

New York State Senate

**Report on the Amended State Fiscal
Year 2012-13 Executive Budget**



REPORT ON THE AMENDED EXECUTIVE BUDGET

ALL STATE AGENCIES AND OPERATIONS

Adirondack Park Agency

State Operations (S.6250-B)

- The Senate concurs with the Executive recommendation of \$5,202,000.

Capital Projects (S.6253-B)

- The Senate concurs with the Executive recommendation and provides funding of \$500,000.

Aging, Office for the

State Operations (S.6250-B)

- The Senate concurs with the Executive's recommendation of \$14.2 million.

Aid to Localities (S.6253-C)

The Senate amends the Executive's recommendation of \$228.3 million as follows:

- Restores \$228,500 for the Naturally Occurring Retiring Communities program.
- Restores \$228,500 for the Neighborhood Naturally Occurring Retiring Communities program.
- Adds \$296,145 in funding for the Community Services for the Elderly program.
- Adds \$890,350 in funding for the Expanded In-home Services for the Elderly program.
- Adds \$413,505 in funding for the Senior Nutritional Assistance Program.

Agriculture and Markets, Department of

State Operations (S.6250-B)

- The Senate concurs with the Executive recommendation of \$119,645,000.

Aid to Localities (S.6253-C)

- The Senate amends the Executive recommendation for Aid to Localities as follows:
 - Restores \$100,000 for the Cornell Long Island Rabies Program;
 - Restores \$100,000 for Tractor Rollover Prevention;
 - Restores \$100,000 for the Maple Producers Association;
 - Restores \$50,000 for the Cornell Rabies Program;
 - Restores \$821,000 for the Farm Viability Institute;
 - Provides an additional \$100,000 for Cornell Farm Family Assistance;
 - Provides \$500,000 for North Country Agricultural Development; and
 - Provides \$150,000 for efforts to fight Eastern Equine Encephalitis.

Capital Projects (S.6253-B)

- The Senate concurs with the Executive recommendation of \$3,000,000
- The Senate provides language for reappropriations from the Cornell Grape Genomics Research Facility to be used by the Cornell Experiment Station at Geneva, NY.

Article VII Proposals (S.6258)

- PART L: The Senate accepts the Executive's Article VII proposal that would eliminate the requirement that the New York State Agricultural Experiment Station at Cornell be the exclusive seed testing laboratory in New York.
- PART M: The Senate denies the Executive proposal to authorize the Department of Agriculture and Markets to enter into agreements with governmental and educational entities and be reimbursed for its services.
- PART N: The Senate accepts the Executive proposal to eliminate special revenue funds that support the Consumer Food and the Commercial Feed Licensing Account, shifting these appropriations to the General Fund.
- PART Z: The Senate denies the Executive proposal to authorize dairy market orders to fund activities for assisting dairy farmers through an assessment on milk production.

Alcoholic Beverage Control Board

State Operations (S6250-B)

- The Senate concurs with the Executive appropriation level of \$17.1 million, an increase of \$141,000 from SFY 2011-12 levels.

Audit and Control, Department of

State Operations (S.6250-B)

- The Senate denies \$6.5 million in additional funding for 91 of 98 requested additional full time equivalent employees.

Aid to Localities (S.6253-C)

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

Budget, Division of the

State Operations (S.6250-B)

- The Senate amends the Executive recommendation for State Operations as follows:
 - Denies \$470,000 associated with ten additional positions;
 - Restores \$479,000 for membership dues, to various organizations.

Children and Family Services

State Operations (S.6250-B)

- The Senate modifies the Executive's Recommendation of \$529.1 million, a decrease of \$71,800 or 0.01 percent from SFY 2011-12 levels, as follows:
 - Denies the proposal to establish a new \$15 million 24-hour hotline for the protection of vulnerable persons and reallocates \$2.2 million of the savings for the expansion of 2-1-1.

Aid to Localities (S.6253-C)

- The Senate modifies the Executive’s Recommendation of \$3.26 billion, an increase of \$38.5 million or 1.19 percent from the SFY 2011-12 levels, as follows:
- The Senate restores or adds funding to the following General Fund programs:
 - Child Care Subsidies, add \$9 million
 - Youth Development and Delinquency Program / Special Delinquency Prevention Program / Runaway Homeless and Youth Act (YDDP/SDPP/RHYA), restore \$3.5 million for a total of \$20 million;
 - Child Advocacy Centers, restore \$2.0 million for a total of \$7.2 million;
 - Boys and Girls Club, add \$1.0 million for a total of \$1.0 million.
- The Senate denies the proposal to establish a new \$2.0 million Public/Private Partnership Pilot Program.
- The Senate reduces Detention Services funding by \$4 million and reallocates funds to restore the Community Reinvestment program.
- The Senate modifies the Executive proposal to eliminate the Human Services COLA by suspending the COLA for one year, and requiring the Executive to create a plan, pursuant to legislative approval, for performance-based annual payment adjustments in the future.
- The Senate restores funding for the following Temporary Assistance for Needy Families (TANF) programs within the Office of Temporary and Disability Assistance:
 - Non-Residential Domestic Violence Services: Restore \$1.5 million.
 - Community Reinvestment: Restore \$4.0 million; and
 - Child Care Facilitated Enrollment: Restore \$1.3 million.

Capital Projects (S.6253-B)

- The Senate concurs with the Executive’s Recommendation of \$37.7 million, consistent with SFY 2011-12 levels.

Article VII Proposals (S.6257-B)

- PART F: The Senate amends the Executive’s proposal to extend the current reimbursement structure for child welfare financing for an additional five years as follows:
 - Denies the proposal to reduce State reimbursement for Child Welfare Services in statute from 65 percent to 62 percent;
 - Denies the proposal to add Subsidized Kinship Guardianship Assistance in statute as an allowable expense of the Foster Care Block Grant;
 - Denies the proposal to reduce State reimbursement for Adoption Subsidies in statute from 65 percent to 62 percent; and
 - Continues to notwithstanding statute in appropriation language, for the above changes, to reflect current practice.
- PART G: The Senate amends the Executive’s proposal to implement the “Close to Home” initiative as follows:
 - Authorizes New York City (NYC) to submit a plan to OCFS on their proposal to operate a limited secure system, however eliminates the authority to implement the plan without Legislative approval;
 - Amends the proposal to notwithstanding the 12-month closure notification for one year after OCFS accepts the NYC’s non-secure plan by limiting this provision to only non-secure facilities;
 - Amends the proposal to require dispositional hearings in order for OCFS to “step down” youth in their custody in counties outside of the City of New York; and

- Denies the proposal to remove the authorization of a Family Court Judge to place a youth in a specific voluntary agency outside of the City of New York.

City University of New York (CUNY)

State Operations (S.6250-B)

- The Senate amends the Executive proposal to include \$11 million in tuition revenues that are to be returned to the University as part of the SFY 2009 – 10 budget agreement.
- The Senate proposes a transfer of \$10.8 million from the Income Reimbursable Account to the General Fund.

Aid to Localities (S.6253-C)

- The Senate amends the Executive's proposal to add \$3,814,700 or \$100 per full time equivalent student in base operating aid to CUNY community colleges.

Capital (S.6254-B)

- Recognizing that the current five-year capital plan for CUNY is set to expire in SFY 2012-13, the Senate encourages the development of a plan to address CUNY's ongoing capital needs.

Article VII (S.6257-C)

- PART Q: The Senate proposes to increase base operating aid for CUNY community colleges for the next four fiscal years, provided annual tuition increases do not exceed the consumer price index, and require that the Trustees of each community college report on various performance related measures.

Civil Service, Department of

State Operations (S.6250-B)

- The Senate concurs with the Executive recommendation of \$56,671,000.
- The Senate proposes to realize \$50 million in additional General Fund revenue by accelerating payments from the Federal government to New York State from revenue associated with Employer Group Waiver Plans (EGWP).

Article VII Proposal (S.S.6260-B)

- PART B: The Senate denies the Executive proposal to merge the Department of Civil Service and the Office of Employee Relations into a newly created Department of Workforce Management.

Article VII Proposal (S.6255-C)

- Part H: The Senate will consider modifications to the Executive's pension reform proposal when submitted to the legislature. Enacting fair and equitable pension reform is critical to providing the state and local governments with fiscal relief and driving down property taxes. Maintaining a retirement system that rewards hardworking government employees with a fair and financially secure retirement while maintaining the fiscal integrity of localities and the state should be the end result of any reforms.
- PART M: The Senate denies the Executive's proposal to amend the civil service law in regard to hiring and promotion practices.
- PART S: The Senate proposes a new article VII to eliminate uncertainty in the handling of service charges as they relate to catering and banquet facilities.

Collective Bargaining Agreements

State Operations (S.6250-B)

- The Senate concurs with the Executive recommendation of \$25,038,000.

Commission of Corrections, State

State Operations (S.6250-B)

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

Corrections and Community Supervision, Department of

State Operations (S.6250-B)

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

Aid to Localities (S.6253-C)

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

Capital Projects (S.6253-B)

- The Senate concurs with the Executive recommendation of \$320 million.

Article VII Proposals (S.6255-C)

- Part S: The Senate advances legislation to amend current reporting requirements of the Department of Corrections and Community Supervision.
- Part Y: The Senate advances legislation which provides employees previously in the facility parole officer title to be transferred to an open parole officer or senior parole officer position before that position is filled by a newly hired employee.

Council of the Arts

State Operations (S.6250-B)

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

Aid to Localities (S.6253-C)

- The Senate concurs with the Executive recommendation of \$33,464,000.

Criminal Justice Services, Division of

State Operations (S.6250-B)

- The Senate concurs with the Executive recommendation of \$94.5 million.

Aid to Localities (S.6253-C)

- The Senate concurs with the Executive recommendation of \$161.5 million, with the following modifications:
 - Modifies the Executive recommendation, without prejudice, related to the Federal Edward Byrne Justice Assistance Grant (JAG) appropriation. Alternatively the Senate requests that the Byrne/JAG program be allocated as it has been in previous years.

