

RESOLUTION in response to the 2016-2017 Executive Budget submission (Legislative Bills S6400B, S6403B, S6404B, S6405B, S6406B, S6407B, S6408B and S6409B) to be adopted as legislation expressing the position of the New York State Senate relating to the 2016-2017 New York State Budget

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

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

WHEREAS, The Senate Finance Committee has conducted an extensive study and review of the Governor's 2016-2017 Executive Budget submission and has recommended proposed amendments to such Budget submission in the above referenced Legislative Bills and Report on the Executive Budget; and

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

WHEREAS, An extensive study and review of the Governor's 2016-2017 Executive Budget submission has revealed that the construction of the budget bills submitted to the Legislature by the Governor constrains the Legislature in its ability to fully effectuate its intent in amending the Governor's budget submission; and

WHEREAS, The 2016-2017 Executive Budget includes funds for new programs throughout various agencies which are direct aid and grant programs, have been drafted as lump sum appropriations and are proposed to be distributed at the sole discretion of the Executive. In addition, some of these proposed initiatives related to capital plans have no corresponding plan details, which is imperative for proper consideration of these proposals. New capital spending, distributed through regional economic development councils, is also included in the Executive proposal; and

WHEREAS, The Legislature has amended the Governor's 2016-2017 Executive Budget submission to the fullest extent possible within the authority provided to it pursuant to Section 4 of Article VII of the New York State Constitution; and

WHEREAS, The Senate, in addition to the Governor's 2016-2017 Executive Budget submission bills as amended by the Senate in the above referenced legislative bills, does hereby provide its recommendations as to provisions in the Governor's 2016-2017 Executive Budget submission which reflect those items the Senate is constrained from effectuating as amendments to the 2016-2017 Executive Budget appended hereto; and

WHEREAS, It is the intent of the Legislature that upon the passage of the Governor's 2016-2017 Executive Budget submission as amended by the Senate, and the incorporated Report on the Amended Executive Budget may provide a basis for both houses of the Legislature to convene Committees on Conference pursuant to Joint Rule III of the Senate and Assembly for the purpose of reconciling any differences between the amendments to the

Governor's budget as proposed by each house of the Legislature; now, therefore, be it

RESOLVED, That, the above referenced legislative bills (S6400B, S6403B, S6404B, S6405B, S6406B, S6407B, S6408B and S6409B) be and are incorporated as part of this resolution and are hereby adopted as the New York State Legislature's budget proposal for the 2016-2017 New York State Budget.

REPORT ON THE AMENDED EXECUTIVE BUDGET

ALL STATE AGENCIES AND OPERATIONS

ADIRONDACK PARK AGENCY

State Operations (S.6400-B)

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

AGING, STATE OFFICE OF THE

State Operations (S.6400-B)

- \* The Senate concurs with the Executive recommendation of \$11.3 million.

Aid to Localities (S.6403-B)

- \* The Senate modifies the Executive's recommendation of \$245.8 million as follows:
  - o Restores \$951,000 for the Naturally Occurring Retirement Communities (NORCs) and Neighborhood NORCs (NNORCs) programs.
  - o Restores \$200,000 for the Lifespan Elder Abuse Prevention Program.
  - o Increases funding for the Community Services for the Elderly program by \$3 million to eliminate local waiting lists for the program.
  - o Provides \$1.5 million to support various elder abuse awareness, screening and reporting initiatives.

AGRICULTURE AND MARKETS, DEPARTMENT OF

State Operations (S.6400-B)

- \* The Senate modifies the Executive recommendation as follows:  
.SO DOC S R4330 RESO TEXT 2015
  - o Denies the transfer of market order authority to the Empire State Development and provides \$12.3 million.
  - o Proposes new language allowing the statutory creation of NY Pride/NY Certified program.

Aid to Localities (S.6403-B)

- \* The Senate modifies the Executive recommendation as follows:
  - o Restores:
    - \$544,000 for the Apple Growers Association;
    - \$500,000 for the Apple Research and Development Board;
    - \$320,000 for the Berry Growers Association;
    - \$125,000 for Christmas Tree Growers Association;
    - \$75,000 for the Corn and Soybean Growers Association;
    - \$1 million for the Cornell Diagnostic Lab;
    - \$50,000 for Cornell Onion Research;
    - \$125,000 for Cornell Maple Research;
  
    - \$220,000 for Dairy Profit Teams at Farm Viability;
    - \$200,000 for Deer Fence Matching Grants;
    - \$175,000 for the Eastern Equine Encephalitis program;

- \$416,000 for FarmNet;
- \$500,000 for Farm-to-Seniors assistance;
- \$1.5 million for the Farm Viability Institute;
- \$50,000 for Honeybee research at Cornell;
- \$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 Fairs Assistance;
- \$25,000 for the Low-Cost Vaccine Program;
- \$213,000 for the Maple Producers Association;
- \$600,000 for the Northern NY Agriculture Development Program;
- \$602,000 for Pro-Dairy Program;
- \$500,000 for regional food hubs;
- \$250,000 for the Tractor Rollover Prevention program;
- \$150,000 for the Turfgrass Association;
- \$100,000 for the Vegetable Growers Association;
- \$307,000 for the Wine and Grape Foundation; and
- \$100,000 for the Wood Products Council.
- o Provides an additional:
  - \$100,000 for Agriculture OneStop Program;
  - \$500,000 for Cornell Salmonella Dublin Control/Research;
  - \$200,000 for Cornell Veterans to Farms Program;
  - \$558,000 for Future Farmers of America;
  - \$200,000 for North Country Agriculture Academy; and
  - \$850,000 for Rabies programs at Cornell;
- o Provides language for the Peekskill Train Station to participate in the Taste NY program.

#### Capital Projects (S.6404-B)

- \* The Senate modifies the Executive recommendation as follows:
  - o Provides \$5 million for critical maintenance repairs at local fairgrounds.
  - o Provides \$2 million for the development of a golden nematode research laboratory at Cornell.

#### Article VII Proposals (S.6408-B-A)

- \* PART S - The Senate denies the Executive's proposal to transfer authority of agricultural market orders from the Department of Agriculture and Markets to the Empire State Development Corporation.
- \* PART W - The Senate advances legislation to eliminate the acreage eligibility limit for the Beginning Farmers Grant Program.
- \* PART Y - The Senate advances legislation creating the NY Pride/NY Certified program for farmers engaged in Good Agricultural Practices (GAP) certification.

#### ALCOHOLIC BEVERAGE CONTROL BOARD

#### State Operations (S.6400-B)

- \* The Senate concurs with the Executive appropriation level of \$13.3 million, a decrease of \$4.8 million from SFY 2016 levels:
  - o The decrease in agency funding reflects the change in funding source. The agency is currently funded through Special Revenue Funds. In FY 2017, the Executive recommends and the Senate concurs to fund the agency through General Fund appropriations. The \$13.3 million represents the actual cost to fund the agency. There is no reduction in FTEs, which will remain at the FY 2016 level of 127 FTE.

AUDIT AND CONTROL, DEPARTMENT OF

State Operations (S.6400-B)

- \* The Senate modifies the Executive recommendation of \$290.8 million to deny \$1.4 million for 21 additional Full-Time-Equivalent (FTE) employees.

Aid to Localities (S.6403-B)

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

Capital Projects (S.6404-B)

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

BUDGET, DIVISION OF THE

State Operations (S.6400-B)

- \* The Senate concurs with the Executive recommendation of \$30.4 million and includes the following restorations for membership dues:  
.SO DOC S R4330 RESO TEXT 2015
  - o \$10,000 for the National Conference of Insurance Legislators;
  - o \$469,000 for the Council of State Governments; and
  - o \$48,000 for the National Conference of State Legislators.

CHILDREN AND FAMILY SERVICES, OFFICE OF

State Operations (S.6400-B)

- \* The Senate concurs with the Executive's All Funds Recommendation of \$479.2 million, an increase of \$10.5 million or 2.2 percent from FY 2016 levels.
- \* The Senate denies the Executive appropriation language which would provide an exemption from professional licensure requirements for individuals practicing certain professions in programs regulated, operated or funded by the agency.

Aid to Localities (S.6403-B)

- \* The Senate modifies the Executive All Funds Recommendation of \$3.3 billion to provide:
  - o \$2.57 million for Child Advocacy Centers;
  - o \$1.3 million for the Youth Development Program;
  - o \$3 million for Safe Harbor Sexually Exploited Youth programs;
  - o \$1.75 million for Community Reinvestment programs;
  - o \$1.25 million for 2-1-1;
  - o \$500,000 for the NYS YMCA Foundation;
  - o \$150,000 for the American Legion Boys State Program;
  - o \$100,000 for Legal Services for the Elderly and Disadvantaged of Western NY;
  - o \$466,000 for New Alternatives for Children;
  - o \$750,000 for the NYS Alliance of Boys and Girls Clubs;
  - o \$150,000 for OHEL Children's Home and Family Services;
  - o \$25,000 for the Helen Keller - CORE program;
  - o \$50,000 for the Boro Park Jewish Community Council;
  - o \$25,000 for the Brooklyn Chinese-American Association;
  - o \$25,000 for SBH Community Service Network; and
  - o \$25,000 for Young Men's and Young Women's Hebrew Association of Boro Park.
- \* Denies the appropriation language providing an exemption from professional licensure requirements for individuals practicing certain professions in programs regulated, operated or funded by the

agency during FY 2017.

- \* Modifies the appropriation language for Runaway and Homeless Youth Act programs to allow a portion of the funds to be provided to programs on a calendar year basis, consistent with historical Legislative practice.
- \* Expresses concern over the unfunded mandate to the State and child care providers associated with implementation of the Federal Child Care and Development Block Grant Act of 2014 and the impact new Federal eligibility requirements will have on the available number of child care subsidy slots. The Senate continues to analyze options and explore avenues of funding to avoid the imposition of significant new costs on child care providers
- \* The Senate supports the creation of additional subsidy slots for New York's families.
- \* The Senate supports the establishment of the Facilitated Enrollment program as a permanent program with authorization to:
  - o Expand its child care subsidy services statewide;
  - o Expand enrollment to include families with income up to 400 percent of the federal poverty level; and
  - o Cap family co-payments.

#### Article VII Proposals (S.6406-B)

- \* PART M - The Senate modifies the Executive proposal to conform State law to the Federal Preventing Sex Trafficking and Strengthening Families Act to clarify the statutory language providing qualified immunity to caregivers of foster children in relation to application of the "reasonable and prudent parent standard."
- \* PART N - The Senate denies, without prejudice, the Executive proposal to raise the age of juvenile jurisdiction and reform the juvenile justice system. The Senate expresses support for continuing negotiations on this proposal through the end of the Legislative Session.
- \* PART FF - The Senate advances language to create the Child Care Regulatory Review Task Force to review and make recommendations on reforming statutory and regulatory requirements for child day care providers.

The Senate supports funding to expand youth development programs and afterschool advantage programs to meet their growing needs.

#### CITY UNIVERSITY OF NEW YORK (CUNY)

##### State Operations (S.6400-B)

- \* The Senate modifies the Executive recommendation as follows:
  - o Denies authorization for a new tuition increase.
  - o Denies \$18 million for competitive campus funding.

##### Aid to Localities (S.64003-B)

- \* The Senate modifies the Executive recommendation as follows:
  - o Reject \$500,000 for a new community college community school.
  - o Reject \$2 million for new CUNY Apprentice program.
  - o Restore the following programs:
    - \$1.5 million for Murphy Institute;
    - \$902,000 for childcare centers; and
    - \$750,000 for career centers.

##### Capital (S.6404-B)

- \* The Senate modifies the Executive recommendation of \$192 million as

follows:

- o Provides an additional \$68 million for projects at senior colleges.
- o Calls for a five-year critical maintenance capital plan for senior colleges, funded at \$171 million annually.

Article VII Proposals (S.6407-B)

- \* PART C: The Senate accepts the Executive's proposal to require that New York City provide 30 percent of the operating costs and debt service expenses at CUNY senior colleges. However, it encourages the Executive and the New York City mayor to work together to reach a resolution that will not negatively impact the CUNY system, including the potential development of a plan to increase efficiencies. In light of recent anti-Semitic events at CUNY campuses, the Senate denies additional funding for CUNY senior schools until it is satisfied that the administration has developed a plan to guarantee the safety of students of all faiths. The Senate fully understands the importance of the City University System, and supports the full restoration of State support when this difficult and atrocious situation is adequately addressed. The negative rhetoric and intimidation that has occurred, while not condoned by the majority of the honorable and ethical faculty or student body, is still troubling. On this issue of paramount importance, religious freedom must be protected if the Senate is going to support not only restorations, but any additional funding for operating aid.
- \* PART D: The Senate modifies reauthorization of the CUNY 2020 policy by removing language authorizing a tuition increase, increasing maintenance of effort requirements, and providing an investment fund for the CUNY system.
- \* PART Q: The Senate accepts the Executive proposal to provide a five-year extension of policies which allow CUNY to contract for various goods and services without first securing authorization from any State official or agency.

CIVIL SERVICE, DEPARTMENT OF

State Operations (S.6400-B)

- \* The Senate concurs with the Executive recommendation of \$13.3 million.

COMMISSION OF CORRECTIONS, STATE

State Operations (S.6400-B)

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

CORRECTIONS AND COMMUNITY SUPERVISION, DEPARTMENT OF

State Operations (S.6400-B)

- \* The Senate concurs with the Executive recommendation of \$2.8 billion, and recommends:
  - o Additional funding be made available for parole officer classes and/or a new Academy to increase the number of parole officers to deal with high parolee caseloads.
  - o The Senate denies the Executive appropriation language which would provide an exemption from professional licensure requirements for individuals practicing certain professions in programs regulated, operated or funded by the agency.

Aid to Localities (S.6403-B)

- \* The Senate concurs with the Executive recommendation of \$29.4 million.

Capital Projects (S.6404-B)

- \* The Senate concurs with the Executive recommendation of \$310 million.

