Part Q – Ethics Reform

- Creates new financial disclosure forms for public officers who practice law to require further disclosure.
- Places limits on reimbursement for state travel.
- Alters the definition of what constitutes an independent expenditure for purposes of Election Law reporting; allows the Governor-appointed Enforcement Counsel to bring enforcement proceedings for these entities unilaterally.
- Eliminates state pension payments to public officials convicted of certain crimes, upon approval and ratification of constitutional amendment by the voters. (See proposed constitutional amendment)

S. 2006-A / A. 3006-A – Education, Labor & Family Assistance

Part B – Streamlining Program Approval Process

- Language is expanded to include private and not-for-profit schools, in addition to SUNY and CUNY.
- Limits participation to schools that have had a physical presence in New York State for at least ten years and are certified by the Middle States Commission on Higher Education (MSCHE).
- Would make any school whose accreditation is placed on probation or terminated by MSCHE subject to the State Education Department’s current program approval process.

Part C – Get On Your Feet Loan Forgiveness Program

- Technical correction to clarify the definition of income for the proposed Get-On-Your-Feet loan repayment program.

Part H – University Sexual Assault Prevention

- Technical correction to clarify the effective date.

Part J – Raise the Age of Juvenile Jurisdiction

- Makes various technical amendments throughout to raise the age of juvenile jurisdiction for both 16 and 17 year-olds where such references were not previously incorporated.
- Amends the list of specified offenses under the Family Court Act definition of “designated felony act” to be consistent with the “defense of infancy” provisions of Penal Law.
- Shortens the period of determinate sentences for 16 and 17 year-olds to be consistent with those for 14 and 15 year-olds.
- Replaces the term “physical harm” throughout with references to “physical injury” as defined in the Penal Law.
- Details a judicial procedure giving the court discretion to hold a hearing on whether to enhance the sentence of a class B violent felony offender given aggravating circumstances surrounding the offense.
- Provides for the designation by the appellate division of an acting youth part magistrate to sit when the superior court is not in session and authorizes such magistrate to conduct arraignment, hold preliminary hearings or waiver thereof, and transfer the case to the youth part or Family Court, as appropriate.
- Removes the burden of proof by preponderance of the evidence from provisions relating to the conditional sealing of records.
- Adds the burden of proof by preponderance of the evidence for District Attorneys objecting to the removal of a matter to Family Court.
- Removes the ability of the youth part to retain criminal jurisdiction over matters removed to Family Court.
- Clarifies that 100 percent state reimbursement to probation departments shall be available for expenditures made relating to evidence-based practices, and juvenile risk and evidence-based intervention services.

- Adds new section governing interstate detention to require that, due to a violation of parole, such youth must be detained in a juvenile detention facility.
- Adds a new section to make it an unlawful discriminatory practice under the Human Rights Law to inquire about a prior conviction which has been conditionally sealed pursuant to this act or a youthful offender adjudication.
- Permits the Director of Classification and Compensation within the Department of Civil Service to prescribe the qualifications for an OCFS juvenile justice facility director after consultation with the OCFS commissioner.
- Makes various technical amendments throughout to add references to the youth part of superior court where such references were not previously incorporated.
- Makes various technical amendments throughout for gender neutrality.
- Adds a severability clause.
- Makes various effective date changes.

Part N – Minimum Wage

- Amends Article 18 of the Labor Law (which governs the Unemployment Insurance (UI) program) to add a new §525 which defines “high quarter threshold.”
- According to the Executive, the purpose of this amendment is to align the statutory UI high quarter earning threshold with the proposed increase to the statutory minimum wage and maintain conformance with Federal UI requirements.
- The proposed minimum wage increase would set the minimum wage at \$11.50 in cities with a population of more than one million and \$10.50 everywhere else.

New Part R – Higher Education Capital Matching Grants Program

- Eliminates application deadlines to allow for future rounds of competitive HECAP funding awards.
- Amends reporting deadlines to allow for future rounds of competitive HECAP funding awards.