- Modifies the Executive recommendation, without prejudice, related to the Federal Edward Byrne Justice Assistance Grant (JAG) American Recovery and Reinvestment Act of 2009. Alternatively the Senate request that a portion of the ARRA funds be distributed pursuant to a Senate Resolution.
- Provides \$700,000 for District Attorney Salaries associated with Judicial salary increases.
- Restores funding of \$609,000 for domestic violence programs with the use of the Criminal Justice Improvement Account; Provides \$600,000 for Family Court Domestic Violence services and \$500,000 for training of local law enforcement and judges in Domestic Violence with the use of the Criminal Justice Improvement Account.
- Restores funding of \$650,000 for civil or criminal legal services for domestic violence programs with the use of the Legal Services Assistance Account; Provides \$600,000 for the Indigent Parolee Program from the Legal Services Assistance Account.
- Provides \$250,000 for the purchase of stab-resistant gloves for New York City corrections officers.
- The Senate denies the Executive proposal to provide \$1 million for services and expenses of statewide indigent legal services for persons reentering communities from state prison.

Article VII Proposals (S.6255-C)

- Part A: The Senate concurs with the Executive proposal to expand the DNA Databank.
- Part B: The Senate concurs with the Executive proposal to eliminate the Combined Ballistic Identification System (CoBIS).
- Part C: The Senate concurs with the Executive proposal to require that the trial date for a traffic violation must be a date subsequent to the date of an initial appearance.
- Part D: The Senate denies the Executive proposal to provide more flexible probation sentencing options for the courts.
- Part E: The Senate modifies the Executive proposal to expand the authority of State judges to order the forfeiture of proceeds in a sentencing by including additional third party provisions.
- Part F: The Senate concurs with the Executive proposal to continue provisions relating to the disposition of certain monies recovered by county district attorneys.
- Part V: The Senate advances language to require the State to fund any increase to counties required for District Attorney salary increases triggered by judicial salary increase.

Deferred Compensation Board

State Operations (S.6250-B)

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

Economic Development, Department of

State Operations (S.6250-B)

- The Senate concurs with the Executive recommendation of \$4,879,000 for the Administration Program.
- The Senate concurs with the Executive recommendation of \$385,000 for the Clean Air Program.
- The Senate denies \$1,000,000 for the Economic Development Program to pay for the administrative costs of the regional economic development councils.
- The Senate restores \$660,000 in funding for services and expenses of the tourism marketing program.

Aid to Localities (S.6253-C)

- The Senate concurs with the Executive recommendation of \$30,594,000 for the High Technology Program.
- The Senate adds \$340,000 for the Marketing and Advertising Program to provide additional funding for local tourism matching grants.
- The Senate concurs with the Executive recommendation of \$343,000 for the Science and Technology Law Center.
- The Senate concurs with the Executive recommendation of \$7,470,000 for the Training and Business Assistance Program

Article VII Proposals (S.6258-C)

- PART U: The Senate concurs with the Executive proposal to expand the Linked Deposit Program to include agri-businesses.

Department of Education

State Operations (S.6250-B)

- The Senate concurs with the Executive recommendation of \$582,345,000.

Aid to Localities (S.6253-C)

- The Senate includes the following modifications to the Executive's recommendations:
 - Reduces the \$250,000,000 for performance grants to \$50,000,000.
 - Includes an additional \$16,000,000 for Nonpublic School Aid.
 - Includes \$5,000,000 for the High Achieving School Senate Program.
 - Includes \$100,000 for North Country Cultural Center for the Arts.
 - Includes an additional \$3,160,000 for library aid.
 - Includes \$500,000 for the Center for Autism and Related Disorders
 - Includes \$450,000 for the Council on the Humanities.
 - Restores \$3,480,000 for Higher Education Opportunity Program Awards.
 - Restores \$1,700,000 for Liberty Partnerships Program Awards.
 - Restores \$1,000,000 for the Missing Children Program.
 - Restores \$235,000 for the Just for Kids Program.
 - Restores \$100,000 for National History Day.
 - Adds \$275 million to provide property tax rebates for the Senior Star Rebate Program.
 - Provides language to expand the use of reappropriate funds.

Capital Projects (S.6253-B)

- The Senate concurs with the Executive Recommendation of \$17,400,000.

Article VII Proposals (S.6257-D)

- The Senate concurs with the Executive's proposal to require that Teacher and Principal Annual Professional Performance Reviews be implemented on or before January 17, 2013 in order to receive increases in school aid, however, adds provisions requiring a rigorous explanation of deficiencies if a plan is denied, a 10 day time line for the review of resubmitted plans, flexibility

for high performing schools, and incentive aid for those costs required by 3012-c of the education law that are in excess of the prior year expenditures.

- The Senate concurs with the Executive's proposal to provide for expedited Annual Professional Performance Review appeals in New York City.
- The Senate modifies the Executive's Gap Elimination Adjustment. The Senate denies an additional \$200 million for performance grants and reprograms the funding by modifying the Executive's Gap Elimination Adjustment to further target low wealth, rural, and high needs school districts in an attempt to achieve regional balance.
- The Senate concurs with the Executive's proposal to restore \$290 million of the Gap Elimination Adjustment.
- The Senate modifies Contract for Excellence to only include cities with a population of one million or more.
- The Senate concurs with the Executive's building aid forgiveness plan to allow districts to receive building aid for those years in which a final cost report was not filed with the State Education Department.
- The Senate includes language to require a study to be conducted by the Comptroller to report on the issues surrounding financially distressed school districts.
- The Senate includes provisions to authorize for-profit businesses and corporate entities to establish Charter Schools.
- The Senate includes multiple changes to New York City transportation requirements for public and non public schools for children attending kindergarten through eighth grade.
- The Senate includes incentives for school districts to purchase electric buses through NYSERDA and incentives for school districts to reduce transportation costs.
- The Senate includes the expansion of aidable services for BOCES as well as flexibility in contracting provisions.
- The Senate corrects technical errors in transportation contracting.
- The Senate includes a requirement that any students with parents who participate in social services programs be automatically enrolled in the Free and Reduced Price Lunch Program.
- The Senate includes academic incentives to high achieving schools.
- The Senate includes an allowance for Universal Pre Kindergarten programs to correct administrative errors and receive withheld funding.
- The Senate includes a requirement that Schools for the Blind and Deaf be reimbursed by the district of the student's residence, rather than the student's district of origin.
- The Senate includes various allowances for school districts unable to complete the required one hundred and eighty days of school instruction required by law.
- The Senate includes authorization for multiple school districts to establish a regional high school with additional incentive aid.
- The Senate modifies the Executive's proposal to shift a portion of the County growth in preschool special education cost to the State and school districts.
- The Senate denies the Executive's proposal to create an arm's length distance between preschool special education service evaluators and providers as well as requiring the consideration distance of an available program from a child's residence when placing the child.
- The Senate denies without prejudice the Executive's proposal to shift a portion of costs in program growth for early intervention pre-schools to school districts.
- The Senate denies without prejudice the Executive proposal to require school districts to purchase school buses from the State contract.

- The Senate concurs with the Executive proposal to reform the teacher disciplinary process, but denies the sharing of costs with schools, teachers and collective bargaining units.
- The Senate denies without prejudice the Executive's proposal to freeze the School aid run to the November database.
- The Senate denies without prejudice the Executive's proposal to include bonus points for management efficiency grants for those districts that submit a teacher and principal evaluation process before September 1, 2012.
- The Senate extends allowing school districts to access the excess of their Employee Benefit Accrued Liability Reserve Fund for 2012-13.
- The Senate repeals the section of law requiring BOCES to return funds in the Employee Benefit Accrued Liability Reserve Fund to component school districts.
- The Senate provides increased Library funding in order to offer adult literacy programs.
- The Senate provides an exemption to libraries and library systems from the MTA Payroll Tax.

Developmental Disabilities Planning Council

State Operations (S.6250-B)

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

Elections, State Board of

State Operations (S.6250-B)

- The Senate concurs with the Executive recommendation of \$5,305,000.

Aid to Localities (S.6253-C)

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

Empire State Development Corporation

Aid to Localities (S.6253-C)

- The Senate denies without prejudice the Executive recommendation of \$50,400,000 for the Empire State Economic Development Fund in order to review the process by which projects are identified and funded.
- The Senate denies without prejudice the Executive recommendation of \$16,200,000 for the Jobs Now Program in order to review the process by which projects are identified and funded.
- The Senate includes \$5,000,000 in funding for military base retention.

Capital Projects (S.6253-B)

- The Senate denies without prejudice the proposal to provide funding of \$250,000,000 for the SUNY College for Nanoscale and Science Engineering until a plan for the multi-region investment is established.
- The Senate concurs with the Executive recommendation of \$110,000,000 for the NY SUNY 2020 Challenge Grant Program.
- The Senate concurs with the Executive recommendation of \$25,000,000 for the video lottery terminal facility at Aqueduct.
- The Senate denies without prejudice the proposal to provide funding of \$75,000,000 for the New York Works Economic Development Fund pending identification of the use of the funding.

- The Senate denies without prejudice the proposal to provide funding of \$130,000,000 for allocation by the regional economic development councils.
- The Senate provides funding of \$9,000,000 for the Western New York Science Technology Advanced Manufacturing Park

Article VII Proposals (S.6258-C)

- PART Q: The Senate denies the authorization for the sale of property of the New York Convention Center Operating Corporation and the deposit of the proceeds of such sale into the General Fund.
- PART R: The Senate amends the proposal to permanently authorize UDC to issue loans; instead, extending such authorization for one year.
- PART S: The Senate amends the proposal to make the Economic Development Fund permanent; instead, extending the Fund for one year.
- PART T: The Senate denies the proposal to provide UDC with general grant making authority.
- PART AA: The Senate approves the proposal to increase the cap on the cost recovery assessment from \$60 million to \$62 million.
- PART BB: The Senate denies the proposal to allow the Dormitory Authority to provide financing and construction services to any state agency or any public corporation in the State.
- PART MM: The Senate proposes to include veteran owned businesses under the Minority and Women Owned Business Enterprise program.