Article VII Proposals (S.6405-B)

- \* PART R - Advances legislation requiring that parole violators in local jails, other than in New York City, must either be transferred to the Department of Corrections and Community Supervision after 10 days, or, alternatively, that the Department of Corrections and Community Supervision pay all costs of confinement of these violators in the local facility.
- \* PART S - Advances legislation which would require that duties involving the supervision of parolees be performed exclusively by grade 21 parole officers.

COUNCIL ON THE ARTS

State Operations (S.6400-B)

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

Aid to Localities (S.6403-B)

- \* The Senate concurs with the Executive recommendation of \$42.46 million with the following modifications:
  - o Adds \$100,000 for CNY Arts Inc.
  - o Adds \$60,000 for the Cayuga County Arts Council

Article VII Proposals (S.6406-B)

- \* PART R - The Senate advances language to distribute new funding for Council on the Arts local assistance grants to ensure regional parity in funding.

CRIMINAL JUSTICE SERVICES, DIVISION OF

State Operations (S.6400-B)

.SO DOC S R4330 RESO TEXT 2015

- \* The Senate concurs with the Executive recommendation of \$84 million.
  - o The Executive should be required to provide a detailed spending plan to the Legislature on the Federal Equitable Sharing Justice Program and Federal Equitable Sharing Treasury Program prior to disbursements of the funds.

Aid to Localities (S.6403-B)

- \* The Senate modifies the Executive recommendation of \$188.8 million, as follows:
  - o Modifies without prejudice, the Federal Edward Byrne Justice Assistance Grant (JAG) appropriation. Alternatively, the Senate requests that the Byrne/JAG program be allocated as it has been in previous years.
  - o Reprograms an Operation S.N.U.G. lump sum as follows:
    - \$1.7 million for regional Operation S.N.U.G. programs
    - \$715,000 for Operation S.N.U.G. programs in Onondaga and Richmond counties
    - \$600,000 for Operation S.N.U.G. programs in the Bronx
    - \$300,000 for Operation S.N.U.G. programs in the City of

Poughkeepsie

- o Restores the following funding:
  - \$2.9 million for law enforcement, anti-crime, anti-violence, crime control and treatment and prevention programs
  - \$1.6 million for domestic violence programs
  - \$500,000 for Finger Lakes Law Enforcement
  - \$604,000 for law enforcement and emergency services agencies for equipment and technology enhancements
  - \$950,000 for civil or criminal legal services for domestic violence programs from the Legal Services Assistance Account
  - \$600,000 for the Indigent Parolee Program from the Legal Services Assistance Account
  - \$316,000 for Westchester County Policing Program
  - \$780,000 in Crime Prevention and Reduction Initiatives
- o Provides \$640,000 for veterans civil or criminal legal services programs from the Legal Services Assistance Account.

Article VII Proposals (S.6405-B)

- \* PART A - Denies the Executive proposal to create the Criminal Justice Reform Act of 2016 (Independent Special Counsel, Special District Attorney; Grand Jury Reporting; Change of Venue; Statewide Use of Force Policy; Reporting by Law Enforcement Agencies and Search Warrant Application).
- \* PART B - Denies the Executive proposal to extend the formula distribution of certain monies recovered by District Attorneys in New York City which will sunset on March 31, 2015.
- \* PART T - Advances legislation that would amend the current law that allows local governments, other than in New York City, to permit the sale of certain fireworks deemed safe and reliable, to permit the sale of such fireworks in areas outside of New York City, without the requirement of a local law.
- \* PART V and PART W - Advances legislation that would establish a registry of domestic violence offenders, and require the Department of Criminal Justice Services to make information in the registry available to the public.
- \* The Senate supports the creation and funding of a Riker's Island Prosecution Bureau to reduce the backlog of cases related to crimes at Riker's Island, including an on-site adjudication facility.

DEFERRED COMPENSATION BOARD

State Operations (S.6400-B)

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

DEVELOPMENTAL DISABILITIES PLANNING COUNCIL

State Operations (S.6400-B)

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

DORMITORY AUTHORITY OF THE STATE OF NEW YORK

Article VII Proposal (S.6405-B)

- \* PART I - The Senate denies the Executive proposal to establish the New York State Design and Construction Corporation as a subsidiary of the Dormitory Authority.

Article VII Proposal (S.6408-B)

- \* PART P - The Senate denies the Executive proposal to extend the

authorization for the Dormitory Authority to create subsidiaries for two years.

#### ECONOMIC DEVELOPMENT, DEPARTMENT OF

##### State Operations (S.6400-B)

- \* The Senate concurs with the Executive recommendation of \$25.6 million with the following modification:
  - o The Senate denies a \$700,000 appropriation for contractual services related to the promotion of international trade.

##### Aid to Localities (S.6403-B)

- \* The Senate concurs with the Executive recommendation of \$57.8 million with the following modifications:
- \* The Senate restores \$1.7 million for the Manufacturing Partnership Program;
- \* The Senate restores \$1.3 million for the Centers of Excellence;
- \* The Senate restores \$1 million for the support of Academic Incubators;

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- \* The Senate restores \$100,000 for the Finger Lakes Tourism Alliance; and,
- \* The Senate supports the promotion of tourism through local grants.

##### Article VII Proposals (S.6408-B)

- \* PART O: The Senate concurs with the Executive proposal to authorize and regulate professional combative sports and extend the definition of combative sports to boxing, wrestling and mixed martial arts.

#### EDUCATION, DEPARTMENT OF

##### State Operations (S.6400-B)

- \* The Senate concurs with the Executive recommendation of \$597.2 million.
- \* The Senate concurs with the Executive maintaining \$8.4 million for the release of standardized test questions and the reduction of field testing.

##### Aid to Localities (S.6403-B)

- \* The Senate:
  - o Increases the Executive school aid proposal by \$750 million for a total of \$1.655 billion, an increase of 7.15 percent.
  - o Increases Foundation Aid \$880 million over the 2015-16 school year;
  - o Accepts the Executive recommendation to restore \$189.4 million of the Gap Elimination Adjustment (GEA) and modifies to add an additional \$244.2 million to completely eliminate the GEA in the 2016-17 school year;
  - o Fully funds expense base aids at \$341.4 million which reimburses school districts for prior year expenses in school construction, transportation, BOCES and special education services;
  - o Restores \$56 million in STAR benefits as a result of rejecting the Executive proposal to cap STAR at 2015-16 levels;
  - o Restores \$15 million for educational program grants;
  - o Restores \$1.5 million for the New York City Community School Learning Initiative;
  - o Restores \$1.5 million for workforce education;
  - o Restores \$500,000 for the SUNY Autism CARD program;
  - o Restores \$500,000 for educational television and radio program-

ming;

- o Restores \$200,000 for the Onondaga, Cortland and Madison BOCES New Technology School Initiative;
- o Restores \$100,000 for National History Day;
- o Accepts the Executive maintaining \$4.5 million in non-public safety grants and expands appropriation language to include health, training, and assessments;
- o Adds \$27.4 million for Charter school grants in Aid;
- o Adds \$5 million in library aid funding;
- o Adds \$4.6 million in Nonpublic school aid Adds \$4.1 million for 4201 schools for the blind and deaf;
- o Accepts the Executive recommendation to provide \$27.4 million in grants in aid to charter schools and modifies to add \$27.4 million;
- o Accepts the Executive recommendation to provide \$4 million for early college high school and career and technical education grants;
- o Accepts the Executive recommendation to provide an additional \$2 million for QUALITYstarsNY;
- o Denies the Executive proposal of \$22 million in competitive grants for Pre-K for three year olds;
- o Denies the Executive's proposal of \$3 million in competitive grants for the Teacher Residency program.

#### Capital Projects (S.6404-B)

- \* The Senate concurs with the Executive recommendation of \$17.4 million with the following modification:
  - o Adds \$10 million to the library construction program.

#### Education Initiatives:

- o The Senate seeks to increase diversity at New York City's specialized high schools, while ensuring their rigorous admissions standards remain in place, by creating more opportunities for under-represented student populations to participate in test prep and other outreach activities.
- o The Senate supports the increase in gifted and talented programs in New York City with a specific focus on low income neighborhoods.
- o The Senate supports districts using education aid for conversion to community schools, expansion of full day kindergarten, and increased access to after school programs.
- o The Senate recognizes that the best teachers are those that receive proper assistance and therefore supports investments in professional development through teacher centers, the Positive Learning Collaborative, the Educators 4 Excellence program, and other similar programs.
  
- o The Senate directs the State Education Department to recalibrate the needs resource capacity index with current data to reflect adjustments helping to identify districts becoming high needs based on shifting demographics relative to statewide trends.
- o The Senate encourages the State Education Department to consolidate all existing universal pre-kindergarten programs into one funding stream, reflected on the school aid run with consistent standards for all new programs.
- o The Senate proposes that the State Education Department consider mandating age appropriate instruction in child sexual abuse.
- o The Senate supports extending the property tax cap to New York City, thereby creating parity between New York City and the rest

of State. The Senate expresses concern about the rate of increasing property tax assessments in New York City and the disparate impact on middle class homeowners. High property taxes are not a problem unique to areas outside of New York City, for this reason New York City should be subject to the same fiscal discipline. The Senate will support the assumption of the State share of the local costs associated with the Medicaid program when the City of New York adheres to the tax cap.

- o The Senate also supports making the property tax cap permanent. The tax cap has demonstrated tangible savings to property owners across the State and must remain in place going forward to ensure New York is affordable and competitive with other states.
- o The Senate advances legislation to ensure students in the city of Rochester receive their fair share of funding, which has been negatively impacted by \$30 million due to the maintenance of effort legislation.

#### Article VII Proposals (S.6406-B)

##### PART A:

###### \* The Senate:

- o Modifies the Contract for Excellence proposal to only include New York City;
- o Denies the Executive proposal to freeze school districts aid claims;
- o Accepts the Executive proposal to allow school districts to apply for waivers from special education requirements that exceed federal requirements;
- o Modifies the charter facilities aid percentage of basic tuition by increasing the percentage from 20 to 30 percent of basic tuition and accepts the Executive proposal making this provision permanent;
- o Clarifies that the actual total rent cost for a Charter school includes lease payments, maintenance, costs of capital improvements, costs of occupancy, security, insurance and taxes;
- o Expands the student population for which charter schools are eligible to receive facilities aid;
- o Includes provisions requiring NYC to offer single building co-location space for Charter schools based on the grades they plan to serve;
- o Accepts Executive proposal to unfreeze basic tuition for NYC and leave the formula frozen for rest of state charters;
- o Modifies the Executive proposal to shift \$500 in Charter school supplemental tuition to the NYC Department of Education and allows NYC Charters to receive the \$500 per pupil increase directly;
  
- o Provides for the \$15 million in continuing contractual obligations of conversion charter schools and their employees for the 2016-17 school year;
- o Modifies the Executive proposal for the Teen Health Check off to allow not-for-profits to receive grants through the fund and requires additional reporting.

##### PART A-1:

###### \* The Senate:

- o Modifies the Executive Foundation Aid and Community schools proposal;
- o Eliminates and repeals the Gap Elimination Adjustment in the 2016-17 school year;

- o Increases the aidable salaries for teachers providing career and technical education services through BOCES to \$50,000 over five years;
- o Creates the Office for Religious and Independent Schools within the State Education Department;
- o Repeals the ten year building aid amortization;
- o Provides mandate relief to school districts with an enrollment of less than 5,000 students by exempting them from the internal control audit function;
- o Requires public votes for capital projects (excluding board approved emergency projects) to be held on the same date of the annual meeting and election on the third Tuesday in May;
- o Increases the appropriation authority to \$17.2 million for the after four p.m. transportation of nonpublic students in NYC;
- o Establishes a charter school building aid program which will provide building aid similar to the current program for public schools;
- o Removes the sales tax from the purchase of school buses;
- o Allows a Charter school to change their authorizing entity without the consent of the current authorizer;
- o Removes the requirement that charter schools enter into a contract with the NYC Department of Education in order to receive state funding for Pre-K programming;
- o Allows Charter schools flexibility to hire uncertified teachers for a period of three years;
- o Makes the property tax levy cap permanent for school districts and local governments and extends it to NYC;
- o Provides flexibility to school districts for growth in their transportation contracts;
- o Provides Suffolk county with incentives to lower nonresident tuition;
- o Provides forgiveness from state aid penalties associated with late final cost report submissions for construction projects;
- o Provides forgiveness for the loss of transportation aid as a result of errors in transportation contract procurement.

PART A-2:

- o The Senate includes provisions that the State Education Department consider mandating age-appropriate instruction in child sexual abuse.
- .SO DOC S R4330 RESO TEXT 2015

PART B:

\* The Senate:

- o Concurs with the Executive's proposal to streamline the development of school safety plans, update the form and content of emergency response drills, and provide authority to the Education Commissioner to ensure aid is properly given to districts facing safety threats.
- o Modifies the Executive proposal to maintain waivers for small, rural school districts from creating duplicative plans, require districts to establish protocols for student's threats upon their own lives, and removes specific mandates related to staff training and timing of emergency response drills.

PART I:

\* The Senate denies, without prejudice, the Executive proposal for a three year extension of mayoral control in New York City. Prior to granting any significant extension of this authority, the Senate

believes public hearings should be held to assess the current structure and identify any possible areas of improvement including but not limited to creating heightened parental involvement in Community Education Councils and the Panel for Education Policy. In 2009, the time of the last significant extension, the legislature held five hearings resulting in more than forty hours of testimony.

#### Article VII Proposals (S.6407-B)

- \* PART H: The Senate modifies the Executive proposal to allow minority ownership of public accounting firms by non-CPAs by making technical changes.
- \* PART V: The Senate advances language to ensure qualified licensees are providing services pursuant to their scopes of practice.
- \* PART X: The Senate advances language allowing chiropractors to create limited liability corporations with physicians.

The Senate seeks the development of a new state-wide school safety officer initiative. The proposal allows a locality to request a school safety officer for each public or non-public school. Each school safety officer would have full police powers, would be under the command and control of the division of the state police. The Superintendent of State Police would select such an officer from a pool of qualified, retired police officers.

#### ELECTIONS, STATE BOARD OF

##### State Operations (S.6400-B)

- \* The Senate concurs with the Executive recommendation of \$11.5 million.