S. 2007-A / A. 3007-A -- Health & Mental Hygiene

Part B – Medicaid Redesign Team (MRT) Proposals

- Makes various technical corrections.
- Makes clarifying changes related to the State Medicaid Global Cap Dividend Plan.
- Adds a new section to make the following changes to Medicaid co-payment requirements:
 - Exempts the existing co-payment requirements for individuals whose family income is less than 100 percent of the federal poverty level to comply with the Affordable Care Act (ACA).
 - Eliminates the exemption of individuals enrolled in Health Maintenance Organizations or Managed Care programs from existing co-payment requirements. This change is necessary in order to require co-payment provisions for the Basic Health Plan due to ACA requirements.

- Makes changes related to the Medicaid upper payment limit methodology for the Health and Hospitals Corporation (HHC) to correct statutory references within the proposed language.
- Makes clarifying changes related to the proposed Basic Health Plan rate setting language.

Part C – Payment of Government Rates for the Child Health Plus Program

- Makes technical changes to the severability provisions.

Part D – Extension of Expiring Laws

- Makes technical corrections.
- Adds a new section to permanently eliminate the trend factor for nursing homes, hospitals and other various long term care providers.

Part S – Home and Community Based Waiver Services Program

- The Executive removes a proposed section that made no actual amendments to current statute.

NEW Part T – Mental Hygiene Demonstration Programs

- Adds a new Part making technical clarifications that certain mental hygiene demonstration programs are exempt from the Office of the State Comptroller procurement statutes.

NEW Part U – Office for People with Developmental Disabilities (OPWDD) setting

- Adds a new Part repealing current community residential facility statutes for the Office for People with Developmental Disabilities. The part also:
 - Amends to stipulate that rates or fees for service provided by OPWDD facilities or programs must be certified by the Department of Health, the methodologies for rate reimbursement shall be subject to the approval of OPWDD.
 - Requires the Department of Health to adopt rules and regulations for rate or fee schedules for OPWDD facilities or programs.

S. 2008-A / A. 3008-A -- Transportation/Economic Development

Part C – Department of Transportation (DOT) Safety Inspection Fee

- Makes a technical correction.

Part V – Repeal of Nuisance Fees

- Exempts commercial feed distributors that handle 100 tons or less of feed annually from the annual Commercial Feed Licensing Fee.

NEW Part CC – City of Buffalo - Adjudicate Traffic Violations

- Adds a new Part that would authorize the creation of a Traffic Violations Bureau to permit the City of Buffalo to adjudicate traffic violations for non-speeding offenses within its jurisdiction, to avoid the State surcharge.

S. 2009-A / A. 3009-A -- Revenue Bill

Part D – Convert STAR Benefit Into Tax Credit

- Makes a technical change to the proposal to deny STAR exemption applications in the 2015 year and thereafter when there was no exemption granted on the property in the prior year;
- Requires new home owners of STAR-exempt homes to pay back the STAR exemption savings for the part of the school year during which they are not living in the home; and
- Clarifies that itemizers that receive STAR reduce the size of their NYS property tax deduction by the size of their STAR credit.

Part G – Property Tax Circuit Breaker Credit

- Requires homeowners who have transitioned to the STAR PIT credit reduce their tax burden by the size of the credit in the calculation of their real property tax credit;
- Alters the amount of assumed school tax portion of levies in Syracuse, Rochester, Yonkers and Buffalo from sixty-six percent to sixty-seven percent and in the City of New York from sixty-six percent to fifty percent; and
- Clarifies that no credit will be authorized in any year in which the property tax cap is not in effect.

Part I – Amends the personal income tax and MTA mobility tax for technical changes

- Technical amendment to correct a paragraph reference.

Part J – Commercial Production Tax Credit Reporting Language

- Technical amendment to add a reference to the tax law section being amended.

Part R – Brownfield Cleanup Program

- Conforms the definition of manufacturing activities to the definition in Article 9-A of the Tax Law which includes the production of goods by manufacturing, processing, assembling, refining, mining, extracting, farming, agriculture, horticulture and qualified emerging technology companies, among others.
- Modifies language related to site preparation costs.
- Modifies language related to Brownfield Opportunity Areas.
- Makes other technical corrections to the Brownfield Cleanup Program.