Employee Relations, Office of

State Operations (S.6250-B)

- The Senate denies \$1.1 million in requested additional funding for three full time equivalent employees.

Energy Research and Development Authority

State Operations (S.6250-B)

- The Senate concurs with the Executive recommendation of \$8,090,000.

Aid to Localities (S.6253-C)

- The Senate concurs with the Executive recommendation of \$8,140,000.

Capital Projects (S.6253-B)

- The Senate concurs with the Executive recommendation of \$14,000,000.

Article VII Proposals (S. 6258-C)

- PART O: The Senate concurs with the Executive proposal to transfer \$913,000 from the unrestricted corporate funds of the Authority to the State General Fund to offset New York's debt service requirements related to the Western New York Nuclear Service Center.
- PART P: The Senate concurs with the Executive proposal to authorize the Authority to finance a portion of its activities, as well as the Department of Environmental Conservation's Climate Change Program, through an annual assessment on gas and electric corporations.
- Part DD: The Senate denies, without prejudice, the Executive's proposal to require the recording of a declaration to provide notice to prospective purchasers of real property of a charge on the

utility meter associated with an on-bill loan to enable the State to devise a more effective method to ensure that on-bill loan repayment programs will be less subject to voluntary defaults.

Department of Environmental Conservation

State Operations (S.6250-B)

- The Senate amends the Executive's proposal to fund the Department of Environment Conservation's state operations level of \$433,666,000 by an additional \$5,070,000 to support programs in the Conservation Fund to better reflect Senate priorities.

Aid to Localities (S.6253-C)

- The Senate amends the Executive's proposal to fund the Department of Environment Conservation's Aid to Localities efforts at a \$1,676,000 through an addition of \$400,000 to restore and augment the Cornell Community Integrated Pest Management Program.

Capital Projects (S.6253-B)

- The Senate concurs with the Executive proposal for \$609,143,000 in capital project funding, but urges amendments to the Environmental Protection Fund to better reflect Senate priorities including increasing efforts for invasive species eradication.

Article VII Proposals (S. 6258-C)

- PART H: The Senate amends the Executive proposal to streamline license and tag requirements by denying the re-imposition of the surf-clam and quahog fee that expired on April 1, of 2010.
- PART J: The Senate concurs with the Executive's proposal to incent the recycling of hazardous waste and hazardous wastewater through greater recycling efforts.
- PART HH: The Senate advances legislation that extends the moratorium on the collection of saltwater fishing licenses fees for another two years until December 31, 2014.
- PART II: The Senate advances legislation to transfer unredeemed deposits collected under the Returnable Container Act (Bottle Bill) from the General Fund to the Environmental Protection Fund beginning in SFY 2013-14 at the rate of \$20 million a year until the Fund reaches a supportable spending level of \$250 million a year.
- PART JJ: The Senate advances legislation to delay the implementation of the Diesel Emission Reduction Act by three years to provide an opportunity for better technologies to capture the market.
- PART OO: The Senate advances legislation to authorize the use of gift cards to be redeemed for the purchase of fishing and hunting licenses.
- PART PP: The Senate advances legislation to ensure the sustainability of State forests through a rational downed tree marking and harvesting program.
- PART UU: The Senate advances legislation to amend the New York State Returnable Container Act to clarify and streamline the responsibilities of deposit initiators, redemption centers and dealers (retailers) in order to increase the accuracy of container counts, and to make the operation of the bottle and can redemption system less labor intensive and more cost effective.
- PART VV: The Senate advances legislation to extend the implementation deadline for the reduction of sulfur contents for home heating oil by three years until July 1, 2015 so that the measure will not produce such a substantial drag on the State's economic recovery and employment prospects.
- PART XX: The Senate advances legislation to encourage the repowering of aging power plants serving Long Island through providing incentives for such repowering via the Brownfield Cleanup

Program. This measure would protect the property tax base for schools and municipalities for many communities where such plants are sited, and encourage the remediation and redevelopment of the former Shoreham nuclear facility.

Article VII Proposals (S. 6260-B)

- PART D: The Senate concurs with the Executive proposal to eliminate or merge redundant or inactive various environmentally related boards and commissions.

Environmental Facilities Corporation

State Operations (S.6250-B)

- The Senate amends the State Operations Bill to ensure that the Environmental Facilities Corporation expenses remain in the State Budget by restoring an appropriation of \$12,310,000.

Capital Projects (S.6253-B)

- The Senate amends the Executive's Capital proposal to ensure that Environmental Facilities Corporation capital remains under Legislative and Office of the State Comptroller oversight, and provides a \$343,000 appropriation for this purpose.

Article VII Proposal (S.6258-C)

- Part K: The Senate denies, without prejudice, the Executive proposal to remove State Operating Support to the Environmental Facilities Corporation with respect to the Clean Water and Clean Drinking Water State Revolving Funds from the State Budget, and shift relating funding to internal Corporate control.

Executive Chamber

State Operations (S.6250-B)

- The Senate concurs with the Executive recommendation of \$17,854,000.

Financial Services

State Operations (S.6250-B)

- The Senate concurs with the Executive appropriation level of \$326.6 million, a decrease of \$2.8 million from SFY 2011-12 levels.

Aid to Localities (S.6253-C)

- The Senate concurs with the Executive appropriation level of \$225.6 million, no change from SFY 2011-12 levels.

General Services, Office of

State Operations (S.6250-B)

- The Senate amends the Executive recommendation of \$984,286,000 to:
- reduce requested non-cash backed Internal Services Fund appropriation authority from \$500 million to \$300 million; and

- Deny \$1 million in additional funding for 14 full time equivalent employees.

Capital Projects (S.6253-B)

- The Senate concurs with the Executive recommendation of \$82,000,000.

Article VII Proposal (S.6255-C)

- PART L: The Senate amends the Executive proposal related to procurement to:
 - maintain the oversight role of the State Comptroller at its current level;
 - Remove language permitting the interchange of “lowest price” and best value;
 - Remove language authorizing state agencies to require electronic bid submission;
 - Require the Commissioner of the Office of General Services to complete a study before identifying a quantifiable factor to award additional credit to small businesses and minority-women owned businesses that are submitting bids for contracts with state agencies; and,
 - Extend the Procurement Stewardship Act until June 30, 2013 as opposed to making it permanent.

General State Charges

State Operations (S.6250-B)

- The Senate denies the Albany Pilot project payment of \$7.85 million.

Article VII Proposal (S.6255-C)

- PART I: The Senate concurs with the Executive proposal to require that active and retired employees of public authorities share in the cost of Medicare Part B premiums in the same manner as State employees.
- PART K: The Senate denies the Albany South Mall PILOT payment increase of \$7.85 million.

Greenway Heritage Conservancy of the Hudson River Valley

State Operations (S.6250-B)

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

Health, Department of

State Operations (S.6250-B)

- The Senate modifies the Executive’s recommendation of \$2.2 billion as follows:
 - Denies the Executive’s proposal to create an Electronic System for Death Registry.

Aid to Localities (S.6253-C)

The Senate modifies the Executive’s recommendation of \$106.7 billion as follows:

- Provides \$48.2 million to reinstate provisions of the Elderly Pharmaceutical Insurance Coverage Program.
- Denies the proposal to require the Child Health Plus program to cover Early Intervention services, and achieve \$1.2 million in savings.
- Increases funding for the following programs:
 - \$1,000,000 for Infertility Services programs; and
 - \$299,500 for the Maternity and Early Childhood Foundation.
- Provides new funding for the following programs:

- \$678,000 for Public Pain Management and Education;
- \$500,000 for Women’s Health and Wellness programs;
- \$372,000 for the Niagara Health Quality Coalition;
- \$50,000 for Epilepsy Foundation for Northeastern New York; and
- \$50,000 for a Tele-health Demonstration project.
- Denies the Executive proposal to make SFY 2012-13 the first year of a new two-year Medicaid budget cycle, and reduces Medicaid appropriations by \$52.0 billion.
- Denies the proposal to cap Medicaid Administration reimbursement, and requires the Executive to achieve \$23 million in savings through administrative mandate relief actions.
- Modifies the Executive’s proposal to take over the growth of the local share of Medicaid expenditures by providing localities with fiscal relief in SFY 2012-13, and provides \$36.8 million.
- Denies the Executive’s proposal to eliminate Spousal Refusal and restores \$34.3 million.
- Denies the Executive’s proposal to expand Medicaid services, and achieves savings totaling \$8.0 million.
- Denies the proposal to establish a Primary Care Service Corps Loan Practitioner Loan Repayment program, and achieves \$500,000 in savings.
- Delays the implementation of the Supportive Housing Program to achieve savings of \$52.5 million, and sub allocates an additional \$5 million to the Division of Housing and Community Renewal (DHCR).
- Modifies the Executive’s proposal for Hospital Transition funding by redirecting \$25 million for increased hospital funding under Medicaid, and by repurposing \$25 million to achieve additional savings.
- Eliminates duplicative reporting funding and achieves \$1.3 million in savings.
- Provides \$2.6 million associated with amending the definition of Medicaid estates.
- Provides \$2 million to establish a Diversion Pilot Program for detoxification of opioid prescription pain medication on an out patient or short term, non-medical residential basis in the following four regions: Western New York; Central New York; Staten Island; and Long Island. The Senate estimates this program will offset \$2 million in inpatient Medicaid expenditures.
- Provides \$1.2 million associated with critical access hospitals.
- Provides \$11.3 million for establishing provider prevails for Medicaid managed care.
- Achieves \$4.9 million in savings associated with advancing non-controlled substance legislation.
- Achieves \$1.5 million in savings associated with the proposed increase to Medicaid copayments for non-emergent care.
- Achieves \$100 million in savings by maximizing Federal revenue.