#### EMPIRE STATE DEVELOPMENT CORPORATION

##### Aid to Localities (S.6403-B)

The Senate concurs with the Executive recommendation of \$109.5 million with the following modifications:

- \* Denies \$66.5 million in marketing for programs such as START-UP NY, Open for Business and Global NY;
- \* Restores \$3 million in base retention funding;
- \* Restores \$1 million in funding for Beginning Farmers;
- \* Restores \$350,000 in Adirondack North Funding;
- \* Restores \$250,000 in Economic Gardening program;
- \* Restores \$150,000 in Fishing Tournament promotions; and,
- \* Restores \$150,000 for the Watkins Glen advertising campaign.

The Senate remains fully committed to the promotion of tourism, including provision of \$500,000 in local matching grants.

##### Capital Projects (S.6404-B)

The Senate modifies the Executive recommendation of \$904.8 million as follows:

- \* Transfers \$110 million for the NY 2020 Challenge Grant Program to higher education;
- \* Denies \$8 million in capital for the Market New York program;
- \* Denies, without prejudice, \$150 million for the Regional Economic Development Council Initiative, identifying the need for specificity and legislative input;
- \* Denies, without prejudice, \$30 million in funding for the Upstate Revitalization program, identifying the need for specificity and

legislative input;

- \* Adds \$20 million in funding for NY First.

#### Article VII Proposals (S.6408-B)

- \* PART F: The Senate concurs with the Executive proposal to extend for one year the New York State Urban Development Corporation's (UDC) authority to administer the Empire State Economic Development Fund (EDF);
- \* PART G: The Senate concurs with the Executive proposal to extend for one year the general loan powers of the Urban Development Corporation (UDC) and,
- \* PART H: The Senate modifies the Executive proposal to authorize design and construction contracts to be awarded to a single entity (a/k/a design build) for purposes of expanding and improving the Jacob K. Javits Convention Center, the Empire State Station Complex, the James A. Farley Building replacement, and the Penn Station redevelopment. The Senate removes the prohibition on bidding on these projects for contractors who are federally debarred, but maintains an obligation for the contracting entity to consider federal debarment in deciding bid awards.

.SO DOC S R4330

RESO TEXT

2015

#### EMPLOYEE RELATIONS, OFFICE OF

##### State Operations (S.6400-B)

- \* The Senate concurs with the Executive recommendation of \$2.5 million.

#### ENERGY RESEARCH AND DEVELOPMENT AUTHORITY

##### Article VII Proposals (S.6408-B)

- \* PART I - The Senate concurs with the Executive's proposal to transfer \$913,000 from NYSERDA to the General Fund.
- \* PART J - The Senate denies, without prejudice, NYSERDA's authority to fund a portion of its research, development and demonstration, and policy and planning programs, and to finance the DEC's climate change, from the special additional assessment on gas and electric corporations and believes that these programs can be fully financed through other Authority efficiency measures or off-budget funding streams. The Senate includes language to allow funding of \$750,000 for the University of Rochester laboratory for laser energetics.
- \* PART HH - The Senate advances legislation to extend the Green Jobs Green New York and financing programs for one year.
- \* PART II - The Senate advances legislation to provide natural gas line last-mile infrastructure expansion.
- \* PART TT - The Senate advances legislation to require Public Authority Control Board oversight of the PSC and NYSERDA when acting as an economic development entity.

#### ENVIRONMENTAL CONSERVATION

##### State Operations (S.6400-B)

- \* The Senate concurs with the Executive recommendation of \$462.5 million.

##### Aid to Localities (S.6403-B)

- \* The Senate concurs with the Executive recommendation of no new appropriations, with the following modifications:
  - o Restores \$250,000 for North Elba/ORDA.

Capital Projects (S.6404-B)

- \* The Senate concurs with the Executive recommendation of \$300 million for the Environmental Protection Fund (EPF), an increase of \$123 million over FY 2016. The Senate amends the EPF categories to reflect legislative priorities.
- \* The Senate concurs with the Executive recommendation of \$858.6 million with the following modification:
  - o Provides an additional \$200 million for Water Quality Infrastructure Projects
  - o The Senate further supports state payment to ensure water safety in Orleans New York

Article VII Proposals (S.6408-B)

- \* PART T - Amends language regarding the Waste Tire program fee to create a three-year sunset and allow for the use of fee revenue to fund local waste tire takeback programs and DOH initiatives to combat mosquito borne illnesses.
- \* PART U - Amends language related to the EPF Climate Change Account to make conforming changes, while maintaining a historic \$300 million funding level.
- \* PART Z - Provides language to extend the effective date of the Diesel Emissions Reduction Act for two years and exempts private operators.
- \* PART AA - Provides language creating the Water Infrastructure Improvement Act of 2016 to provide grants allowing for the repair of existing wastewater infrastructure and the installment of new wastewater infrastructure.
- \* PART BB - Provides language to establish a paint stewardship program requiring the collection and recycling of consumer paint to protect New York's natural resources.
- \* PART CC - Provides language authorizing compensation to localities for electronic waste collection.
- \* PART DD - Provides language to allow for brownfield cleanup program tax credits to be available for parties redeveloping formerly state owned sites where the primary source of contamination is asbestos.
- \* PART EE - Provides language to allow incentives for the purchase of Zero Emissions Vehicles (ZEV) and fund ZEV infrastructure.
- \* PART FF - Provides language to eliminate transshipment license fees on major oil storage facilities located within one mile of out-of-state major oil storage facilities.
  
- \* PART GG - Provides language to create parity in relation to the fee structure for pesticide applicators.

Miscellaneous

- \* The Senate will consider whether an increase or removal of the cap on return incentive payments serves the interest of consumers, manufacturers, and the State to ensure that lead acid batteries are disposed of properly.

EXECUTIVE CHAMBER

State Operations (S.6400-B)

- \* The Senate concurs with the Executive recommendation of \$13.5 million.

FINANCIAL SERVICES

State Operations (S.6400-B)

- \* The Senate concurs with the Executive recommendation of \$345 million.

Aid to Localities (S.6403-B)

- \* The Senate concurs with the Executive recommendation of \$65.9 million.

Article VII (S.6405-B)

- \* PART EE - The Senate advances language exempting banking organizations with total assets of less than one billion that receive a satisfactory or outstanding rating by their primary federal regulator from the community reinvestment evaluation by the Department of Financial Services.
- \* PART FF - The Senate advances language to extend the examination cycle performed by the superintendent of the Department of Financial Services from annually to 18 months for community banks under \$1 billion in assets (currently \$250 million) that meet certain other capital and conditional requirements.
- \* PART GG - The Senate advances language to modify the community bank deposit program to increase the ceiling for deposits made by the Comptroller and the Department of Tax and Finance to a level of \$350 million and establish a floor for deposits at \$150 million each while also providing for regional distribution of the same.
- \* PART HH - Advances language to authorize the establishment of community bank service corporations to permit community banks to provide shared services among such banks.

Article VII (S.6406-B)

- \* PART NN - The Senate advances language directing the Superintendent of the Department of Financial Services to allow insurers to provide a discount to policyholders for the completion of a Natural Disaster Preparedness, Home Safety and Loss Prevention Course.

Article VII (S.4607-B)

- \* PART C - The Senate denies the Executive's proposal to authorize the Department of Financial Services (DFS) to rank each physician specialty and territory (geographical region) combinations from highest to lowest based on malpractice risk for the purpose of

distributing premiums for policy coverage from the Excess Pool. The Senate extends the existing program for one year.

o The Senate advances legislation to:

- Mandate DFS to pursue formal liquidation proceedings within thirty days of an insurer ceasing operations;
- Repeal the prior approval process and revert back to a file and use process for premium rate adjustments;
- Require DFS to examine and evaluate the provision of long-term care insurance coverage in the state; and
- The State must identify funding whether via settlement funds or other remaining assets to ensure providers receive reimbursement pro-rata for their losses from the Health Republic closure.

GENERAL SERVICES, OFFICE OF

State Operations (S.6400-B)

- \* The Senate modifies the Executive recommendation of \$170.7 million to reduce funding by \$1 million.

Capital Projects (S.6404 -A)

- \* The Senate concurs with the Executive recommendation of \$129.8 million.

Article VII Proposal (S.6405-B)

- \* PART F: The Senate modifies the Executive proposal to permanently authorize the Procurement Stewardship Act and the Lobbying Law proposal by extending for one year until December 31, 2017. The Senate is committed to reaching sensible procurement reforms, including those that passed both houses of the Legislature in 2015 (S.3450 and S.5317-B) and reforms that clarify when the restricted period begins under the Procurement Lobbying Law.

GENERAL STATE CHARGES

State Operations(S.6400-B)

- \* The Senate modifies the Executive recommendation of \$5.8 billion as follows:

Provides:

- o \$35 million for the purchase of retirement service credits by qualifying veterans;
- o \$21 million to the Division of State Police for fringe benefit reimbursement related to patrol and other law enforcement activities on the New York State Thruway;
- o \$10.3 million in additional funding for the New York State Health Insurance Program; and,
- o \$140 million for additional payments to the State Insurance Fund for Workers' Compensation benefits of State employees.

Reduces:

- o General State Charges appropriation authority related to fringe benefits by \$206 million to reflect a re-estimate of cash disbursements.

Denies:

- o Appropriation language that would authorize the transfer of \$140 million from the Workers' Compensation Administrative Assessment Reserve to the State Insurance Fund.
- .SO DOC S R4330 RESO TEXT 2015

Article VII Proposal (S.6405-B)

- \* PART J - Denies the proposal to have State retirees' health insurance premiums change to a graduated system based on the number of years of service.
- \* PART K - Denies the proposal to cease State reimbursement for Income Related Medicare Adjustment Amounts (IRMAA) premium surcharges and Medicare PART B premium increases related to social security cost-of-living adjustments (COLAs).
- \* PART O - Denies the modification of the existing PILOT payment schedule for the City of Albany to provide \$12.5 million in additional payments.
- \* PART Q - Advances legislation to allow all honorably discharged veterans to purchase retirement service credit for up to three years of military service.
- \* PART II - Advances legislation to create a minimum accidental disability benefit of three-quarters of final average salary for police officers in the City of New York.

- \* PART JJ - Advances legislation to restore disability benefits to pre-2009 levels for members of the New York City Fire Pension Fund, Corrections and Sanitation members of the New York City Employees Retirement System, and Uniformed Court Officers who are members of the New York City Employees Retirement System.

#### GOOD GOVERNMENT AND ETHICS REFORM (S.6511)

The Senate will consider modification to the Executive Article VII entitled "Good Government and Ethics Reform." The Senate remains opposed to taxpayer funded campaigns and does not believe that a full-time professional legislature best represents the State.

Further, the Senate has already acted to amend the constitution to strip a corrupt public official convicted of a felony of his or her pension. The Senate will seek to send this measure to the voters for final approval. The Senate further has acted on a bill that imposes term limits on legislative leaders and committee chairs (S.2722-D).

The Senate advances a proposal for increased disclosure of sources of funding for lobbyists and clients.

The Senate advances reforms to ensure the Senate Ethics Committee provides meaningful oversight and guidance to members and employees of the Senate related to ethical conduct, best practices, and adherence to Senate policies. The Senate will consider modifications to the Senate Rules to bring this committee into alignment with the Assembly Committee on Ethics and Guidance.

The Senate will consider amendments to the Constitution to allow the Legislature to have four year terms, as a means of reducing the continuous cycle of campaigning.

The Senate will consider whether a political consultant should be permitted to register as a lobbyist. Legislation which would ban such practice has previously passed the Senate.

The Senate advances a proposal to require members of Regional Economic Development Councils to be subject to the Code of Ethics and financial disclosure requirements in the Public Officers Law.

The Senate denies the Executive proposal to subject the legislature and the legislative ethics commission to the same freedom of information law provisions to which executive agencies are subject. The legislative process is inherently open to the public for input, scrutiny and review. In contrast, the public is made aware of many Executive agency activities only after they occur. As such, for purposes of the freedom of information law, these branches are treated differently. This differentiation is one that is recognized at the federal level as well. In addition, with respect to the legislative ethics commission, confidentiality encourages individuals to proactively seek ethics guidance.

The Senate advances a proposal to provide attorney's fees when an agency unreasonably denies a freedom of information request (S.533B). The Senate advances a proposal that limits the time state agencies would have to appeal article 78 supreme court judgments against them for violations of the freedom of information law (S.1531B).

The Senate believes that comprehensive ethics reform must ensure that the public trust is restored in government. The Executive's proposals

will continue to be considered and the Senate will work with our partners in government to achieve that goal.

#### GREEN THUMB PROGRAM

State Operations (S.6400-B)

- \* The Senate concurs with the Executive recommendation of \$3.2 million.