NEW Part RR – Alternative Fuel Vehicle Refueling Property and Electric Vehicle Recharging Property

- Creates a new part to amend 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. Currently, only properties that have not received any grants to pay for the property are eligible.

S.2010 – A / A. 3010 – A -- Education Opportunity Agenda

Part A Subpart A – Teacher Certification

- Makes clarifying technical changes to conform the language with the Executive intent of the proposal.
- Changes the reference of an institution to program and removes the reference of licensee.
- The original proposal referred to teachers who register triennially. Triennially has been changed to reflect the intent of registry to every five years.

Part A Subpart D – Failing Schools

- Makes clarifying changes to the role of the receiver to assert that the receiver will review and if necessary make changes to the school districts' curriculum and program offerings.
- New language is inserted to allow the receiver to provide funds to attract and retain high performing teachers and administrators.
- Changes community schools from being eligible for competitive grants under the failing schools proposal to failing schools. This was the original intent and does not change the current community schools competitive grants.

Part A Subpart F – Charter Schools

- Technical language changing chronically underperforming to failing.

Part D – School Aid Increase

- Updates the reference to the “A-Print” Opportunity Agenda bill.
- Reflects a language change in the appropriation bill "in order to ensure that incremental funding achieves maximum education impact, and in order to ensure that the public schools maximize student achievement, promote excellence in teaching through accountability, offer students alternatives to low-performing and failing schools and are effectively and efficiently administered." This language has no effect on the school aid link but strengthens the message of why the link is proposed. Adds language to bills requiring passage that are tied to increase school aid to reflect A prints.

S. 2011-A / A. 3011-A -- Criminal Justice Reform Act

Independent Monitor

- Clarifies that the monitor will review only cases where the police officer causes the death of an unarmed person, not simply the use of force that may have caused death.
- Clarifies that the district attorney's deadline for turning all evidentiary material over to the independent monitor is no later than six months from the date of the incident, as well as within sixty days of when a district attorney declines to initiate a grand jury proceeding, declines to request that a grand jury consider charges, does not present evidence to the grand jury, or the grand jury dismisses the charges or declines to return an indictment.
- Clarifies that in the instance where a grand jury dismisses the charge or declines to return an indictment, the sixty day obligation to provide the evidentiary material to the independent monitor begins on the day the grand jury files a finding of dismissal with the court.

Grand Jury Report

- Clarifies that the report will be issued only where the police or peace officer causes the death of an unarmed person, not in any case where the officer used deadly force.

Reporting by Law Enforcement Agencies

- Combines the reporting requirements of law enforcement agencies into one section that requires that every chief of every local police department, each county sheriff, and the superintendent of state police, annually report to the Division of Criminal Justice Services (DCJS) not only the total number of arrests made, but also include appearance tickets or summons issued by a law enforcement officer. Changes the application of this requirement from non-criminal violations and misdemeanors, to offenses which do not require the taking of fingerprints.
- Adds the requirement that the information in such annual report shall include, but not be limited to, the age, sex, race and ethnicity of the person arrested or to whom an appearance ticket was issued.
- Changes the requirement that every chief of every local police department, each county sheriff, and the superintendent of state police, report to DCJS the total number of instances where a police or peace officer engaged in conduct that was a possible factor in the death of another during the enforcement of a violation or misdemeanor, to any arrest-related death. Also removes the term annually in relation to the report.

Effective Dates

- Clarifies that all these obligations apply to acts that occurred on or after the effective date, and that the reporting duties of law enforcement agencies take effect one hundred and eighty days after it becomes law, while the rest continue to be effective in thirty days.

NEW Pension Forfeiture Concurrent Resolution

Would require any public official who is a member of a pension or retirement system convicted of a crime related to public office to forfeit their right to a pension.

- Amend the constitution to provide for forfeiture of pension rights or retirement benefits for a public official “convicted of a crime related to public office”.