Article VII Proposals (S.6256-C)

The Senate modifies Executive Article VII proposals as follows:

- Modifies the proposal to implement Early Intervention reforms by only accepting the provision that would establish a Statewide fiscal intermediary to handle billing and payments.
- Denies, without prejudice, the Executives proposals to:
 - Establish an Electronic System for Death Registry outside of New York City;
 - Require Roswell Park Cancer Institute to become financially independent from the State by SFY 2014-15;
 - Establish a New York State Health Benefit Exchange; and
 - Limit the Excess Medical Malpractice Coverage Pool.
- Modifies the Executive’s proposal to eliminate the growth of the local share of Medicaid and to take over the administration of the Medicaid program as follows:

- Provides counties with immediate fiscal relief by modifying and providing additional relief in 2013-14 – over 5 years the plan will save counties \$1.2 billion, the same as the Executive proposal. The Executive proposal to eliminate the local growth of Medicaid expenditures in SFY 2012-13;
- In addition to the takeover of local Medicaid growth, and optional program to assume the local Medicaid share will provide counties with \$1.25 in local Medicaid share relief for every \$1.00 in tax revenues returned to the State. Under the plan, counties could see their Medicaid local share further reduced.
- Denies the Executive’s proposal to cap reimbursement to localities for Medicaid administrative costs; and
- Requires localities to pass-through savings associated with the takeover of local Medicaid growth to tax payers in the form of property tax relief.
- Modifies the Executive’s proposal to implement Medicaid Redesign Team Phase II proposals as follows:
 - Modifies the proposal to reinvest General Fund savings derived from inpatient hospital or nursing home bed decertification and/or facility closures into a new supportive housing development reinvestment program by requiring DOH to establish a plan on how funds would be allocated and by reprogramming \$5 million of the funds to DHCR;
 - Modifies the proposal to allow Assisted Living Programs (ALPs) to contract with more than one long-term home health care program, certified home health agency and/or other qualified provider by clarifying the reimbursement of ALPs for pre-admission assessments;
 - Modifies the proposal to repeal social service law requiring establishment of assisted living program beds following the decertification of an equal or great number of nursing home beds. The amendment allows the ALP program to continue to expand the number of beds without the requirement that a nursing home bed must be eliminated in order for an ALP bed to become available;
 - Modifies the proposal to extend Medicaid coverage by denying the expansion that would include harm reduction counseling to reduce the adverse health consequences associated with drug use, smoking cessation by dentists, and Hepatitis C wrap-around services;
 - Modifies the proposal to expand enteral formula therapy to persons with a diagnosis of HIV infection, AIDS or HIV-related illness, by expanding it to persons with diabetes, renal failure, and cancer;
 - Modifies the proposal to allow HIV special needs plans to enroll related children up to age 21 and other high needs populations, as determined by the Commissioner, by requiring the Department to establish a plan on which “high needs” populations would be included;
 - Denies the proposal to require chains of five or more pharmacies to provide translation language services to individuals with limited English proficiency;
 - Denies the proposal to require coordination of service delivery by community based organizations among providers and plans using health information technology and uniform screening criteria for perinatal risk;
 - Denies the proposal to establish a new Primary Care Service Corps Practitioner Loan Repayment Program;
 - Denies the proposal to require 120-days notice to the public health and health planning council if a not-for-profit hospital corporation wants to make a change in the board of directors;

- Denies the proposal to authorize the Commissioner to temporarily appoint members of the board, and suspends or limits an operating certificate of a not-for-profit corporation without a hearing under certain conditions;
- Denies the proposal to require that board members subject to indictment or action for removal shall immediately and completely cease and withdraw from participation in the management, governance or operation of the hospital;
- Modifies the proposal to authorize the Commissioner to appoint a temporary operator of a facility in the event of severe management failures that endanger the life, health or safety of residents or patients by narrowing the scope and powers of the Commissioner as it relates to taking over the operation of a facility;
- Modifies the proposal to extend the authority of the Dormitory Authority of the State of New York to establish one more subsidiaries to reduce potential liability by limiting the extension to medical facilities only, and by sunseting the provision in three years;
- Denies the proposal to replace references to the Elderly Pharmaceutical Insurance Coverage (EPIC) panel with “Commissioner” to reflect amendments in the SFY 2011-12 budget that eliminated the panel;
- Modifies the proposal to authorize DOH to promulgate regulations for bed hold payments by requiring the Department to establish a bed hold plan that is subject to Legislative approval, and by eliminating the authority of the Commissioner to eliminate bed holds if CMS denies the State’s plan;
- Denies the proposal to change home care workforce recruitment and retention funds;
- Denies the proposal to eliminate the requirements of DOH to post certain information on their website related to meetings of the Pharmacy and Therapeutic Committee;
- Modifies the proposal to limit the Medicaid co-insurance for Medicare-covered Part B services when the total co-insurance amount would exceed the amount Medicaid would have paid using a Medicaid rate for all qualified individuals by sunseting this provision in 2014;
- Denies the proposal to extend funding under the Health Care Efficiency and Affordability Law for New York (HEAL-NY) to diagnostic and treatment;
- Modifies the proposal to extend the Commissioner’s authority to issue regulations limiting reimbursement for potentially preventable conditions and complications to the outpatient setting by stipulating that none of the quality measures shall include any preventable conditions and complications not identified for Medicare non-payment, or limited payment;
- Modifies the proposal to require managed care programs, managed long term care programs, and care coordination models to offer consumer directed personal assistance programs to enrollees by making this change permissive;
- Denies the proposal to require counties that have implemented a mandatory managed care program to use the Statewide enrollment broker;
- Modifies the proposal to eliminate the requirement for applicants that operate managed long term care plans be a hospital, certified or licensed home care agency, health maintenance organization or not-for-profit organization with a history of providing or coordinating health care and long-term care services to the elderly and disabled persons by providing increased flexibility for applicants;
- Denies the proposal to prohibit a spouse or parent from refusing to contribute any available income or assets towards the cost of health care services being provided to a spouse or family member;
- Modifies the proposal to extend the Medicaid Global Spending Cap through SFY 2013-14 and accommodates increased costs to the State for beginning the takeover of local

- Medicaid spending growth by denying the extension of the Medicaid Cap and require a Comptroller audit on the current cap;
 - Denies the proposal to authorize the Commissioner to promulgate rules and regulations to award the Empire Clinical Research Investigation Program (ECRIP) grant on and after April 1, 2013; and
 - Denies the proposal to clarify that local governments cannot make claims for “overburden aid” if incurred prior to January 1, 2006 when the local cap statute took effect.
- Advances new MRT Phase II legislation to:
 - Establish a workgroup on Medicaid reimbursement for medically fragile children;
 - Extend the time frame for which certain homecare providers for Medical assistance recoupments and reductions may be paid;
 - Establish a rate enhancement for rural hospitals designated as critical access centers;
 - Stipulate that no more than 50 percent of Health care Efficiency and Affordability Law of New Yorkers (HEAL NY) funds can be distributed to a particular economic region;
 - Establish a methodology to share savings in the event that Medicaid spending is under the Global Cap;
 - Require a study on the establishment of Long Term Acute Care Hospital (LTACS) in New York State;
 - Clarify the survey requirements for Office of Mental Health regulated hospitals;
 - Establish prescriber prevails for Medicaid managed care;
 - Increase copayments for non-emergent emergency room services;
 - Establish up to seven demonstration projects to develop, evaluate, and implement a flexible approach to allowing equity investors to invest in and hold an equity interest as operators of healthcare facilities; and
 - Remove the capital component from managed long term care plan reimbursement.
- Advances legislation to:
 - Repeal the expanded definition of estates under Medicaid;
 - Establish criteria for telemedicine credentialing and providers;
 - Establish a rural home tele-health delivery demonstration;
 - Provide safeguards to the initial implementation of mandatory enrollment of managed long term care;
 - Repeal the Clifton Fine Health Care Public Benefit Corporation, and provide for the transfer of assets and powers to a not-for-profit corporation;
 - Increase the percentage of State reimbursement for aerial spraying for mosquitoes on State land to one-hundred percent.
 - Establish a prescription pain medication awareness program to educate the public and health care practitioners about the risks associated with prescribing and taking controlled substance pain medication;
 - Streamline the application process for distribution of the funds under the Doctor’s Across New York program;
 - Advances provisions related to amnesty for penalties for surcharges and assessments;
 - Establish a process for limited or administrative review for any eligible capital projects under Federally Qualified Health Centers;
 - Establish a pilot program for detoxification of opioid prescription pain medication on an outpatient or non-medical residential short term stay basis;

- Direct the Commissioner of Health to develop regulations regarding facilitating and regulating the use of a triage system of care and require the commissioner to submit a report to the Temporary President of the Senate and the Speaker of the Assembly within one year.
 - Establish and clarify that a “qualified independent clinic” can benefit from the general hospital indigent care pool in the same manner as a “qualified hospital-controlled diagnostic and treatment center”; and
 - Extend provisions for risk based capital and create a new fund standard for Medical Malpractice Carriers by 2015.
- Advances legislation to require the Division of Budget, in consultation with the Office of the State Comptroller, to report to the Legislature on the actual fiscal impact of previous significant budgetary actions.
 - Advances legislation to require the Department of Health to report to the Legislature on the implementation of safety protocols and a review of non-essential Medicaid benefits, including recommendations.
 - Advances legislation to require excess medical malpractice coverage to be purchased by New York admitted carriers.

Article VII Proposals (S.6260-B)

- Denies the Executive’s proposal to consolidate emergency medical services councils and boards.

Capital Projects (S.6253-B)

The Senate modifies the Executive’s recommendation of \$39.7 million as follows:

- Restores the \$25 million funding allocation for the Roswell Park Cancer Institute.

Miscellaneous: Supports the advancement of comprehensive proposals that would ensure the continued success and viability of the Long Term Home Health program, and other long term care programs, as the State moves to a system of managed long term care. Such proposals must include:

- A system of safeguards for patients enrolled in managed long term care to ensure continuity of care, appropriate utilization of services, and quality benchmarks;
- A comprehensive and thoughtful analysis of the implementation of managed long term care including its effectiveness, how services are accessed and utilized, the enrollment process, quality of care, adequacy of reimbursement and how the system integrates with other components to ensure continuity of care. The results of the analysis should be reported to the legislature, the Governor, and to stakeholders for review and comment, and for potential legislative action; and
- A system of reimbursement that would allow unique programs, such as the Long Term Home Health Care Program, continue to interoperate with the State’s long term care system. The system should include adequate and responsible reimbursement, which may include an episodic payment methodology, that results in the continuation of a stable and consistent system of care.