#### GREENWAY HERITAGE CONSERVANCY OF THE HUDSON RIVER VALLEY

State Operations (S.6400-B)

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

#### HEALTH, DEPARTMENT OF

State Operations (S.6400-B)

- \* The Senate modifies the Executive recommendation of \$3.4 billion as follows:

- | .SO DOC S R4330 | RESO TEXT   | 2015 |
|-----------------|---|------|
| o               | Denies the Executive's proposal to establish a two-year Medicaid budget, and reduces appropriation authority for the Medicaid Administration program to reflect one year of spending. |      |
| o               | Denies \$58.7 million for operations of the New York State of Health (NYSOH), the State's health benefit exchange.  |      |
| o               | Repeals the authority of the Early Intervention State Fiscal Agent to save \$10.7 million on contractual services expenses annually.  |      |
| o               | Transfers \$450,000 to the Office of Alcoholism and Substance Abuse Services for the Fiscal Year (FY) 2015 Opiod Drug Addiction, Prevention and Treatment Program.                    |      |

Aid to Localities (S.6403-B)

- \* The Senate modifies the Executive's recommendation of \$133.7 billion as follows:

Public Health:

- o Denies the Executive proposal to make changes to the Early Intervention program, and restores \$5.4 million.
- o Restores funding for the following programs:
  - \$1.375 million for Women's Health Initiatives
  - \$1 million for Nurse Family Partnership
  - \$600,000 for recommendations of the Lyme and Tick-Borne Disease Task Force
  - \$400,000 for Premium Health, Inc.
  - \$332,000 for Comprehensive Care Centers for Eating Disorders
  - \$310,000 for the Maternity and Early Childhood Foundation
  - \$250,000 for the ALS Foundation of New York
  - \$250,000 for the NY Alliance for Donation
  - \$250,000 for the NY Dental Association Pilot
  - \$250,000 for the University at Buffalo Rural Dentistry Pilot
  - \$200,000 for the Alzheimer's Disease Resource Center
  - \$175,000 for the Ezra Medical Center
  - \$100,000 for the Lymphatic Tissue Bank
  - \$75,000 for the Kirkside Retirement Home
  - \$50,000 for the Epilepsy Foundation
- o Increases funding for the following programs or initiatives:
  - \$750,000 for Comprehensive Care Centers for Eating Disorders
  - \$500,000 for the Liver Transplant and Alliance for Donation
  - \$400,000 for recommendations of the Lyme and Tick-Borne

Disease Task Force

- \$121,000 for the University at Buffalo Rural Dentistry Pilot
- o Provides funding for the following programs or initiatives:
  - \$4 million for health care initiatives
  - \$1 million for the testing of sexual assault kits
  - \$250,000 for the Integrated Medical Foundation-Prostate Cancer Initiative
  - \$250,000 for Organ Donation Initiatives
- o Provides spending authority for the Executive breast cancer screening initiative as follows:
  - \$10.7 million for the operational costs of mammography equipped vehicles
  - \$2.6 million for breast cancer patient navigators
  - \$2 million for peer education grants
  - \$1 million for a breast cancer screening and awareness campaign
- o The Senate supports legislation that would assist Seniors in lowering drug costs through the Elderly Pharmaceutical Insurance Coverage (EPIC) program.
- o The Senate supports identifying resources to continue the Healthy Food and Healthy Communities initiatives which provide grants and low interest loans for the development of new grocery stores. Funds would be matched 2:1 by Goldman Sachs to maximize State resources.

Health Care Reform Act (HCRA):

- o Denies the Executive proposal to modify the allocation methodology for premium coverage within the Excess Medical Malpractice Coverage program, and restores \$25 million.
- o Increases funding to the Doctor's Across New York program by \$4 million to add 100 new physicians.
- o Authorizes future settlement funds to be used to advance payments to voluntary, non-profit diagnostic and treatment centers, including Federal Qualified Health Center and Article

31 clinics, for the 2015 federal share for uncompensated care costs. The Department is required to continue working with the federal Centers for Medicare and Medicaid Services (CMS) to secure the 2015 and 2016 federal share of uncompensated care costs. Upon receipt of federal funding, the clinics would be required to return any advanced reimbursement to the State treasury.

Health Insurance:

- o Requires the Executive to identify funding or settlement funds in addition to remaining assets to reimburse hospitals, physicians and producers pro-rata for losses associated with the demise of Health Republic upon completion of the formal liquidation process.

Medicaid:

- o Denies the Executive proposal to establish a two-year Medicaid budget, and reduces Medicaid appropriation authority to reflect one year of spending.
- o Denies the Executive pharmacy proposals to:
  - Eliminate "prescriber prevails" for all drug classes in Fee For Service (FFS) and managed care, and restores \$20.7 million;
  - Authorize DOH to apply a penalty for generic drugs if prices

- increase higher than the Consumer Price Index (CPI); and restores \$23.8 million;
  - Reduce reimbursement rates for certain FFS specialty drugs to align rates with managed care plans, and restores \$1.8 million; and
  - Authorize DOH to require prior approval for certain drugs prior to the approval of the Drug Utilization Review Board, and restores \$160,000.
- o Denies the Executive proposals to:
  - Limit Medicaid reimbursement for services provided to individuals dually enrolled in Medicaid and Medicare Part C, and restores \$11.45 million;
  - Eliminate Spousal Refusal provisions, and restores \$10 million;
  - "Carve out" Managed Long Term Care transportation services, and restores \$8 million;
  - "Carve out" Adult Day Home Care program transportation, and restores \$3.2 million;
  - Reduce the community spousal resource asset threshold from \$74,820 to \$23,844 and restores \$5.75 million;
  - Restrict Managed Long Term Care Plan enrollment to only nursing home eligibles and restores \$1.9 million; and
  - Mandate commercial insurance reimbursement and modify screening and evaluation requirements for Early Intervention (EI) and restores \$4.8 million.
- o Advances legislation to:
  - Prohibit the limitation of Medicaid reimbursement for services provided to individuals dually enrolled in Medicaid and Medicare Part D, and provides \$24.9 million; and
  - Restore return on equity for nursing homes, and provides \$6.3 million.
- o Restores \$3 million for rural transit Medicaid transportation services.
- o Reprograms \$10.2 million in funding for children's health home rate enhancements for health home transitional readiness expenses, including information technology costs.

#### Capital Projects (S.6404-B)

- \* The Senate modifies the Executive recommendation as follows:
  - o Provides \$300 million for the Oneida Health Care Transformation program to adhere with a prior year Executive commitment for capital funding to transform the Utica Hospital system. Funding will enable the Utica region to comply with various Executive initiatives, including the Delivery System Reform Incentive Program (DSRIP).
  - o Reduces funding for the All Payer Data Base by \$5 million to align with prior year spending levels.
  - o Authorizes \$5 million for mammography equipped vehicles in line with the Executive breast cancer screening initiative.

#### OTHER CAPITAL

#### Article VII Proposals (S.6407-B)

- \* PART A - The Senate accepts the Executive proposal to eliminate the State takeover of local Medicaid growth for New York City only by reverting back to the 2005 uncompounded trend factor. The Senate will support the assumption of the State share of the local costs associated with Medicaid when the City of New York adheres to the property tax cap.

\* PART B - The Senate modifies the Executive proposal to implement Medicaid Redesign Team recommendations:

o The Senate denies the proposals that would:

- "Carve-out" the Medicaid Managed Long Term Care (MLTC) transportation benefit from the Medicaid Managed Care program to fee-for-service (FFS);
- Eliminate "prescriber prevails" provisions for the dispensing of prescription drugs under the FFS and Medicaid Managed Care;
- Restrict new Medicaid MLTC plan enrollment to individuals requiring nursing home level of care;
- Authorize DOH to require prior authorization for FFS drugs meeting Clinical Drug Review Program (CDRP) criteria prior to the Drug Utilization Review (DUR) Board evaluating the drug;
- Authorize DOH to set a price ceiling on critical brand name "blockbuster" drugs utilized in Medicaid Managed Care and FFS programs, and to require manufacturers to provide a minimum level supplemental rebate to the State;
- Authorize DOH to apply a penalty for generic drugs if prices increase higher than the Consumer Price Index (CPI);
- Reduce reimbursement rates for certain FFS specialty drugs to align rates with managed care plans;
- Authorize DOH to negotiate directly with pharmaceutical manufacturers for supplemental rebates outside the Preferred Drug Program on FFS utilization for anti-retrovirals and Hepatitis C agents;
- Eliminate spousal impoverishment and require spousal support for the costs of community-based long-term care;
- Reduce the community spousal resource asset threshold from \$74,820 to \$23,844;
  
- Limit Medicaid reimbursement for Medicare Part C dual eligible claims to the Medicaid rate;
- Restrict Managed Long Term Care Plan enrollment to only nursing home eligibles; and
- Extend the Global Cap for one year.

o The Senate modifies the proposals to:

- Establish tiered penalties for the submission of late and/or inaccurate encounter data for Managed Care Organizations (MCOs) by exempting plans from penalties if they are not responsible for delays and limiting the length of the penalty to four months;
- Require MCOs to implement prior authorization for opioid analgesic refills exceeding four prescriptions in thirty days by "carving out" hospice providers; and
- Extend the State Medicaid Global Cap for one year, through March 31, 2018, while making changes to the Medicaid Savings Allocation Plan and enhance reporting to the public and Legislature.

o The Senate advances legislation to:

- Prohibit the Adult Day Health Care program transportation "carve out" from Medicaid Managed Care;
- Require DOH to conduct an annual review of non-emergent Medicaid transportation managers to ensure quality, access, and cost effectiveness;
- Audit the implementation of the Medicaid transportation manager and require DOH to review the adequacy of ambulance medical transportation rates and report findings to

the Legislature;

- "Carve out" the Traumatic Brain Injury (TBI) and Nursing Home Transition Diversion (NHTD) Waiver programs from Medicaid Managed Care;
  - Delay the "carve in" of School Based Health Center services into Medicaid Managed care, and permanently "carve out" behavioral health services;
  - Repeal Medicaid Part B crossover provisions from FY 2016;
  - Establish a nursing home pilot for Special Needs Facilities to reduce hospital admissions;
  - Authorize the capital reimbursement for a specific residential health care facility that is currently in receivership to be calculated at the purchase price of the facility;
  - Sunset return on equity provisions for nursing homes on March 31, 2016;
  - Repeal the Mental Hygiene Stabilization Fund in 2021;
  - Establish a Medicaid Redesign Team (MRT) Accountability Process to review previously implemented initiatives, including the Medicaid transportation manager and Health Homes;
  - Authorize the DUR Board and Medicaid Managed Care plans to impose prior authorization on drugs that experience excessive price increases and authorize the Attorney General to prosecute price gouging of prescription drugs;
  - Expand "Prescriber Prevails" provisions to all drug classes in Medicaid Managed Care;
  - Authorize DOH to make rate adjustments to reimbursement for ventilator services for certain facilities;
  
  - Reduce opioid abuse by ensuring the U.S. Food and Drug Administration (FDA)-approved abuse-deterrent drugs are dispensed whenever prescribed and are not interchanged;
  - Reduce Medicaid drug costs by promoting the inclusion of highly utilized non-preferred drugs on the preferred drug list;
  - Maximize drug rebate collection by establishing a pilot program to utilize third party vendors to validate existing Medicaid drug rebate claims;
  - Eliminate the FY 2012 two percent reduction to Article 16 Clinics;
  - Set the Critical Access Hospital (CAH) outpatient rates at 101 percent of reasonable costs; and
  - Authorize providers who are unable to submit timely claims for Medicaid payments due to unforeseen technical issues to be eligible to receive reimbursement.
- \* Part B-1 - The Senate advances language to require the Department of Health to establish the Disability Clinician Advisory Group.
- \* PART C - The Senate denies the Executive's proposal to authorize the Department of Financial Services (DFS) to rank each physician specialty and territory (geographical region) combinations from highest to lowest based on malpractice risk for the purpose of distributing premiums for policy coverage from the Excess Pool. The Senate extends the existing program for one year.
- o The Senate advances legislation to:
    - Mandate DFS to pursue formal liquidation proceedings within thirty days of an insurer ceasing operations;
    - Repeal the prior approval process and revert back to a file and use process for premium rate adjustments;

- Require DFS to examine and evaluate the provision of long-term care insurance coverage in the state; and
  - Require an external audit to review the accuracy of methodologies used by FAIR Health, Inc. in the compilation of the benchmark database.
- \* PART D - The Senate modifies the Executive proposal to permanently extend various provisions of the Public Health, Social Services and Mental Hygiene Laws by denying permanent extensions.
- o The Senate advances legislation to:
    - Extend provisions related the New York State Environmental Facilities and Cancer Mapping project for five years;
    - Permanently extend provisions related to Lauren's Law; and
    - The Senate supports continued efforts to increase organ donation awareness and utilization of multiple mechanisms to register.
- \* PART E - The Senate denies the Executive's proposal to make reforms to the Early Intervention program.
- \* PART F - The Senate denies the Executive's proposal to modify the Oneida Health Care Facility Transformation program.
- .SO DOC S R4330 RESO TEXT 2015
- \* PART P - The Senate advances legislation to:
- o Maintain the current status of NORCS and Neighborhood NORCS, require the Director of State Office of Aging to meet with stakeholders and evaluate the current NORC and Neighborhood NORCS systems, and provide a report to the Legislature with recommendations for programmatic changes;
  - o Authorize a public education campaign that emphasizes zero-tolerance for elder abuse;
  - o Require DOH to create an Elder Abuse and Maltreatment Screening tool;
  - o Require the establishment of an interagency clearinghouse for reporting cases of abuse;
  - o Establish multidisciplinary investigative teams for the purpose of investigating reports of suspected elder abuse or maltreatment; and
  - o Authorize banks to refuse payment of moneys when there is reason to believe that a vulnerable adult is being financially exploited.
- \* PART R - The Senate advances legislation to:
- o Establish an Office of Accountability within the DOH to ensure timely meetings of the various workgroups established pursuant to Public Health Law, and to ensure all reports required under Public Health Law are distributed in a timely manner.
  - o Extend the effective date of delinquent reports in order to allow the Department of Health ensure their completion and appropriate distribution.
- \* PART S - The Senate advances language to require managed care companies to provide reimbursement to ambulatory behavioral health providers in an amount equivalent to Medicaid fee-for-services rates by extending Ambulatory Patient Group rates by four years to 2021.
- \* PART U - The Senate advances legislation to require all sexual assault evidence kits surrendered to police be sent for analysis within 10 days.
- \* PART V - The Senate advances legislation to:
- o Permit practitioners issuing less than twenty-five prescriptions per year with the option of prescribing electronically;
  - o Streamline the Doctors Across New York program;
  - o Permit the use of appropriated EQUAL program funds at any time

during the fiscal year.

- o Promote the establishment of a healthcare facility infrastructure development demonstration program;
  - o Authorize a private equity pilot program for increased capital investment in health care delivery system restructuring;
  - o Repeal the state fiscal agent for early intervention services;
  - o Authorize the distribution of unallocated state aid for public health municipalities, to give municipalities one year advance notice prior to implementing any administrative limits on state aid, and to reimburse municipalities for one hundred percent of costs associated with the first year of a public health emergency.
- \* PART O - The Senate advances legislation to increase the State share Supplemental Security Income allowance for Adult Care Facilities by \$7.50 per day over three years.
- \* The Senate advances legislation to establish a statewide Health Care Facility Transformation program to provide capital and non-capital funding to health care providers, including community based providers.
- \* The Senate supports legislation to:
- o Assist Seniors by lowering drug costs through the EPIC program;
  - o Require DFS to study the issue of whether there is a need to make adjustments to the provisional physician credentialing requirements;
  - o Establish a veteran's home and community based pilot program;
  - o Ensure appropriate actuarially sound rates of payment, and long term sustainability, for Medicaid Manage Long Term Care plans and Medicaid Managed Care plans as the State's Medicaid program finalizes its transition from Medicaid FFS to Managed Care; and
  - o Ensure continued access to appropriate funding streams for voluntary and public hospital facilities throughout New York State, including the New York City Health and Hospitals Corporation; and
  - o Amend the insurance law to return the definition of "small group" to one to fifty employees or members of such a group.
  - o Authorize the Department of Health to transfer ventilator beds between nursing home facilities owned by a common operator provided they are being transferred to a nursing home located in the same geographic area.

#### MEDICAID INSPECTOR GENERAL, OFFICE OF THE

##### State Operations

- \* The Senate concurs with the Executive recommendation of \$52.7 million.

#### HIGHER EDUCATION CAPITAL MATCHING GRANTS PROGRAM

##### Capital Projects (S.6404-B)

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

#### HIGHER EDUCATION SERVICES CORPORATION (HESC)

##### State Operations (S.6400-B)

- \* The Senate reduces the Executive proposal by \$1 million.

##### Aid to Localities (S.6403-B)

- \* The Senate modifies the Executive recommendation as follows:

- o Denies \$27 million to enact the DREAM Act.
- o Provides an additional \$37.9 million to enact changes to the TAP Program.
- o Provides an additional \$250,000 for the Social Worker Loan Forgiveness Program.
- o Provides an additional \$4.6 million for the STEM Scholarship Program.
- o Provides an additional \$50,000 to provide loan forgiveness for Ag educators.

Article VII Proposals (S.6407-B)

- \* PART F - The Senate denies the Executive proposal to provide financial aid for undocumented students.
- \* PART G - The Senate accepts the Executive proposal to extend various scholarship programs for five years and enact conforming changes.
- \* PART U - The Senate advances language to conform the New York financial aid award letter with the federal award letter.
- \* PART W - The Senate advances language to conform the State financial aid application process with the federal application process.
- \* PART CC - The Senate advances language to require additional reporting from schools in the private sector in order to better understand and control cost drivers in higher education costs.
- \* PART DD - The Senate advances language to expand the STEM Scholarship Program to independent colleges and universities.
- \* PART EE - The Senate advances language to create a loan forgiveness program for agriculture educators.
  
- \* PART MM - The Senate advances language to create a prepaid tuition program.
- \* PART OO - The Senate advances language to increase TAP payments and raise the income eligibility ceiling from \$80,000 to \$100,000, for a total State investment of \$89 million.

HOMELAND SECURITY AND EMERGENCY SERVICES, DIVISION OF

State Operations (S.6400-B)

- \* The Senate concurs with the Executive recommendation of \$65 million.

Aid to Localities (S.6403-B)

- \* The Senate concurs with the Executive recommendation of \$1.5 billion.

Article VII Proposals (S.6405-B)

- \* PART C - Concurs with the Executive proposal in relation to suspending the transfer of monies into the Emergency Services Revolving Loan Fund from the Public Safety Communications Account.
- \* PART D - Modifies the Executive proposal to transfer certain functions to the Division of State Police from the Division of Homeland Security and Emergency Services, as follows:
  - o Subpart A - Establishes the Bureau of Counterterrorism and Intelligence (BCTI), and the Bureau of Cyber Security (BCS) within the Division of State Police, and to define the purpose, appointment procedures, information sharing responsibilities and offices of such bureaus.
  - o Subpart B - Renames the Division of Homeland Security and Emergency Services' Office of Counterterrorism to the Office of Counterterrorism, Intelligence and Cyber Security, and further defines the responsibilities of such office.
  - o Subpart C - Establishes the New York State Terrorist Registry, which would: establish a New York State Registry for Terrorists

who live, work or attend an educational institution in New York State (based upon the model of the Megan's Law registry for sex offenders);

- o Subpart D - Requires the Commissioner of the Division of Homeland Security and Emergency Services, in consultation with the Superintendent of State Police, the Chief Information Officer, and the President of the Center for Internet Security, to prepare and issue a five year report on Cyber Security.
- o Subpart E - Establishes the New York State Cyber Security Initiative, and creates the Cyber Security Advisory Board, the Cyber Security Partnership Program, and the Cyber Security Information Sharing Program.
- o Subpart F - Establishes protocols and standards for persons and entities who collect and maintain personal information, in order to protect against the unauthorized access to, and theft and misappropriation of, this information.
- o Subpart G - Keeps and maintains in place the previously enacted New York State sanctions against the financial and energy sectors of the Islamic Republic of Iran, unless a duly executed treaty approved by two-thirds of the United States Senate abrogates the same in accordance with Federal law.
- o Subpart I - Creates the NY Cares Act, to prohibit local governments and entities, including sheriff's departments, municipal police departments and district attorney's offices, from adopting laws or policies which impede or interfere with the enforcement of federal homeland security laws.
- o Subpart J - Authorizes the transfer of the current State Police civilian personnel assigned to the Division of Homeland Security and Emergency Services Office of Counter Terrorism, who perform intelligence and analysis on counter terrorism, to the Bureau of Counter Terrorism and Intelligence of the Division of State Police.

## HOUSING AND COMMUNITY RENEWAL

### State Operations (S.6400-B)

- \* The Senate concurs with the Executive recommendation of \$92.5 million with the following modification:

.SO DOC S R4330 RESO TEXT 2015  
o Denies funding for the Tenant Protection Unit.

### Aid To Localities (S.6403-B)

- \* The Senate concurs with the Executive recommendation of \$85.1 million.

### Capital Projects (S.6404-B)

- \* The Senate concurs with the Executive recommendation of \$2.1 billion, with the following modifications:
  - o The Senate amends the Supportive and Affordable Housing Program by providing for additional housing priorities, including:
    - Middle Income Housing Program;
    - Community Reinvestment Program;
    - Rural Mobile Home Replacement Program;
    - Tenant Rent Increase Exemption (TRIE) Program;
    - Community Development Financial Institutions to leverage funding and create more housing opportunities for developmental disabilities population;
    - Senior Citizen Rent Increase Exemption (SCRIE) Program;
    - Disability Rent Increase Exemption (DRIE) Program;

- Senior Citizen Homeowners Exemption;
- Disabled Homeowners Exemption;
- New York City Housing Authority capital projects; and
- Helping New Yorkers at risk of foreclosure, including mortgage assistance.

Article VII Proposals (S.6406-B)

- \* PART P - Modifies the Executive proposal to utilize \$150 million in excess Mortgage Insurance Fund reserves to provide:
  - o An additional \$5 million for the Rural Mobile Home Replacement Program.
- \* PART Y - Creates the Rural Mobile Home Replacement Program.
- \* PART Z - Provides technical corrections to rent regulation statutes.
- \* PART AA - Creates the Tenant Rent Increase Exemption Program.
- \* PART GG - Creates a New York City Housing Authority Repair Certificate Program.
- \* PART HH - Authorizes New York City Council oversight of the New York City Housing Authority.
- \* PART II - Establishes the Public Housing Revitalization Fund.
- \* PART JJ - Creates the Middle Income Housing Tax Credit Program.
- \* PART KK - Provides legislation for the Community Reinvestment Program.
- \* PART LL - Provides legislation to increase income limits for the Senior Citizen Rent Increase Exemption Program, the Disabled Rent Increase Exemption Program, and the Senior Homeowner Exemption and Disabled Homeowner Exemption.
- \* PART PP - Allows for preferences to veterans for public housing.
- \* PART QQ - Allows for preferences and priorities to domestic violence victims for public housing in New York City.
- \* PART RR - Increases and indexes to inflation the assessed value of property that is eligible for the J-51 tax benefit program.
- \* PART SS - Requires community notification and community input to the New York City Planning Commission on the siting of Social Service and supportive housing facilities and operation of supportive housing facilities.

HUDSON RIVER VALLEY GREENWAY COMMUNITIES COUNCIL

State Operations (S.6400-B)

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

Aid to Localities (S.6403-B)

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

HUMAN RIGHTS, DIVISION OF

State Operations (S.6400-B)

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

INDIGENT LEGAL SERVICES, OFFICE OF

State Operations (S.6400-B)

- \* The Senate concurs with the Executive recommendation of \$3.2 million.

Aid to Localities (S.6403-B)

- \* The Senate concurs with the Executive recommendation of \$96.2 million.
  - o The Senate recommends that funding be provided for the remaining

57 counties which have not been given the same level of funding as five other counties which brought litigation (Hurrell-Harring Settlement) for increased indigent criminal counsel services.

INFORMATION TECHNOLOGY SERVICES, OFFICE FOR

State Operations (S.6400-B)

- \* The Senate concurs with the Executive recommendation of \$542.5 million.

Capital Projects (S.6404-B)

- \* The Senate concurs with the Executive recommendation of \$155.2 million with the following modification:
  - o The Senate eliminates a \$20.9 million reappropriation for various technology projects.

INSPECTOR GENERAL, OFFICE OF THE STATE

State Operations (S.6400-B)

.SO DOC S R4330 RESO TEXT 2015  
\* The Senate concurs with the Executive recommendation of \$7.2 million.

INSURANCE AND SECURITIES FUNDS RESERVE GUARANTEE

State Operations (S.6400-B)

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

INTEREST ON LAWYERS ACCOUNT

State Operations (S.6400-B)

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

Aid to Localities (S.6403-B)

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

JUDICIARY

Legislature and Judiciary (S.6401)

- \* The Senate modifies the Office of Court Administration to fund necessary increases for judicial salaries.

JUDICIAL CONDUCT, COMMISSION ON

State Operations (S.6400-B)

- \* The Senate concurs with the Executive recommendation of \$5.6 million and:
  - o Provides \$93,000 of additional funding for personal and non-personal service.

JUDICIAL NOMINATIONS, COMMISSION ON

State Operations (S.6400-B)

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

JUDICIAL SCREENING COMMITTEES

State Operations (S.6400-B)

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

JUSTICE CENTER FOR THE PROTECTION OF PEOPLE WITH SPECIAL NEEDS

State Operations (S.6400-B)

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

Aid to Localities (S.6403-B)

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

LABOR, DEPARTMENT OF

State Operations (S.6400-B)

- \* The Senate modifies the Executive recommendation of \$573.6 million to remove the appropriation of \$5 million for the Interest Assessment Surcharge (IAS).

Aid to Localities (S.6403-B)

- \* The Senate modifies the Executive recommendation as follows:

- o Restores:

- \$1.6 million to the Displaced Homemaker Program;
- \$980,000 to the Chamber-On-The-Job Training Program;
  
- \$155,000 to the New York Council on Occupational Safety and Health (NYCOSH), located on Long Island;
- \$200,000 to the Building Trades Pre-Apprenticeship Program (BTPAP) located in Rochester;
- \$200,000 to a Building Trades Pre-Apprenticeship Program (BTPAP) located in Nassau County;
- \$200,000 to a Building Trades Pre-Apprenticeship Program (BTPAP) located in Western New York;
- \$200,000 to the Western New York Council on Safety and Health (WNYCOSH);
- \$4 million to the Workforce Development Institute (WDI);
- \$3 million to the WDI Manufacturing Initiative;
- \$50,000 to the Rochester Tooling and Machining Institute;
- \$50,000 to Team STEPPS, the long term training program at the Academy for Leadership in Long Term Care at St. John Fisher;
- \$100,000 to Hillside Works;
- \$300,000 to the Summer of Opportunity Youth Employment Program, located in Rochester;
- \$300,000 to the North American Logger Training School to be hosted at Paul Smith's College;
- \$125,000 Midwood Development Corporation for the Supplemental Sanitation and Supported Employment Program;
- \$300,000 for Youth Build programs located in New York State;
- \$150,000 to the Cornell Leadership Institute;
- \$150,000 to the Domestic Violence Program of the Cornell University Labor Extension School;
- \$400,000 to the Worker Institute at the Cornell School of Industrial and Labor Relations; and,
- \$500,000 to Brooklyn Goes Global, Good Help and the Brooklyn Neighborhood Entrepreneurship programs administered by the Brooklyn Chamber of Commerce.

- o Provides:

- \$500,000 to the Manufacturers Association of Central New York for the Manufacturers Intermediary Apprenticeship

- Program; and
- Supports extension of On The Job Training program in Tioga County, within amounts available.

Article VII Proposal (S.6405-B)

- \* PART L - The Senate accepts the Executive proposal to extend binding arbitration for three years.

Article VII Proposal (S.6406-B)

- \* PART J - The Senate denies the Executive proposal to alter the composition of the State Apprenticeship and Training Council.
- \* PART K - The Senate will consider an increase in the current State minimum wage based on an objective economic analysis. Primary among the factors to consider is that the minimum wage has just commenced the last year of a three-year, phased-in increase to \$9.00 per hour; the impacts of this phase-in, the subsequent increase in the tipped wage to \$7.50 per hour; and the actions of the fast food wage board which mandated a phased-in increase reaching \$15.00 per hour.

The analysis must also take into account: the impact on workers and businesses' ability to maintain and to create jobs; the total compensation of employees; wages authorized under the Fair Labor Standards Act

and the impact of any increase on the various wage orders for the tipped wage; the impact an increase would have on the state's spending levels; reimbursement rates for health care workers, the not-for-profit sector, the voluntary providers and state workers in the human services field, school districts, and others; the impact and potential offsets necessary for our farms and small businesses; the benefit levels for the state and federal earned income tax credit; the overall impact on state benefits provided to low wage workers; and the overall impact on New York's economy including competitiveness with neighboring states and further to consider the proper phase-in schedule of an increase in the minimum wage and regionally disparate impacts.

Further, any enactment should include an independent study of the impacts the most recent increase has had on job creation and retention, worker health and welfare, and other economic indicia of the state's overall financial standing, as well as the impacts of the proposed increase.

The goal of creating and continuing opportunities for families requires that the State thoughtfully analyze and thoroughly study the impacts of any proposed increase.