Higher Education Services Corporation (HESC)

State Operations (S.6250-B)

- The Senate denies the Executive proposal to transfer the debt collection functions of HESC to the Department of Taxation and Finance.

Aid to Localities (S.6253-C)

- The Senate concurs with the Executive's proposal.

Homeland Security and Emergency Services, Division of

State Operations (S.6250-B)

- The Senate concurs with the Executive recommendation of \$64.2 million.

Aid to Localities (S.6253-C)

- The Senate concurs with the Executive recommendation of \$1.5 billion, with the following recommendation:
 - The Senate recommends the redirection of \$5 million for county expenses associated with the operation of Public Safety Answering Points (PSAPs) from the Interoperable Communications Grant Program.

Article VII Proposals (S.6255-C)

- Part G: The Senate modifies the Executive's proposal that would clarify municipalities responsibilities when they receive or offer aid through Intrastate Mutual Aid Program (IMAP) as follows:
 - Clarifies the line of succession if the director of the State Office of Emergency Management is unable to exercise the authority given to the disaster preparedness commission; and
 - Puts forth a mechanism for a municipality to request that the temporary organization assume direction of a local disaster response. Clarifies that the temporary organization's assumption of a local disaster response is for a specified period of time which may be extended in consultation with the municipality.
- Part W: The Senate advances legislation to provide counties, who are not eligible for grants, to be reimbursed for expenses relating to local PSAP operations.

Housing and Community Renewal

State Operations (S.6250-B)

- The Senate modifies the Executive's recommendation of \$97.69 million, an increase of \$5.7 million or 6.2 percent from SFY 2011-12 levels as follows:
 - The Senate denies the creation of a new Tenant Protection Unit, and reduces funding of the Office for Rent Administration by \$4.8 million.

Aid to Localities (S.6253-C)

- The Senate modifies the Executive's recommendation of \$18.7 million, a decrease of \$2.5 million or 11.9 percent from SFY 2011-12 levels as follows:

- The Senate restores and increases funding to the Neighborhood Preservation and Rural Preservation Programs, as follows:
 - \$11,997,000 for the Neighborhood Preservation Program
 - \$4,964,000 for the Rural Preservation Program
- The Senate provides \$25 million for the Foreclosure Prevention Program.
- The Senate reduces the Rural Rental Assistance Program by \$3.5 million to \$16.1 million.

Capital Projects (S.6253-B)

- The Senate modifies the Executive’s All Funds recommendation of \$74.2 million, consistent with SFY 2011-12 levels as follows:
- The Senate increases funding to the following Capital programs:
 - \$4 million for the Access to Home Program;
 - \$1 million for the RESTORE program; and
 - \$3.5 million for the Main Street program.

Hudson River Valley Greenway Communities Council

State Operations (S.6250-B)

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

Aid to Localities (S.6253-C)

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

Human Rights

State Operations (S.6250-B)

- The Senate concurs with the Executive’s All Funds recommendation of \$18.7 million, a decrease of \$2.5 million or 11.9 percent from SFY 2011-12 levels.

Indigent Legal Services, Office of

State Operations (S.6250-B)

- The Senate reduces personal service by \$400,000.

Aid to Localities (S.6253-C)

- The Senate concurs with the Executive recommendation of \$77 million.

Article VII Proposals (S.6255-C)

- Part U: The Senate advances language to allow \$6 million for upstate counties which have high volume of indigent defense caseloads. The Senate advances language to continue to provide support for indigent legal services, by changing the current formula to allow counties to receive 50 percent of the amount received in 2010 annually and the remainder of funds through grants; and the City of New York is capped at \$40 million.

Inspector General, Office of the State

State Operations (S.6250-B)

- The Senate denies \$210,000 in additional funding for three full time equivalent employees.

Insurance and Securities Funds Reserve Guarantee

State Operations (S6250-B)

- The Senate concurs with the Executive's proposed appropriation level of \$1.6 billion, no change from SFY 2011-12 levels.

Interest on Lawyers Account

State Operations (S.6250-B)

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

Aid to Localities (S.6253-C)

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

Judiciary

State Operations (S.6250-B)

- The Senate concurs with the Executive recommendation of \$1,855,349,975.

Aid to Localities (S.6253-C)

- The Senate amends the Executive recommendation for Aid to Localities as follows:
 - The Senate directs \$2,500,000 to the Justice Court Assistance Program to be used for security upgrades.

Judicial Commissions

State Operations (S.6250-B)

- The Senate concurs with the Executive recommendation of \$5,452,000.

Labor, Department of

State Operations (S.6250-B)

- The Senate concurs with the Executive recommendation of \$750,585,000.

Aid to Localities (S.6253-C)

- The Senate amends the Executive recommendation of \$4,474,626,000 to provide \$4.2 million in additional funding for workforce initiatives.

Law, Department of

State Operations (S.6250-B)

- The Senate concurs with the Executive recommendation of \$215,278,000.

Lieutenant Governor, Office of the

State Operations (S.6250-B)

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

Local Government Assistance

Aid to Localities (S6253-C)

- The Senate amends the Executive's proposed appropriation level as follows:
 - Add \$40,000 for Miscellaneous Financial Assistance.
 - Add \$15.7 million for Municipal Financial Reform Aid.

Miscellaneous Appropriation

- The Senate amends by adding \$6 million for the reimbursement of New York City Off Track Betting Retiree Health Benefits.

Article VII Proposal (S.6255-C)

- PART T: The Senate proposes authorizing Nassau and Suffolk counties to raise the amount of traffic-control signal photo violation-monitoring devices operating in their respective counties from 50 to 100.
- PART X: The Senate proposes legislation that reimburses New York City for costs associated with providing New York City Off Track Betting retirees health benefits.

Miscellaneous

- Allocates \$275 million to provide property tax relief for Senior STAR Program
- The Senate supports advancement of a proposal that respects local finance decisions, ensures community participation and brings uniformity and simplicity to the process by which local citizens determine how best to fund their local governments.

Lottery

State Operations (S.6250-B)

- The Senate concurs with the Executive's proposed appropriation level of \$102.7 million, an increase of \$12.9 million from SFY 2010-11 levels.

Article VII Proposal (S.6260-B)

- PART A: The Senate denies without prejudice the merger of the Division of Lottery and Racing and Wagering Board into a newly created New York State Gaming Commission.

Medicaid Inspector General, Office of

State Operations (S.6250-B)

- The Senate concurs with the Executive's recommendation of \$75.9 million.

Mental Health, Office of

State Operations (S.6250-B)

- The Senate denies the Executive's recommendation to allow for outpatient capacity restoration of felony defendants or restoration at psychiatric units of local jails, or hospitals.

Aid to Localities (S.6253-C)

- The Senate modifies the Executive's recommendation to specify funding for community mental health non-residential programs.

Capital Projects (S.6253-B)

- The Senate concurs with the Executive's recommendation of \$189.7 million.

Article VII Proposals (S.6256-C)

The Senate modifies the Executive's proposal as follows:

- Concur with the Executive's recommendation to extend the authorization of the Comprehensive Psychiatric Emergency Program.
- Concur with the Executive's recommendation to continue the fiscal periods for which the Office of Mental Health is authorized to recover exempt income for community residences and family based treatment programs.
- Deny the Executive's recommendation to allow for the closure, consolidation, reduction, transfer or other redesign of hospitals, other facilities or programs operated by the Office of Mental Health.
- Deny the Executive's recommendation that provides for outpatient capacity restoration of felony defendants or restoration at psychiatric units of local jails, or hospitals licensed under the Public Health Law.
- Deny the Executive's recommendations that would repeal the Human Services Cost-of-Living Adjustment; allow commissioners to establish annual payment adjustments; and direct agencies to establish regulations limiting executive compensation and administration costs for an undefined group of service providers that receive state financial assistance and authorized payments. Instead, the Senate proposes a suspension of the Human Services Cost-of-Living Adjustment, while requiring further study regarding the implementation of cost-based payment increases. Further, the Senate proposes a system that establishes definitive standards modeled after existing Federal laws to ensure State funds are dedicated to providing effective and efficient services to vulnerable populations. The Senate also proposes establishing a comprehensive evaluation process to further review of these important issues.
- Modify the Executive's recommendation to allow the Commissioners of the Office of Mental Health, the Office of Alcoholism and Substance Services, the Office for People with Developmental Disabilities and the Department of Health to establish joint operating, reporting and construction requirements.
- Modify the Executive's recommendation to replace the Mental Health Services Council and the Advisory Council on Alcoholism and Substance Abuse Services with a new Behavioral Health Services Council.
- Modify the Executive's recommendation to establish pilot programs to restructure educational services for children and youths residing in Office of Mental Health hospitals.
- Modify the Executive's recommendation for amending the Sex Offender Management and Treatment Act by denying the Commissioner of Mental Health the ability to contract with non-State employees for the provision of care, treatment and security services of persons confined under the Sex Offender Management and Treatment Act.

- Advances requiring stakeholder input and legislative approval prior to the implementation of major service reductions that would affect those diagnosed with a mental illness or developmental disability.

Alcoholism and Substance Abuse Services, Office of

State Operations (S.6250-B)

- The Senate modifies the Executive’s recommendation of \$117 million to reflect a reduction in personal service costs of \$27 million.

Aid to Localities (S.6253-C)

- The Senate denies the Executive’s recommendation to shift funding for community chemical dependence treatment and prevention programs from a dedicated funding stream.
- The Senate denies the Executive’s recommendation to provide previously dedicated specified funding for problem gambling and chemical dependency school and community-based prevention, education, and recovery programs.

Capital Projects (S.6253-B)

- The Senate concurs with the Executive’s recommendation of \$97.6 million.

Article VII Proposals (S.6256-C)

- The Senate modifies the Executive’s recommendation to transfer oversight of the alcohol and drug rehabilitation program from the Department of Motor Vehicles to the Office of Alcoholism and Substance Abuse Services.

People with Developmental Disabilities, Office of

State Operations (S.6250-B)

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

Aid to Localities (S.6253-C)

- The Senate concurs with the Executive’s recommendation of \$2.5 billion.

Capital Projects (S.6253-B)

- The Senate concurs with the Executive’s recommendation of \$163.5 million.

Article VII Proposals (S.6256-C)

- The Senate modifies the Executive proposal as follows:
- Deny without prejudice the Executive’s recommendation to enter into pilot programs without a competitive bid process.
- Deny the Executive’s recommendation to alter the organizational structure of Developmental Disabilities Service Offices.
- Advance evaluation of the Options for People Through Services Initiative to ensure the efficacy of funding methodologies.

Metropolitan Transit Authority

Capital Projects (S.6253-B)

- The Senate denies the Executive’s proposal to appropriate \$770 million to the MTA for capital projects.

Article VII Proposals (S.6258-B)

- The Senate denies the Executive’s proposal to increase the MTA bond cap by \$7 billion.

Article VII Proposals (S.6255-B)

- The Senate concurs with the Executive’s proposal to reimburse the MTA for a rebate program for E-ZPass tolls paid by residents of Broad Channel and the Rockaway Peninsula who travel over the Cross Bay Veterans Memorial Bridge.

Military and Naval Affairs, Division of

State Operations (S.6250-B)

- The Senate concurs with the Executive recommendation of \$75.7 million.

Aid to Localities (S.6253-C)

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

Capital Projects (S.6253-B)

- The Senate concurs with the Executive recommendation of \$102.4 million.

Motor Vehicles, Department of

Aid to Localities (S.6253-C)

- The Senate concurs with the Executive proposal

State Operations (S.6250-B)

- The Senate concurs with the Executive proposal

Capital Projects (S.6253-B)

- The Senate supports the Executive’s proposal to add 4 new positions to Erie County, Niagara County, and the City of Rochester to address the road-test wait-time issue. However, the Senate denies the addition of 6 new positions that were not assigned to a specific region.

Article VII Proposals (S.6258-B)

- The Senate proposes an **optional** two-year motorcycle registration, in addition to the one year registration that already exists. The fee for the two-year registration would be twice that of the one-year. This would provide \$2 million of additional revenue in SFY 2012-13. The Senate concurs with the Executive’s proposal to establish an additional retention rate (4 percent) for County Clerks acting as an agent of the Department of Motor Vehicles based upon internet transactions.
- The Senate concurs with the Executive proposal to conform the vehicle and traffic law to federal requirements governing operators of commercial motor vehicles and medical certification requirements.

National And Community Service

State Operations (S.6250-B)

- The Senate concurs with the Executive Budget request of \$30.33 million.

Aid to Localities (S.6253-C)

- The Senate concurs with the Executive Budget request of \$350,000.

Olympic Regional Development Authority

State Operations (S.6250-B)

- The Senate concurs with the Executive recommendation of funding support for the Olympic Regional Development Authority \$4,733,000.

Article VII Proposal

S. 6260-B

- PART C: The Senate amends the Executive's proposal to transfer the operation and the management of the Belleayre Mountain Ski Center from the Department of Environmental Conservation to the Olympic Regional Development Authority (ORDA) to better reflect regional representation on the (ORDA) board and secure recreational opportunities at Belleayre.

Parks, Recreation and Historic Preservation

State Operations (S.6250-B)

- The Senate concurs with the Executive recommendation of a funding level of \$211,298,500.

Aid to Localities (S.6253-C)

- The Senate augments the Executive's recommended funding level of \$11,725,000 to restore \$100,000 for Historic Home restoration efforts.

Capital Projects (S.2804-B)

- The Senate concurs with the Executive recommendation of a total appropriation of \$156,071,000 for capital projects.

Prevention of Domestic Violence, Office of

State Operations (S.6250-B)

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

Aid to Localities (S.6253-C)

- The Senate concurs with the Executive recommendation of \$1.2 million.
- The Senate denies without prejudice proposed language for programs that provide legal services to victims of domestic violence, and instead advances without prejudice language for services and expenses of the Capital District Domestic Violence Law Clinic and the Western New York Family Violence Clinic and Regional Resource Center.

Public Employment Relations Board

State Operations (S.6250-B)

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

Public Ethics, Joint Commission On

State Operations (S.6250-B)

- The Senate concurs with the Executive recommendation of \$4,100,000.

Public Service

State Operations (S.6250-B)

- The Senate concurs with the Executive recommendation of \$78,892,000.

Aid to Localities (S.6253-C)

- The Senate reduces the Executive recommendation of \$3,500,000 by \$2 million to the SFY 2011-12 level by denying the request for 16 new employees to review transmission projects until the Senate can review a proposed Statewide transmission plan.

Article VII Proposals (S.6258-C)

- PART I: The Senate concurs with the Executive recommendation to prohibit increased regulation of Voice Over Internet Protocol business practices.
- PART V: The Senate concurs with the Executive proposal to authorize the Department of Health to finance certain activities revenues generated from an assessment of cable television companies.
- PART VV: The Senate advances legislation for a Western New York power proceeds allocation bill to authorize the funding for an array of economic development activities that will stimulate the Erie / Niagara economy and employment opportunities.
- PART YY: The Senate advances legislation to authorize the New York Power Authority to enter into certain purchase power agreements with base load electric generating facilities in Chautauqua and Niagara counties to stabilize the Western New York region's electrical markets, and maintain local governmental service and private sector employment.

Article VII Proposals (S.6255-C)

- PART N: The Senate amends the Executive's proposal to transfer \$65 million in assets from the New York Power Authority to the credit of the General Fund to ensure that these assets can only be used to fund the State of New York energy related costs and purposes.

Quality of Care and Advocacy for the Disabled, Commission on

State Operations (S.6250-B)

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

Aid to Localities (S.6253-C)

- The Senate concurs with the Executive's recommendation of \$18.9 million.

Racing and Wagering Board

State Operations (S6250-B)

- The Senate concurs with the Executive's proposed appropriation level of \$21.6 million, a decrease of \$565,000 from SFY 2011-12 levels.

Article VII Proposal (S.6258-C)

- PART X: The Senate denies the Executive's escheatment of uncashed vouchers to the regulation of racing account.
- PART Y: The Senate denies transferring the cost and responsibility of employing one starter and one judge at harness race meetings from the Racing and Wagering Board to licensed harness tracks.
- PART TT: The Senate proposes legislation to reconstitute the New York City Off Track Betting Corporation by soliciting private bids to operate the public benefit corporation, provide municipal OTBs with statutory relief to allow the retention of uncashed tickets, and reducing by 50 percent the dark day, hold harmless and maintenance of effort payments made to in-state tracks.
- PART RR: The Senate amends to grant Regional Off Track Betting Corporations the authority to declare bankruptcy and use their capital acquisition fund revenue for operating purposes if the fund account balance is below \$2 million.

Article VII Proposal (S.6260-B)

- PART A: The Senate denies without prejudice the merging of the Division of Lottery and Racing and Wagering Board into a newly created New York State Gaming Commission.

Racing Reform Program

State Operations (S.6250-B)

- The Senate concurs with the Executive's proposed re-appropriation level of \$2 million, no change from SFY 2011-12.

State, Department of

Aid to Localities (S.6253-C)

- The Senate concurs with the Executive proposal.

State Operations (S.6250-B)

- The Senate concurs with the Executive proposal.

Article VII Proposals (S.6258-B)

- The Senate denies without prejudice the Executive's proposal to change the current Service of Process regulations, and the categorization of non-profit organizations.

- The Senate denies without prejudice the Executive’s proposal to increase various fees for professional licenses throughout the State.

State Police, Division of

State Operations (S.6250-B)

- The Senate concurs with the Executive recommendation of \$687 million.

Capital Projects (S.6253-B)

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

State University of New York (SUNY)

State Operations (S.6250-B)

- The Senate amends the Executive proposal to include \$16.5 million in tuition revenues that are to be returned to the University as part of the SFY 2009 – 10 budget agreement.
- The Senate proposes to carve out \$25 million of the appropriation authority for the tuition increase authorized under NY-SUNY 2020 for the hiring of full-time faculty.
- The Senate denies an \$884,000 transfer from the Long Island Veterans Home to the General Fund.
- The Senate proposes a transfer of \$59.5 million from the General Income Reimbursable Fund to the General Fund.
- The Senate proposes to add \$55 million to the subsidy for the teaching hospitals at Stonybrook, SUNY Downstate and SUNY Upstate.

Aid to Localities (S.6253-C)

- The Senate amends the Executive’s proposal to add \$14,647,200 or \$100 per FTE student in base operating aid for SUNY community colleges.
- The Senate proposes \$300,000 in funding for regional agricultural teams as part of a Cornell Cooperative Extension pilot program.

Capital Projects (S.6254-B)

- Recognizing that the current five-year capital plan for SUNY is set to expire in SFY 2012-13, the Senate encourages the development of a plan to address SUNY’s ongoing capital needs.
- The Senate amends the Executive proposal to rename a reappropriation the Stonybrook Medical and Research Translation Building, in order to more accurately represent the project.
- The Senate’s intent is to advance language to make the debt service paid by SUNY Hospitals non-state supported and non-state related debt.

Article VII (S.6257-C)

- PART I: The Senate accepts the Executive proposal to allow Cornell University to enter into a master agreement with the State for the purposes of contracting and purchasing.
- PART O: The Senate proposes language to ensure that no more than one NY-SUNY 2020 Challenge Grant for non-University Centers is awarded to any one region of the State.
- PART P: The Senate proposes to create a task force on college remediation and a remedial education pilot program by July 1, 2013.
- PART Q: The Senate proposes to increase base operating aid for SUNY community colleges for the next four fiscal years provided annual tuition increases do not exceed the consumer price

index, and require that the Trustees of each community college report on various performance related measures.