- \* PART UU - The Senate advances language to exempt agricultural employers from paying for unemployment coverage for alien farm laborers, who are federally ineligible to receive such benefits.
- \* The Senate supports language to statutorily repeal the authority of the Commissioner of Labor to collect an interest assessment surcharge on employers to fund the Unemployment Insurance Trust Fund.

LABOR MANAGEMENT COMMITTEES

State Operations (S.6400-B)

- \* The Senate concurs with the Executive recommendation of \$20.8 million.

LAW, DEPARTMENT OF

State Operations (S.6400-B)

- \* The Senate concurs with the Executive recommendation of \$226.8 million.

Capital Projects (S.6404-B)

- \* The Senate concurs with the Executive recommendation of \$10 million.

LIEUTENANT GOVERNOR, OFFICE OF THE

State Operations (S.6400-B)

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

LOCAL GOVERNMENT ASSISTANCE

State Operations (S.6400-B)

- \* The Senate concurs with the Executive recommendation of \$2.5 million.

Aid To Localities (S.6403-B)

The Senate modifies the Executive recommendation of \$813.5 million as follows:

\* Restores:

- o \$2 million in Village Per Capital Aid;
- o \$125,000 for a shared services initiative in the City of Syracuse;
- o \$75,000 Mastic Beach;
- o \$2,000 Sagaponack;
- o \$19,000 South Blooming Grove;
- o \$27,000 Woodbury;
- o \$92,500 Cayuga County;
- o \$340,000 Franklin County; and,
- o \$340,000 Seneca County;

\* Adds:

- o \$400,000 City of Cortland and Oneonta; and,
- o \$1 million for a disabled volunteer firefighter recruitment program.

.SO DOC S R4330

RESO TEXT

2015

Article VII Proposals (S.6405-B)

- \* PART X - Advances language to require the Commissioner of General Services and the Commissioner of the Office for People with Developmental Disabilities to produce a report concerning the most appropriate uses of the J.N. Adam Developmental Center located in Perrysburg, NY.
- \* PART Y - Advances language to authorize the Office of General Services to transfer certain parcels of the St. Lawrence Psychiatric Center to the City of Ogdensburg for fair market value.
- \* PART Z - Advances language to expand coverage under the Volunteer Firefighter's Benefit Law to include coverage for cancer of the digestive, hematological, lymphatic, urinary, prostate, neurological, breast and reproductive systems.
- \* PART AA - Advances language to increase the maximum weekly benefit provided to volunteer firefighters injured in the course of their volunteer from \$400 to \$800 and establishes an annual increase for this benefit.
- \* PART BB - Advances language to allow the Town of Riverhead to refi-

nance bonds that were authorized for the purchase of land within the town for a period of usefulness up to 50 years.

Article VII Proposals (S.6408-B)

- \* PART P: The Senate denies the Executive proposal to expand the real property tax exemption for Anaerobic Digesters.

The Senate supports increasing the reserve fund for tax stabilization where power plants are being eliminated from the local tax base.

Article VII Proposals (S.6409-B)

- \* PART ZZ: The Senate advances language to modify the Indian Gaming revenue share distribution for the City of Niagara Falls;

The Senate is committed to studying the unintended implications of the property tax cap including: the impact of voter initiated referendums, negative tax cap calculations, and the lack of consideration in the levy formula for BOCES capital expenses and the calculation of growth in PILOTs.

MENTAL HEALTH, OFFICE OF

State Operations (S.6400-B)

- \* The Senate concurs with the Executive recommendation of \$2.2 billion, however denies the following:
  - o \$500,000 to provide staff for a separate correctional facility for youth ages 16-17;
  - o Appropriation language to notwithstanding notification and reinvestment requirements for State-operated inpatient bed reductions; and
  - o Appropriation language that would allow for restoration to competency treatment in jail and prison based settings.
- \* The Senate continues to oppose the closure and merger of Western New York Children's Psychiatric Center.

Aid to Localities (S.6403-B)

- \* The Senate concurs with the Executive recommendation of \$1.4 billion, however provides the following restorations:
  - o \$3.2 million for the Joseph P. Dwyer Veteran Peer to Peer Program;
  - o \$2.5 million for community reinvestment;
  - o \$500,000 for Crisis Intervention Teams;
  - o \$500,000 for Children's Prevention and Awareness Initiatives;
  - o \$300,000 for FarmNet;
  - o \$175,000 for the South Fork Mental Health Initiative;
  - o \$100,000 for the North Country Behavioral Healthcare Network; and
  - o \$100,000 for the Mental Health Association in New York State, Inc.

Capital Projects (S.6404-B)

- \* The Senate concurs with the Executive recommendation of \$323 million.

Article VII Proposals (S.6407-B)

- \* PART H - The Senate modifies the Executive proposal in relation to exempt income recovery by allowing such recoveries for one year and require reporting.
- \* PART K - The Senate denies without prejudice the Executive proposal to allow for restoration to competency treatment in jail and prison

based settings.

ALCOHOLISM AND SUBSTANCE ABUSE SERVICES, OFFICE OF

State Operations (S.6400-B)

- \* The Senate concurs with the Executive recommendation of \$119.5 million.

Aid to Localities (S.6403-B)

- \* The Senate concurs with the Executive recommendation of \$474 million, and provides additional funding to address the heroin and opioid epidemic, by providing funding to strengthen prevention, treatment, recovery, and education initiatives through the following:

- o \$10 million for transitional housing, with 25 percent of the funding to be dedicated for young adults;
- o \$6.5 million for recovery services;
- o \$3.85 million for Recovery Community Centers;
- o \$2 million for school prevention efforts;
- .SO DOC S R4330 RESO TEXT 2015
- o \$2 million for Recovery Coaches;
- o \$1 million for Family Support Navigator programs;
- o \$450,000 for opioid drug addiction, prevention and treatment programs; and
- o \$200,000 for Family Support Navigator training.

Capital Projects (S.6404-B)

- \* The Senate concurs with the Executive recommendation of \$23 million.

MENTAL HYGIENE, DEPARTMENT OF

State Operations (S.6400-B)

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

Article VII Proposals (S.6403-B)

- \* PART J - The Senate denies the Executive proposal to notwithstanding licensure requirements for social workers, mental health practitioners, and psychologists working in certain settings.

- o Additionally, the Senate denies the Executive appropriation language for the Office of Alcoholism and Substance Abuse Services, the Office of Mental Health, and the Office for People with Developmental Disabilities.

- \* PART L - The Senate modifies the Executive proposal to provide authority to the Office of Mental Health and the Office for People with Developmental Disabilities to appoint temporary operators as follows:

- o Sunset the provisions for three years to March 31, 2019 and include notification requirements.
- o The Senate advances legislation to also make these changes to existing authority for adult homes and substance abuse providers.
- o The Senate denies the Executive proposal to authorize the Office of Children and Family Services and the Office of Temporary and Disability Assistance to appoint temporary operators.

PEOPLE WITH DEVELOPMENTAL DISABILITIES, OFFICE FOR

State Operations (S.6400-B)

- \* The Senate concurs with the Executive recommendation of \$2.1 billion, except that \$14.5 million is earmarked for additional state operated respite services to address the current severe lack of available respite services, easing the burden on family caregivers while allowing individuals with developmental disabilities to remain a part of the community longer.
- \* The Senate allocates \$12 million for continued support of "care" pilot programs; continuing the already extraordinary successes these critical state operated programs have achieved: these funds will equip each pilot program with crucial resources required to meet the ever increasing needs of the individuals and families within the developmentally disabled community.

#### Aid to Localities (S.6403-B)

- \* The Senate concurs with the Executive recommendation of \$2.2 billion, and provides:
  - o \$100,000 for Human Care Services for Families and Children, and
  - o \$18,000 for the Living Resources Corporation.

#### Capital Projects (S.6404-B)

- \* The Senate concurs with the Executive recommendation of \$28 million.

#### Article VII Proposals (S.6407-B)

- \* The Senate advances legislation to:
  - o Prohibit the Office for People with Developmental Disabilities from taking any action designed to close, consolidate, reduce, transfer, or limit the census of State- operated Individualized Residential Alternatives. This legislation will prevent the reduction of crucial service options and encourage support for more readily available housing opportunities for individuals with developmental disabilities;
  - o Provide protections for individuals who are unable or unwilling to transition from sheltered workshops to integrated employment settings; and
  - o Create a Direct Support Professional Credential Pilot Program.
- \* The Senate proposes assisting sheltered workshops to provide existing services and transition into integrated businesses, as appropriate.

#### METROPOLITAN TRANSPORTATION AUTHORITY

#### Aid to Localities (S.6403-B)

- \* The Senate concurs with the Executive proposal of \$2.4 billion.

#### Capital Projects (S.6404-B)

- \* The Senate recommends the Metropolitan Transportation Authority (MTA) conduct and fund a study, in conjunction with the NYPD, in regards to crime rates on different bus lines, and the potential cost to station police directly on the most dangerous bus lines.

#### Article VII Proposals (S.6408-B)

- \* PART A - The Senate modifies the Executive proposal to commit \$8.3 billion to the MTA and increase the MTA bond cap from \$41.9 billion to \$55.5 billion as follows:
  - o Requires the State to provide \$3.5 billion in additional funding toward the 2015- 2019 Department of Transportation Capital Plan; and
  - o Eliminates language that would increase the MTA bond cap.

- \* PART B - The Senate denies the Executive proposal to enact MTA procurement reforms pursuant to an agreement on transportation capital plans.
- \* PART C - The Senate denies the Executive proposal to enact MTA project delivery reforms, including the shift of utility relocation costs for MTA construction projects to utility companies, pursuant to an agreement on transportation capital plans.
- \* PART KK - The Senate advances language to allow Brooklyn residents living in a zip code within a 6-mile radius of the Verrazano Bridge to be considered a Staten Island Resident under the Verrazano Bridge Rebate Program and be reimbursed by the MTA under this program.

MILITARY AND NAVAL AFFAIRS, DIVISION OF

State Operations (S.6400-B)

- \* The Senate concurs with the Executive recommendation of \$81.4 million.

Aid to Localities (S.6403-B)

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

Capital Projects (S.6404-B)

- \* The Senate concurs with the Executive recommendation of \$47 million.

Article VII Proposals (S.6405-B)

- \* PART E - Concurs with the Executive proposal to extend for five years the Recruitment Incentive and Retention Program that provides a direct payment of college tuition for certain active members of the New York Army National Guard, New York Air National Guard, and the New York Naval Militia, from September 1, 2016 until September 1, 2021.
- \* PART U - Advances legislation which would increase the penalty for the assault or murder of a member of the military when the accused committed the assault with the intention of preventing the member of the military or reserves from performing their lawful duty.

MORTGAGE AGENCY, STATE OF NEW YORK

State Operations (S.6400-B)

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

Aid To Localities (S.6403-B)

- \* The Senate concurs with the Executive recommendation of \$115.5 million.

MOTOR VEHICLES, DEPARTMENT OF

State Operations (S.6400-B)

- \* The Senate concurs with the Executive proposal of \$87.6 million.

Aid to Localities (S.6403-B)

- \* The Senate concurs with the Executive proposal of \$21.6 million.

Capital Projects (S.6404-B)

- \* The Senate concurs with the Executive proposal of \$216.6 million.

Article VII Proposals (S.6408-B)

- \* PART D - Concurs with the Executive proposal to consolidate four existing Department of Motor Vehicles (DMV) Special Revenue Funds



State Operations (S.6400-B)

- \* The Senate concurs with the Executive recommendation of \$224.3 million, and supports funding for the Orchard Beach pavilion restoration project.

Aid To Localities (S.6403-B)

- \* The Senate concurs with the Executive recommendation of \$11.3 million, with the following modification:
  - o Restores funds to reimburse governmental entities that enforce provisions of the Navigation Law, and provides additional funds to allow for increasing the reimbursement rate from 50 to 75 percent. Currently local governments that enforce the Navigation Law are reimbursed 50 percent of their expenses. The Executive would reduce this rate to 25 percent. The Senate provides \$1.8 million to restore the reimbursement to 75 percent.

Capital Projects (S.6404-B)

- \* The Senate concurs with the Executive recommendation of \$154.7 million, with the following modification:
  - o Denies, without prejudice, \$92.5 million in New York Works capital funding for State Parks.

Article VII Proposals (S.6408-B)

- \* PART V - The Senate modifies the proposal to reduce the authorized reimbursement rate paid to governmental entities that voluntarily enforce certain provisions of the Navigation Law 79-b Program from 50 percent to 25 percent, by increasing reimbursement to 75 percent.

PREVENTION OF DOMESTIC VIOLENCE, OFFICE OF

State Operations (S.6400-B)

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

Aid to Localities (S.6403-B)

- \* The Senate concurs with the Executive recommendation of \$1.4 million.

PUBLIC EMPLOYMENT RELATIONS BOARD

State Operations (S.6400-B)

- \* The Senate concurs with the Executive recommendation of \$3.5 million.

PUBLIC ETHICS, JOINT COMMISSION ON

State Operations (S.6400-B)

- \* The Senate concurs with the Executive recommendation of \$5.6 million.

PUBLIC SERVICE

State Operations (S.6400-B)

- \* The Senate concurs with the Executive recommendation of \$84.7 million.

Aid to Localities (S.6403-B)

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

million.

Article VII Proposals (S.6408-B)

- \* PART K - The Senate denies, without prejudice, the Executive proposal to have the Department of Health conduct certain advertising campaigns funded from a special assessment on cable television companies.
- \* PART L - The Senate accepts language that exempts the State's forty municipally owned gas and electric utilities (MOUs) from the mandatory evidentiary hearing that is currently required for all municipal rate cases. The Senate denies language that extends the length of time the PSC has to approve utility sought rate increases from 11 to 15 months.
- \* PART X - The Senate provides language to increase the net metering limit for anaerobic digesters.

Article VII Proposals (S.6407-B)

- \* PART W - The Senate provides language to codify a motion filed by .SO DOC S R4330 RESO TEXT 2015 the PSC on February 24th which creates a nuclear bridge program for certain nuclear power plants in New York State. The Senate provides up to \$100 million in financial support from RGGI for the benefit of nuclear facilities that are not currently financially viable but remain operational.