- PART R: The Senate proposes technical corrections to NY-SUNY 2020 (Chapter 260 of the laws of 2011) to allow the tuition rates for non-resident undergraduate students to increase beginning with the semester following approval of a master tuition plan.
- PART S: The Senate proposes to direct the SUNY Board of Trustees to examine and make recommendations on community college chargeback policies to the Senate and Assembly.

Statewide Financial System

State Operations (S.6250-B)

- The Senate concurs with the Executive recommendation of \$55,000,000.

Tax Appeals

State Operations (S.6250-B)

- The Senate concurs with the Executive's proposed appropriation level of \$3.1 million, an increase of \$100,000 from SFY 2010-11.

Taxation and Finance

State Operations (S.6250-B)

- The Senate modifies the Executive's proposal of \$331.4 million, an increase of \$19.8 million from SFY 2011-12 levels, as follows:
 - The Senate recommends a \$26.4 million decrease for personal service attributed to the Audit, Collection and Control Program.
 - The Senate recommends a \$2 million decrease for personal service associated with the Management, Administration and Counsel Program.
 - The Senate recommends a \$1.3 million decrease for personal service attributed to the Tax Policy, Revenue Accounting and Taxpayer Guidance Program.
 - The Senate recommends \$1 million dollar for the creation of the New York State Is Open For Business tax office.
- The Senate denies the transfer of 280 positions from the Higher Education Services Corporation (HESC) to the Department of Taxation and Finance for loan collection purposes.

Aid to Localities (S.6253-C)

- The Senate concurs with the Executive's proposal of \$926,000, no change from SFY 2011-12

Article VII Proposal (S.6259-C)

- PART BB: The Senate amends the Executive proposal to create the "New York State is Open for Business" tax office to better serve businesses seeking economic development tax credits and coordinate information sharing with the Department of Economic of Development.

Technology, Office For

State Operations (S.6250-B)

- The Senate denies 3.3 million in funding for 26 full time equivalent employees.

Article VII Proposal (S.6255-C)

- PART O: The Senate concurs with the Executive proposal to rename the Office For Technology Services the Office of Information Technology Services.

Temporary and Disability Assistance

State Operations (S.6250-B)

- The Senate modifies the Executive's Recommendation of \$469.18 million, a decrease of \$2.67 million or 0.57 percent from SFY 2011-12 levels, as follows:
 - Reduces General Fund State Operations funding, without prejudice, by \$5.2 million; and
 - Reduces Information Technology program, without prejudice, by \$3.0 million.

Aid to Localities (S.6253-C)

- The Senate modifies the Executive's recommendation of \$5.2 billion, an increase of \$115.1 million or 2.25 percent from SFY 2011-12 levels, as follows;
 - Denies the proposal to increase funding for the Nutrition Outreach and Education program by \$1 million;
 - Denies the proposal to eliminate \$34.8 million for the reimbursement of Child Support Reimbursement Administration to local districts, and reduce the Flexible Fund for Family Services (FFFS) by \$13 million; and
 - Adds \$500,000 for English as a Second Language and Basic Education.

Temporary Assistance for Needy Families (TANF)

- The Senate restores funding for the following TANF programs:
 - ACCESS – Welfare to Careers: \$800,000
 - Centro of Oneida: \$125,000;
 - Disability Advocacy Program: \$98,000;
 - Emergency Homeless Needs: \$180,000;
 - Rochester-Genesee Regional Transportation Authority: \$2 million;
 - Supplemental Homeless Intervention Program: \$205,000;
 - Supportive Housing for Families and Young Adults: \$508,000;
 - Food Pantries: \$250,000;
 - Nurse Family Partnership: \$4 million; and
 - Displaced Homemakers: \$2.5 million.

Capital Projects (S.6253-B)

- The Senate concurs with the Executive's All Funds Recommendation of \$30.0 million, consistent with SFY 2011-12 levels.

Article VII Proposals (S.6257-B)

- PART D: The Senate amends the Executive's proposal to phase in the third year of ten percent increases to public assistance grants over two years by eliminating the third increase entirely. This

action achieves an additional \$6 million in State savings and \$18 million in TANF savings in SFY 2012-13.

- PART N: The Senate advances language that would implement full family sanctions to public assistance recipients upon the second instance of non-compliance with work requirements. This action achieves additional State savings of \$7.4 million and TANF savings of \$5.1 million in SFY 2012-13.

Thruway Authority

Capital Projects (S.6253-B)

- The Senate concurs with the Executive's proposal.

Transportation, Department of

Aid to Localities (S.6253-C)

- The Senate concurs with the Executive proposal.

State Operations (S.6250-B)

- The Senate denies the proposal to move the Accident Damage Account to the Dedicated Highway and Bridge Trust Fund.

Capital Projects (S.6253-B)

- The Senate restores \$3.7 million to maintain eleven regional Department of Transportation (DOT) offices.
- The Senate denies without prejudice the addition of 10 new FTEs in the Dedicated Highway and Bridge Trust Fund for accident damage operations.
- The Senate restores \$665,000 to maintain the current schedule and statutory language guiding bus inspections.
- The Senate's intent is to support the Executive's proposal for a transportation capital plan with an additional \$1.16 billion for NY Works.
- The Senate recommends a capital plan that:
 - Promotes balance between transit and highways and bridges;
 - Includes a memorandum of understanding (MOU) to provide a project list, reporting requirements, spending details, overall plan progress and system conditions, and regional shares to distribute capital equitably throughout the State;
 - Authorizes the State's principal transportation agencies to use public private partnerships to allow for project financing and delivery flexibility, and to allow the State to leverage private capital in a manner that saves taxpayer money;
 - Includes a multi-year capital spending plan that provides equitable spending levels for CHIPS, transit, highways, bridges, passenger and rail freight, and aviation;
 - Corrects the funding inequity that occurred in Western New York, Region 5. This restoration should be addressed over a multi year period.

Article VII Proposals (S.6258-B)

- The Senate proposes statutory language to maintain eleven DOT regional offices.

- The Senate denies without prejudice the Executive’s proposal to alter the manner in which bus inspections are performed. There are safety concerns with eliminating the current bi-annual schedule of all State buses.
- The Senate denies without prejudice the Executive’s proposal to consolidate the Accident Damage Account into the Dedicated Bridge and Trust Fund (DHBTF).
- The Senate proposes to make permanent the CHIPS resurfacing treatments that were made allowable for one year in the SFY 2011-12 Enacted Budget.
- The Senate concurs with the Executive regarding amending State law to comply with Federal Motor Carrier Safety Administration rules, however, the Senate proposes to include an exemption for utility service vehicles from the hours of service rules.
- The Senate directs the release of \$16 million in transit capital funds for the four upstate transit systems (NFTA, RGRTA, CDTA, and CENTRO) .
- The Senate proposes to allow non-divisible load vehicles to obtain one permit from DOT, instead of the two currently required (one from DOT and one from New York City), when traveling on one specific route (I-95) between Westchester County and Nassau County that goes through New York City.
- The Senate proposes to phase-out expenses from the Dedicated Highway and Bridge Trust Fund, beginning in SFY 2013-14. This will allow the fund to function as originally intended; as a dedicated fund for transportation capital.
- The Senate proposes requiring the Department of Transportation to submit project detail reports for transportation capital projects. This will increase transparency and accountability.

Tribal State Compact

Aid to Localities (S.6253-C)

- The Senate accepts the Executive’s proposal of \$54 million, an increase of \$9.7 million from SFY 2011-12.

Veterans’ Affairs

State Operations (S.6250-B)

- The Senate concurs with the Executive’s proposal of \$7.8 million, a decrease of \$500,000 or 6.0 percent from SFY 2011-12 levels.

Aid to Localities (S.6253-C)

- The Senate modifies the Executive’s proposal of \$8.9 million, an increase of \$250,000 or 2.8 percent from SFY 2011-12 levels, and provides funding as follows:
 - \$25,000 for the Vietnam Veterans of America;
 - \$50,000 for the Buffalo Veterans Service Organization; and
 - \$75,000 for the New York City Veterans Service Organization.

Article VII Proposals (S.6255-C)

- Advances legislation to require the Division of Veteran's Affairs to promulgate rules and regulations on establishing, implementing, and maintaining a State-operated Veterans Cemetery.

Victim Services, Office of

State Operations (S.6250-B)

- The Senate concurs with the Executive recommendation of \$10.3 million.

Aid to Localities (S.6253-C)

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

Workers' Compensation Board

State Operations (S.6250-B)

- The Senate concurs with the Executive recommendation of \$7,255,000.

Article VII Proposal (S.6255-C)

- PART R: The Senate concurs with the Executive proposal to defer an assessment for annual expenses for workers compensation claims related to Group Self Insured Trusts.

Welfare Inspector General

State Operations (S.6250-B)

- The Senate concurs with the Executive's All Funds recommendation of \$1.5 million, a decrease of \$39,000 or 2.5 percent from SFY 2011-12 levels.

Miscellaneous Items

Article VII (S.6257-C)

- PART H: The Senate accepts the Executive proposal to extend the Higher Education Capital Matching Grant program and Board through March 31, 2013.

Revenue

Article VII (S.6259--C)

- PART A - The Senate concurs with the Executive proposal to extend for three years fees for the establishment of oil and gas unit of production values for purposes of calculating real property tax assessments.
- PART B – The Senate denies the Executive proposal to suspend STAR benefits for unpaid tax liabilities.
- PART C – The Senate amends the Executive proposal by increasing from two cents to fourteen cents the handling fee a cigarette stamping agent receives; proposes a one dollar cap on the amount of tax paid for any one cigar; and creates a definition of “pipe tobacco” that amends the definition of roll your own tobacco, and taxes “roll your own tobacco” as cigarettes.
- PART D – The Senate concurs with the Executive proposal to extend the alternative fuels tax exemptions for five years. Extends the sunset date of the exemption for alternative fuels from September 1, 2012 to September 1, 2017, and allow E85, compressed natural gas, and hydrogen a full exemption and B20 a partial exemption from the motor fuel tax, the petroleum business tax, the fuel use tax, and state and local sales taxes.
- PART E – The Senate concurs with the Executive proposal to make technical amendments to the tax classification of diesel motor fuel. Addresses unintended consequences to amendments to the

motor fuel definitions enacted as part of the SFY 2011 Budget, to remove tax liability in two situations where no liability was intended to be triggered.