GAMING COMMISSION:

State Operations (S.6400-B)

- \* The Senate concurs with the Executive appropriation of \$113.5 million.

Aid to Localities (S.6403-B)

- \* The Senate concurs with the Executive appropriation of \$130.5 million.

RACING REFORM PROGRAM

State Operations (S.6400-B)

- \* The Senate concurs with Executive re-appropriation of \$2 million.

REGULATORY REFORM

STATE, DEPARTMENT OF

State Operations (S.6400-B)

- \* The Senate concurs with the Executive recommendation of \$143 million and modifies as follows:
  - o Denies \$1 million for the Constitutional Convention Commission Program.

Aid to Localities (S.6403-B)

- \* The Senate concurs with the Executive recommendation of \$12.3 million and modifies as follows:
  - o Restores \$500,000 for the Dutchess County Coordinated Jail Based Services.

Article VII Proposals (S.6408-B)

- \* PART M - The Senate concurs with the Executive proposal to extend document handling fees for one year.

- \* PART N - The Senate denies, without prejudice, the Executive proposal to place responsibility for mailing a copy of service of process with plaintiffs rather than DOS.

STATE POLICE, DIVISION OF

State Operations (S.6400-B)

- \* The Senate modifies the Executive recommendation of \$812 million, and recommends:
  - o Funding for the Division of State Police for patrol and other law enforcement activities on the New York State Thruway be the responsibility of the State and not the Thruway Authority.
  - o The Senate supports \$15 million in funding for replacement of the Division's fleet which will not only consist of patrol vehicles but also vehicles for the Bureau of Investigation (BCI).

Capital Projects (S.6404-B)

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

STATE UNIVERSITY OF NEW YORK (SUNY)

State Operations (S.6400-B)

- \* The Senate modifies the Executive proposal as follows:
  - o Denies authority to increase tuition.
  - o Denies \$18 million for competitive campus funding.
  - o Provides the following restorations:
    - \$18.6 million for Hospital subsidy;
    - \$1.5 million for Small Business Development Centers; and
    - \$50,000 for American Chestnut research.
  - o Provides for the following additions:
    - \$60 million to offset lost tuition revenues;
    - \$4 million for a three-year, advanced veterinarian degree program at Cornell; and
    - \$500,000 to establish an agriculture management program at SUNY Canton.

Aid to Localities (S.6403-B)

- \* The Senate modifies the Executive's proposal as follows:
  - o Provides the following restorations:
    - \$1.5 million for Graduate Achievement and Placement Program;
    - \$1.1 million for childcare centers;
    - \$1 million for career centers;
    - \$600,000 for Harvest NY at Cornell; and
    - \$250,000 for SUNY Orange Bridge.
  - o Provides the following additions:
    - \$6.7 million for community college base aid;
    - \$6.7 million for community college reorganization aid and categorical aid; and
    - \$1 million for rental aid.
  - o Denies \$3 million for new SUNY Apprentice program.
  - o Denies \$1 million for community college community schools.

Capital Projects (S.6404-B)

- \* The Senate modifies the Executive proposal as follows:
  - o Provides an additional:
    - \$2.7 million for Adirondack Community College;
    - \$132,000 for Ulster Community College; and
    - \$200 million for capital needs at the senior colleges.

- o Calls for a five-year critical maintenance capital plan for senior colleges, funded at \$400 million annually.

#### Article VII

- \* PART D - The Senate modifies reauthorization of the SUNY 2020 language by removing language authorizing a tuition increase, increasing maintenance of effort requirements, and providing an investment fund for the SUNY system.
- \* PART E - The Senate modifies the Executive proposal to create an affiliation escrow account between Stony Brook and Southampton by allowing Stony Brook to establish affiliations with any hospital system.
- \* PART Q - The Senate accepts the Executive proposal to provide a five-year extension of policies which allow SUNY to contract for various goods and services without first securing authorization from any State official or agency.
- \* PART S - The Senate advances language allowing Orange County Community College to contract with school districts to provide Bridge programs and other services part of their core educational mission.
- \* PART T - The Senate advances language expanding the usage of career pathways programs.
- \* PART BB - The Senate advances language eliminating chargebacks for upper division courses at Fashion Institute of Technology and preventing counties from assessing chargeback fees to localities.

#### STATEWIDE FINANCIAL SYSTEM

##### State Operations (S.6400-B)

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

#### TAX APPEALS

##### State Operations (S.6400-B)

- \* The Senate concurs with the Executive recommendation of \$3 million.

#### TAXATION AND FINANCE

##### State Operations (S.6400-B)

- \* The Senate concurs with the Executive recommendation of \$452.4 million.
- \* The Senate concurs with the Executive recommendation to restructure six existing programs into two new programs.

##### Aid to Localities (S.6403-B)

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

#### Article VII Proposal (S.6409-B)

- \* PART G - The Senate amends the Executive proposal to:
  - o Modify the Tax Modernization electronic filing mandate of 2011 to extend this part until December 31, 2017 as opposed to being made permanent;
  - o Modify the Sales Tax Compliance law of 2013 to extend this part until December 31, 2017 as opposed to being made permanent; and
  - o Deny the Tax Preparer penalties.

#### TEMPORARY AND DISABILITY ASSISTANCE, OFFICE OF

##### State Operations (S.6400-B)

- \* The Senate modifies the Executive Recommendation of \$426.4 million by denying:
  - o A \$10 million increase in appropriation authority in the Supplemental Nutrition Assistance Program for the implementation of an Integrated Eligibility System, pending specific details and information.
  - o An \$11.25 million increase in appropriation authority in the Specialized Services Program. The Senate expresses concern over the growing homelessness problem in the State and the lack of a specific spending proposal from the Executive.

Aid to Localities (S.6403-B)

- \* The Senate modifies the Executive All Funds recommendation of \$5.1 billion as follows:
  - o Restores funding to the following programs:
    - \$1 million for the Disability Advocacy Program
    - \$200,000 for the Council on Jewish Organizations of Flatbush
  - o Adds \$11.9 million to Supplemental Security Income (SSI).
  - o Restores or adds funding for the following TANF programs:
    - \$800,000 to restore ACCESS - Welfare to Careers
    - \$2.7 million to restore the Capital Region-Oneida Child Care Facilitated Enrollment program and adds \$2.3 million to incorporate Monroe County
  - o Denies the Executive appropriation language providing an exemption from professional licensure requirements for individuals practicing certain professions in programs regulated, operated or funded by the agency during FY 2017.

Capital Projects (S.6404-B)

- \* The Senate concurs with the Executive All Funds Recommendation of \$63.5 million.

Article VII Proposals (S.6406-B)

- \* PART O - The Senate concurs with the Executive proposal to authorize the pass-through of any Federal Supplemental Security Income (SSI) COLA that becomes effective on or after January 1, 2017.
  - \* PART TT - The Senate advances language to create the Senior Heating Assistance Program to provide eligible low and middle income senior citizens with assistance payments for heating expenses above a certain threshold, subject to available appropriation.
- .SO DOC S R4330 RESO TEXT 2015

Article VII Proposals (S.6407-B)

- \* P A R T L %c%c 3 - 5 - The Senate denies  
 pÿ ize the Office of Temporary and Disability Assistance (OTDA) to designate a temporary operator for homeless shelters, or the Office of Children and Family Services (OCFS) for residential programs for victims of domestic violence and runaway and homeless youth, where the current operator has been found to have significant financial, operational, or health and safety issues.

THRUWAY AUTHORITY

State Operations (S.6400-B)

- \* The Senate modifies the Executive proposal by reinstating \$21.5 million in operating aid to the Thruway Authority.

Article VII Proposals (S.6408-B)

- \* PART Q - The Senate denies the Executive proposal to transfer the

Canal Corporation from the Thruway Authority to the New York State Power Authority and State Police Troop T expenses from the State to the Thruway Authority, as well as the repeal of State aid to the Thruway Authority approved as part of the FY 2014 Enacted Budget.

- \* PART SS - The Senate advances language to eliminate the Thruway toll for vehicles traveling on the Thruway from exit 49 to exit 50 or from exit 50 to exit 49 in Western New York.

The Senate advances a proposal to study the impact on Westchester and Rockland County residents with respect to tolls on the Tappan Zee Bridge after the toll freeze expires. Such study shall also consider tolls along the length of the Thruway and the elimination of the ton mileage tax.

#### TRANSPORTATION, DEPARTMENT OF

##### Aid to Localities (S.6403-B)

- \* The Senate modifies the Executive proposal to provide \$193.7 million in Upstate transit operating aid by providing an additional \$6.5 million, for a total of \$200.2 million. This provides the same 6.1 percent increase in operating aid the non-MTA Downstate transit systems receive in the Executive proposal.

##### State Operations (S.6400-B)

- \* The Senate concurs with the Executive proposal of \$33.2 million.

##### Capital Projects (S.6404-B)

- \* The Senate modifies the Executive proposal as follows:
  - o Modifies the \$200 million Airport Economic Development and Revitalization Competition to provide \$30 million for the traditional aviation capital grant program over four years;
  - o Modifies the \$500 million Extreme Weather Infrastructure Hardening Program to provide \$40 million to the Consolidated Local Street and Highway Improvement (CHIPS) program for FY 2017;
  - o Modifies the \$5 million traditional non-MTA capital to disburse based on the State Transportation Operating Assistance (STOA) formula;
  - o Eliminates language that allows capital funds to be interchanged or transferred to any other capital projects of DOT; and
  - o Directs DOT to begin an environmental study needed to build a new ramp that would directly connect the Sheridan Expressway with the Hunts Point Market.
- \* The Senate supports the Executive proposal to establish a five-year \$1 billion PAVE NY Program and a five-year \$1 billion BRIDGE NY Program with the following amendments:
  - o Provide the \$500 million for local roads through the CHIPS formula; and
  - o Provide the \$500 million for local bridges through a process that allows for local input on the selection of local bridge projects.

##### Article VII Proposals (S.6408-B)

- \* The Senate advances language to provide \$3.5 billion in additional funding toward the FY 2016-2020 DOT Capital Plan (See Metropolitan Transportation Authority, S.6408-B, Part A).
- \* PART JJ - The Senate advances language to require the submission of a proposed five year Department of Transportation Capital Plan, including:
  - o A memorandum of understanding (MOU) to provide a list of capital projects, funding and cost estimates, and made publicly avail-

able online;

- o A revised Plan annually with submission to the Legislature by October 1st of each year;
- o Requiring a signed MOU for the disbursement of funding; and
- o A plan prioritizing bridge closures, canal lift bridges, culvert replacements and safety at railroad grade crossings, along with local input on road and bridge projects, and ensuring regional balance.

#### VETERANS' AFFAIRS, DIVISION OF

##### State Operations (S.6400-B)

- \* The Senate concurs with the Executive All Funds recommendation of \$8.2 million.

##### Aid to Localities (S.6403-B)

- \* The Senate modifies the Executive All Funds recommendation of \$9.3 million and restores:
  - o \$50,000 for the Veterans of Foreign Wars Buffalo Field Office;  
.SO DOC S R4330 RESO TEXT 2015
  - o \$75,000 for the Veterans of Foreign Wars New York City Field Service Office;
  - o \$25,000 for the Vietnam Veterans of America;
  - o \$200,000 for Legal Services of the Hudson Valley's Veterans Advocacy Project;
  - o \$500,000 for the NYS Defenders' Association Veterans Defense Program;
  - o \$100,000 for SAGE Veterans Project; and
  - o \$200,000 for Warrior Salute.

#### VICTIM SERVICES, OFFICE OF

##### State Operations (S.6400-B)

- \* The Senate concurs with the Executive recommendation of \$12.7 million.

##### Aid to Localities (S.6403-B)

- \* The Senate concurs with the Executive recommendation of \$106 million.

#### WORKERS' COMPENSATION BOARD

##### State Operations (S.6400-B)

- \* The Senate concurs with the Executive recommendation of \$189 million.

##### Article VII Proposal (S.6405-B)

- \* PART G - The Senate denies the Executive proposal to reform of the workers' compensation system in the State of New York.
- \* PART DD - The Senate concurs with the Executive and advances language to amend the Workers' Compensation Law to allow volunteers, that fall outside of federal coverage, who participated in the World Trade Center rescue, clean-up and recovery operations the ability to bring claims to, and have benefits paid by, the Uninsured Employers Fund for medical treatment and coverage of medical expenses.
- \* PART H - Paid Family Leave - The Senate will modify the Executive proposal which creates a paid family leave benefit. The Senate supports creation of a program to offer paid family leave to employees while balancing the needs of employers. The Senate believes that the State should assist in the creation of a program to allow

an employee to take care of a seriously sick or injured family member or afford parental leave to care for and bond with a new child.

However, that program must also respect the needs of employers, particularly small employers, to continue operations. The Senate will ensure that any proposal enacted will have a benefit level and duration to achieve the program goals, while addressing the needs of businesses, including but not limited to: consideration of impacts on the temporary disability insurance market, the length of time an employee must be employed in order to qualify for such a benefit, the interplay between this proposal and paid leave which may be offered and the Federal Family Medical Leave Act, the sustainability of the proposed benefit, including

what an appropriate phase-in should be, and whether the funding mechanism is adequate to ensure no direct state budgetary impact.

#### WELFARE INSPECTOR GENERAL, OFFICE OF

##### State Operations (S.6400-B)

- \* The Senate concurs with the Executive All Funds recommendation of \$1.3 million.

#### MISCELLANEOUS ITEMS

The Senate concurs with the Executive recommendation of:

- \* \$200 million for Public Safety and Emergency Response; and
- \* \$3 million for additional Statewide Counter Terrorism efforts.