- PART F – The Senate denies the Executive proposal to expand criteria to refuse to issue Sales Tax Certificates of Authority.
- PART G – The Senate denies the Executive proposal to make permanent Tax Modernization provisions of the Tax Law: requiring electronic filing of authorized tax documents by tax return preparers; requiring electronic filing of authorized tax documents by taxpayers that prepare their own authorized tax documents using computer software; and requiring taxpayers that fail to pay sales tax to make deposits to a segregated account.
- PART H – The Senate amends the Executive proposal expanding the current sales and compensating use tax exemption to exempt services of installing all solar energy systems equipment from the sales and compensating use tax. Also, proposing the creation of a 25% capital investment refundable tax credit and 10% marketing tax credit for solar and energy storage manufacturing and development.
- PART I – The Senate amends the Executive proposal to extend Empire State Commercial Production Tax Credit for three years. Also amends the credit structure to more equitably disperse the regional pools.
- PART J – The Senate amends the Executive proposal to authorize additional credits of \$8 million for low-income housing credit for each of the next five fiscal years. Also amends the credit to make it refundable.
- PART K – The Senate concurs with the Executive proposal to extend the Biofuel Production Tax Credit through the 2019 taxable year. Extends for seven years the sunset date of the biofuel production credit for eligible taxpayers to taxable years beginning before January 1, 2020.
- PART L – The Senate amends the Executive proposal to make permanent the Noncustodial Parent Earned Income Tax Credit extending for 2 years to December 31, 2014.
- PART M – The Senate denies the Executive proposal to prohibit banks from charging fees on levied bank accounts.
- PART N – The Senate concurs with the Executive proposal to clarify that professional employer organizations (PEOs), for the purposes of the MTA payroll tax exemptions, can separate the employees of PEOs from those of their clients in determining the payroll expense amounts attributable to each entity.
- PART O – The Senate concurs with the Executive proposal to extend for one year lower pari-mutuel tax rates and rules governing simulcasting of out-of-state races. Extends lower pari-mutuel tax rates and rules governing simulcasting of out-of-State races for one year.
- PART P – The Senate concurs with the Executive proposal to redistribute the statewide collected transmission tax between the upstate (PTOA) and downstate (MMTOA) transit accounts in an equitable manner, replacing the existing yearly transfer between the two accounts.
- PART Q – The Senate concurs with the Executive proposal to technically amend the sales tax provisions governing room remarketers.

New Jobs New York

The following six parts represent legislation needed to enact the Senate's New Jobs New York plan. Additional parts of this plan will include two constitutional amendments to: Cap State spending at two percent to ensure fiscal responsibility, and provide a better environment for economic growth and job creation, and require a two-thirds "super majority" vote for any tax hike - making it far more difficult to raise taxes.

- PART R: The Senate proposes to **cut the corporate tax rate for small businesses by 20%**.
 - **Small Business Jobs Credit** to provide a **10% tax credit for hundreds of thousands of small businesses** that have at least one employee, have business income of less than \$250,000, and that file under the personal income tax.
 - **Hire-Now-NY** to provide a credit to a business for each new job created, up to \$5,000. That credit would grow to \$8,000 if the job goes to someone who is currently on unemployment.
 - **Hire-a-Vet** to provide a **tax incentive of up to \$10,000** to any business that provides a job opportunity to a returning veteran.
- PART S: The Senate proposes expanding the use of Tax Incremental Financing (TIF) to include participation of school districts.
- PART T: The Senate proposes pegging the existing tuition tax credit and deduction to the Higher Education Price Index (HEPI). For 2012, the maximum tax deduction would increase from \$10,000 to \$13,820, and the maximum credit would increase from \$400 to \$553.
- PART U: The Senate proposes to accelerate the phase-out of 18A assessment tax hike by one year, from 2014 to 2013 and restore the permanent base tax back to one third of one percent.
- PART V: The Senate proposes to repeal the so-called "Wage Theft Prevention Act of 2010" – a duplicative and costly mandate on NY employers.
- PART W: The Senate proposes the "Honesty in Permit Processing Act" which will help eliminate long delays by state agencies in the processing of professional license and permit applications. This will improve our business climate, empower taxpayers and increase government accountability.
- PART X: The Senate proposes extending by one year the sunset on the expired QETC training credit. Also adding a retroactive fix to eliminate any doubt as to the intent of the law as it was enacted by the Legislature.
- PART Y: The Senate proposes a retroactive fix to the QEZE real property tax credits to correct the law to reflect the original intent of the law.
- PART Z: The Senate proposes a clarification to the definition of "permanent place of abode" for the purposes of determining residency for individuals whose domicile is outside of New York.
- PART AA: The Senate proposes to cap appeal bonds of a judgment at \$100 million for Master Settlement Agreement signatories and affiliates in order to protect MSA payments being made to the State.
- PART BB: The Senate proposes the creation of a "New York is Open for Business" office within the Department of Taxation and Finance. The office will be lead by an "economic development liaison" who will help assist business taxpayers who are seeking business economic development tax credits and help facilitate information sharing between Taxation and Finance and Economic Development.
- PART CC: The Senate proposes increasing the Life Insurance Company Guaranty Corporation assessment cap from \$500 million to \$575 million to help facilitate the bankruptcy liquidation plan of Executive Life Insurance Company of New York.

- PART DD: The Senate proposes to allow taxpayers a personal income tax deduction if they would have been eligible for tax benefits had Congress extended the qualified transportation fringe benefits provisions of the Internal Revenue Code that were enacted in 2010.
- PART EE: The Senate proposes increasing the cap on the credit for expenses associated with the rehabilitation of historic properties from \$5 million to \$12 million.
- PART FF: The Senate proposes an increase in the sales tax exemption for certain food and drink sold through vending machines from seventy five cents to one dollar and fifty cents.
- PART GG: The Senate proposes to exempt libraries, towns, and villages from the MTA payroll tax.
- PART HH: The Senate proposes a personal income tax credit for the school and municipal property taxes paid on homes that incurred damage of more than fifty percent of the home's value as a result of Hurricane Irene or Tropical Storm Lee.
- PART II: The Senate proposes regulating the sport of Mixed Martial Arts and allowing such bouts to be held within the state.
- PART JJ: The Senate proposes creating a sixth Certified Capital Company ("CAPCO") program by authorizing tax credits for insurance companies that provide financial resources to Certified Capital Companies to invest in qualified New York State businesses.
- PART KK: The Senate proposes eliminating the Quick Draw provision that requires establishments holding an alcohol beverage license for on-premise consumption, to have more than 25 percent of gross sales from food in order to operate the game of quick draw on their premise.
- PART LL: The Senate proposes reviving the county ENZones and making the Brownfields credit permanent.
- PART MM: The Senate proposes limiting the growth of personal income tax collections by a growth factor with excess collections returned to taxpayers.
- PART NN: The Senate proposes a change to the definition of manufacturer for the purposes of taxation.
- PART OO: The Senate proposes eliminating the requirement that licensed alcohol wholesale dealers submit annual informational returns with the Commissioner of Taxation of Finance with regards to sales made that resulted in no sales tax being collected.
- PART PP: The Senate proposes a technical fix to allow any corporation that is taxed as a bank due to the extension of the Gramm-Leach-Bliley transitional provisions to make a one-time designation to correct the unintended negative consequences.
- PART QQ: The Senate proposes grandfathering in all current captive insurance companies so that they are treated as insurance companies for tax purposes.

Miscellaneous

- The Senate supports allowing regional off-track betting corporations to operate Video Lottery Terminals (VLTs) at off-track betting tele-theaters. Further, the Senate supports a continuing dialogue on commercial gaming with emphasis on regions where such gaming opportunities have been previously authorized.

Article VII (S.6258-B)

- The Senate proposes exempting from sales tax the manufacturing inputs that are used directly and exclusively in making snow, and exempting the purchase of energy efficient tangible property used at a recreational ski facility.

MERGE STATE ENTITIES

S.6260-B

Part A- Merger of the Division of Lottery and the Racing and Wagering Board

- The Senate has rejected, without prejudice, the Article VII legislation to effectuate this merger. However, the Senate remains conceptually unopposed to the idea of a streamlined and efficient oversight agency for the racing and gaming industry.

Part B - Merger of the Governor's Office of Employee Relations and the Department of Civil Service.

- The Senate denies the Executive's proposal to merge the Governor's Office of Employee Relations and the Department of Civil Service into a new Department of Workforce Management.

Part C – Transfer the operation and management of the Belleayre Mountain ski center from the Department of Environmental Conservation to the Olympic Regional Development Authority

- The Senate amends the Executive's proposal to transfer the operation and the management of the Belleayre Mountain Ski Center from the Department of Environmental Conservation to the Olympic Regional Development Authority (ORDA) to better reflect regional representation on the (ORDA) board and to secure recreational opportunities at Belleayre.
- The Senate recommends adding two additional seats to ORDA's current ten member Board and specifies that these two additional seats be filled by a person from Delaware County, and a person from Ulster County. The on-site management of Belleayre would continue.
- Further, minimum service standards would be established to clarify and expand upon recreational opportunities available to visitors.
- ORDA's existing Community Advisory Council would be expanded from 15 to 21 to ensure that Catskill's area residents are represented.

Part D – Elimination and/or merger of certain boards and commissions to foster more efficient government.

- The Senate concurs with the Executive's proposal to eliminate many boards and commissions which have either ceased to operate, or have never met to fulfill their mission.
- However, the Senate amends the Executive proposal to ensure that Emergency Medical Services Councils and committees continue to have local input, and further ensures that substantive changes to the public health law not be made without adequate deliberation.
- The Senate further amends the Executive proposal to transfer advisory authority to other existing entities, regarding the Cattle Health Assurance Program and the Egg Quality Assurance Program.
- The Senate denies the Executive proposal to merge the Department of Civil Service and the Office of Employee Relations into a newly created Department of Workforce Management.