##### Capital Projects (S.6404-B)

###### Special Infrastructure Account

- \* Modifies the \$200 million for the DOT Capital Plan by eliminating language that allows these funds to be interchanged or transferred to any other capital projects of DOT and reallocating the following:
  - o \$100 million over four years for non-MTA transit capital projects; and
  - o \$60 million over four years for rail freight capital projects.
- \* Supports \$700 million for the Thruway Stabilization
- \* Denies the \$20 million for municipal consolidation and restructuring.
- \* Denies the \$170 million for the Upstate Revitalization Initiative.
- \* Modifies the \$50 million for a comprehensive multi-year program to prevent and address homelessness from the New York State Special Infrastructure Account to the Division of Housing and Community Renewal (DHCR). The funds are intended for a similar purpose in DHCR.
- \* Modifies the \$25 million Empire State Poverty Reduction Initiative as follows:
  - o Include Newburgh, Niagara Falls, Poughkeepsie, Rochester and Schenectady as eligible cities;
  - o Distribute available funds to eligible municipalities on a per-capita basis; and
  - o Require the mayor of each municipality to convene a local coordinating council consisting of relevant municipal officials and representatives from local nonprofits to facilitate planning and implementation of a comprehensive strategy for addressing poverty among the local population.
- \* Reduces the \$85 million for Economic Development Infrastructure by \$33 million to \$52 million

- \* Denies language added to the \$150 million reappropriation from 2015 for municipal restructuring to include a \$100 million Downtown Revitalization Initiative.
- \* Modifies the \$150 million reappropriation from 2015 for Security and Emergency Response services by providing a sub-schedule for use of the funds:
  - o \$63 million for the Division of State Police and the Division of Military and Naval Affairs for counter-terrorism deployment;
  - o \$50 million for the Department of Transportation for the purchase of snow plows and other emergency vehicles;
  - o \$23 million for the Department of Corrections and Community Services, the Division of State Police and the Department of Environmental Conservation Law Enforcement and Forest Protection for the Clinton County Correctional facility prison break of 2015;
  - o \$6 million Buffalo Snow Storm of 2014;
  - o \$4 million for the Division of State Police for Counter-Terrorism equipment and training; and
  - o \$4 million for the New York City Police Department - Active Shooter Response Unit for equipment including ballistic proof vests.

#### Article VII Proposals (S.6405-B)

- \* PART M - The Senate modifies the Executive's proposal to amend the Dedicated Infrastructure Investment Fund (DIIF) to allow for the permanent transfer of settlement funds between the General Fund and the DIIF by providing for a one year extension of such authorization and advancing language to include Buy American provisions within capital infrastructure projects.
- \* PART NN - The Senate advances language to limit the ability of the Port Authority of New York and New Jersey to assess cargo facility fees without an agreement between the carrier and the Port Authority.

The Senate supports reform of the practices by which State Agencies promulgate regulations. Too often the regulations proposed are unduly burdensome and costly, while not serving any public benefit. The Senate will consider areas for reform in the State Administrative Procedure Act, which has created a climate where Emergency Regulations are promulgated for non-emergencies, and impacts on businesses, localities, and individuals are often automatically dismissed as de minimis. If New York is truly to be Open for Business, the state must begin to review its regulatory processes.

#### REVENUE

#### Article VII Proposal (S.6409-B)

- \* PART A - The Senate denies the Executive proposal to convert the STAR benefit into a refundable Personal Income Tax credit for new homeowners.
- \* PART B - The Senate denies the Executive proposal to cap the annual growth of STAR at zero percent.
- \* PART C - The Senate denies the Executive proposal to mandate participation in the income verification procedure for seniors receiving Enhanced STAR or the RPTL 467 exemption.
- \* PART D - The Senate concurs with the Executive to allow for late filing of Enhanced STAR and senior citizens exemptions.
- \* PART E - The Senate concurs with the Executive's proposal to convert the NYC Personal Income Tax STAR credit into a NYS Personal Income

Tax credit.

- \* PART F - The Senate concurs with the Executive to allow the Department of Tax and Finance to remit direct payments to individuals that were not properly granted their STAR benefits.
  - \* PART G - The Senate modifies the Executive's proposal to permanently extend the tax modernization provisions, to extend for one year and denies the Executive's proposal to amend and add new provisions related to tax filing penalties.
  - \* PART H - The Senate concurs with the Executive's proposal to authorize an additional \$8 million in low-income housing credits in FY 2017 through FY 2021.
  
  - \* PART I - The Senate concurs with the Executive's proposal to extend the Hire-A-Vet tax credit for two years.
  - \* PART J - The Senate concurs with the Executive's proposal to extend the Commercial Production tax credit for two years.
  - \* PART K - The Senate concurs with the Executive's proposal to extend the tax credit for companies who provide transportation to individuals with disabilities for six years.
  - \* PART L - The Senate concurs with the Executive proposal to permanently extend the Non- custodial Earned Income tax credit.
  - \* PART M - The Senate modifies the Executive proposal to permanently extend the tax shelter reporting requirements, to extend for one year.
  - \* PART N - The Senate concurs with the Executive's proposal to extend the Clean Heating Fuel tax credit until January 1, 2020 and require that beginning in 2017, to qualify each gallon of clean heating fuel must be at least 6 percent biodiesel.
  - \* PART O - The Senate denies the Executive proposal to extend the Excelsior Jobs Program for five years.
  - \* PART P - The Senate modifies the Executive proposal to provide various amendments to the Corporate Tax reform statute, to include additional technical amendments.
  - \* PART Q - The Senate modifies the Executive proposal to conform the NYS tax filing dates for corporations and partnerships to federal tax law, to also conform the first estimated tax payment filing date for corporations to federal tax law.
  - \* PART R - The Senate modifies the Executive proposal to increase the existing small business/farm exemption from five percent to fifteen percent and expand the exemption to include non-farm LLCs, partnerships, and S-Corp shareholders, to increase the exemption from five percent to twenty percent for farms, increase the income threshold from \$250,000 to \$500,000, and eliminate the employee requirement. In addition, the Senate modifies the Executive proposal to reduce the business income base rate under the Corporate Franchise Tax for small businesses with income less than \$390,000 from 6.5 percent to 4 percent to include businesses with incomes less than \$500,000. Businesses with income between \$400,000 and \$500,000 will have a blended rate, phased in over two years, between 6.5 percent and 2.5 percent and business with income of \$400,000 or less will have a tax rate of 2.5 percent.
- .SO DOC S R4330 RESO TEXT 2015
- \* PART S - The Senate modifies the Executive proposal to create the Education Tax Credits by replacing with the Senate's version.
  - \* PART T - The Senate denies the Executive proposal to create a temporary tax credit for certain taxpayers that incur significant Thruway toll expenses. The Senate is committed to finding an effective and efficient way to reduce the cost of Thruway tolls for farmers.
  - \* PART U - The Senate concurs with the Executive proposal to extend the alternative fuels tax exemptions for five years.

- \* PART V - The Senate concurs with the Executive proposal to extend the beverage tasting sales tax exemption and expand the Beer Production credit to all alcoholic products.
- \* PART W - The Senate denies the Executive proposal to authorize the use of the jeopardy assessment provision to cigarette and tobacco products.
- \* PART X - The Senate concurs with the Executive proposal to streamline the collection of sales tax for room remarketers.
- \* PART Y - The Senate concurs with the Executive proposal to clarify that a decedent's charitable contributions and charitable activities cannot be used to determine a decedent's domicile.
- \* PART Z - The Senate concurs with the Executive proposal to amend state and local taxes on aviation fuel for consistency with federal tax regulations.
- \* PART AA - The Senate denies the Executive proposal to remove certain equine testing provisions.
- \* PART BB - The Senate denies the Executive proposal to reduce certain purse amounts paid from the Video Lottery Terminals (VLT) and increase certain regulatory fees.
- \* PART CC - The Senate concurs with the Executive proposal to streamline the reimbursement process for harness judges and starters.
- \* PART DD - The Senate modifies the Executive proposal to extend the blended rate to a Video Lottery facilities in zone two, regions four and six.
- \* PART EE - The Senate concurs with the Executive proposal to extend for one year the vendor fee rates for a vendor track located in Sullivan County.
- \* PART FF - The Senate concurs with the Executive proposal to extend for one year certain tax rates and simulating provisions to maintain the pari-mutual betting and simulcasting structure in place in New York.
- \* PART GG - The Senate modifies the Executive proposal to extend the Video Gaming vendor's capital awards program for one year; extending the capital award provision to a vendor track located in Sullivan County.
- \* PART HH - The Senate concurs with the Executive proposal to make technical amendments to the Upstate New York Gaming and Economic Development Act.
- \* PART II - The Senate concurs with the Executive proposal to clarify the release of certain aggregate tax reporting information related to the sale of medical marihuana.
- \* PART JJ - The Senate concurs with the Executive proposal to amend the recoupment process for improperly awarded STAR benefits from assessment years to schools years.
- \* PART KK - The Senate concurs with the Executive proposal to reduce the highway use tax registration/decal fee.
- \* PART LL - The Senate advances language to modify the estate tax exemption for farmers and businesses.
- \* PART MM - The Senate advances language to increase the private pension and retirement income exclusion from \$20,000 to \$40,000 over three years.
- \* PART NN - The Senate advances language to make permanent the indexing of the personal income tax brackets, benefit recapture, and standard deduction to the rate of inflation.
- \* PART OO - The Senate advances language to reduce middle class personal income tax rates by twenty-five percent over eight years.
- \* PART PP - The Senate advances language to eliminate the 18-a assessment surcharge by December 31, 2016.
- \* PART QQ - The Senate advances language to make permanent STAR rebate

checks.

- \* PART RR - The Senate advances language to increase the maximum tuition tax credit from \$400 to \$800 and increase the maximum deduction for tuition expenses from \$10,000 to \$20,000, over five years.
- \* PART SS - The Senate advances language to increase the maximum deduction allowed for contributions to 529 college savings from \$10,000 to \$20,000.
- \* PART TT - The Senate advances language to create a state tax deduction for interest paid on student loans equal to the federal deduction amount.
- \* PART UU - The Senate advances language to create an enforcement mechanism for the collection of taxes on motor fuels in regions one and two of the state.
- \* PART VV - The Senate advances language to allow a sales tax exemption for fuel cells.
- \* PART WW - The Senate advances language to increase an agent's cigarette markup fee along with provisions to create a reward system for individuals that report and assist in the prosecution of others for the unlawful possession and sale of cigarettes.
- .SO DOC S R4330 RESO TEXT 2015
- \* PART XX - The Senate advances language to extend the New Market tax credit for an additional five years.
- \* PART YY - The Senate advances language to improve the Long Term Care Insurance tax credit.
- \* PART ZZ - The Senate advances language to modify the Indian Gaming revenue share distribution for the City of Niagara Falls.
- \* PART AAA - The Senate advances language to amend the Jockey Health Trust Fund.
- \* PART BBB - The Senate advances language to authorize the use of reserves funds to cover premium cost related to the New York Jockey Injury Compensation fund.
- \* PART CCC - The Senate advances language to codify the Racing Fan Advisory Council.
- \* PART DDD - The Senate advances language to authorize and regulate Fantasy Sports.
- \* PART EEE - The Senate advances language to regulate payments by a Casino in Central New York to the racing industry.
- \* PART FFF - The Senate advances language to authorize and regulate On-Line Poker.
- \* PART GGG - The Senate advances language to allow Off-Track Betting Corporations to use once per year, capital acquisition funds for operational expenses.
- \* PART HHH - The Senate advances language to require background checks on casino personnel be performed by the State Police and requires the cost of the background check to be borne by the gaming facility.
- \* PART III - The Senate advances language to establish a credit for the construction or rehabilitation of green homes.

The Senate advances a proposal to pass a constitutional amendments to cap State spending at two percent.

The Senate advances a proposal to pass a constitutional amendment to require that any tax increase require a two-thirds majority to pass.

To Senate proposes and requests that consideration be given to the following items:

- \* Increase the volunteer firefighters' and ambulance workers' tax credit from \$200 to \$300 and provide length of service increases;

- \* Establish the New York City Craft Beer tax credit to provide support to New York City's craft breweries (S.6303);
- \* Establish a Digital Gaming Production tax credit;
- \* Establish a credit for the rehabilitation of distressed commercial properties (S.1295A);
- \* Establish a credit and real property tax exemption for the purchase and installation of geothermal energy systems (S.6249 and S.6250);
- \* Provide a tax credit to taxpayers that donate a deer to a nonprofit organization and an income tax deduction to meat processing facilities that butcher the deer for the nonprofit organization (S.4123);
- \* Expand the Child and Dependent Care tax credit (S.1661);
- \* Established a grant program and tax credit to support the hiring of apprentices;
- \* Establish a sales tax exemption for the purchase of cemetery headstones;
- \* Establish a Middle Income Housing tax credit capped at \$25 million to complement the existing Low Income Housing tax credit;
- \* Establish a sales tax exemption on energy efficient equipment and electricity used in production of snow at ski resorts (S.1683-A);
- \* Establish a sales tax exemption for coin operated tire inflation devices.

The Senate affirmatively believes that the tax deduction for contributions to NY ABLE savings accounts that the Executive has expressed should be discussed in the context in the State Budget, are essential to encouraging families of developmentally disabled children to save for their futures.

The Senate supports a review of revenue and tax policy related to New York's existing gaming and racing industry as well as municipalities as a result of the licensing of any new casino so as to maintain and promote the continued viability of the gaming and racing industry within the state.

The Senate supports a review of revenue and tax policy related to New York's existing gaming and racing industry to ensure education funding is not negatively impacted by revenue loss experienced by Video Lottery Terminal facilities as a result of competing commercial casinos and Class III gaming operations.

The Senate supports an impact study of revenue loss experienced by Video Lottery Terminal facilities on horse breeding and thoroughbred funding as a result of competing commercial casinos and Class III operations.

The Senate supports a study on the implications of imposing a post-licensure requirement on commercial casinos to maintain horse breeding and thoroughbred funding levels.

The Senate supports appropriate tax reform to ensure the reasonable financial expectations of commercial casinos are not negatively impacted by certain post-licensure requirements.

The Senate supports a review of the New York Gaming and Economic Development Act for technical changes to clarify obligations of intraregional vendors.

The Senate supports maintaining 2015 race day levels for certain race-tracks receiving an additional commission on Video Lottery Terminal

revenue.

Article VII Proposal (S.6406-B)

\* PART L - The Senate denies the Executive proposal to authorize an additional \$30 million of tax incentive credits allocated in 2016 and 2017.