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Statement of Legislative Intent



New York State Legislature

The Honorable Andrew M. Cuomo
Governor
State of New York
Executive Chamber
State Capitol
Albany, New York 12224

Dear Governor Cuomo:

In accordance with the established intent of Article 7, Section 7, of the Constitution of the State of New York, and pursuant to Section 22-b of the State Finance Law, we submit for your consideration The Report of the Fiscal Committees on the Executive Budget for the fiscal year 2011-12.

Set forth in this document are the general and specific findings of the Senate Finance Committee and the Assembly Ways and Means Committee concerning the estimates of proposed financial plans for the overall purposes of the State government which are contained in your Executive Budget for the 2011-12 fiscal year. These proposed disbursements are consistent with estimates of receipts for the 2011-12 State fiscal year. These legislative findings are being submitted to assist you in the administration of the State government.

A handwritten signature in black ink, appearing to read "John A. DeFrancisco".

John A. DeFrancisco
Chairman
Senate Finance Committee

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Herman D. Farrell, Jr.".

Herman D. Farrell, Jr.
Chairman
Assembly Ways and Means Committee



New York State Legislature

The Honorable Thomas P. DiNapoli
Comptroller
State Department of Audit and Control
110 State Street
Albany, New York 12236

Dear Comptroller DiNapoli:

The Report of the Fiscal Committees on the Executive Budget for the fiscal year 2011-12 has been submitted to the Honorable Andrew M. Cuomo, Governor of the State of New York.

This report contains the general and specific findings of the Senate Finance Committee and the Assembly Ways and Means Committee relating to proposed disbursements for the overall purposes of the State government during the 2011-12 fiscal year. These proposed disbursements are consistent with estimates of receipts for the 2011-12 fiscal year. It is the intent of the Legislature that these budgetary findings be received as guidelines for administrative application in the new fiscal year.

John A. DeFrancisco
Chairman
Senate Finance Committee

Respectfully submitted,

Herman D. Farrell, Jr.
Chairman
Assembly Ways and Means Committee

Overview

FISCAL OVERVIEW

All Funds disbursements for the enacted State Fiscal Year (SFY) 2011-12 Budget are projected to be approximately \$131.7 billion, a decrease of \$3.1 billion or 2.3 percent from SFY 2010-11.

State Funds disbursements, which consist of the General Fund plus Debt Service Funds, Capital Funds and Other State Funds are projected to total \$92.8 billion, an increase of \$2.7 billion or three percent from SFY 2010-11. State Operating Funds, which are State Funds excluding Capital Funds, total \$86.9 billion, an increase of \$2.5 billion or 2.9 percent from SFT 2010-11.

General Fund disbursements are estimated to total \$56.9 billion, an increase of \$1.6 billion or 2.8 percent from SFY 2010-11. This increase is primarily due to the loss of federal assistance under the American Recovery and Reinvestment Act.

Highlights of the SFY 2011-12 Enacted Budget include the following:

- **Education.** The Enacted Budget provides a two year appropriation for school aid which includes an \$800 million increase in School Year (SY) 2012-13. This increase will allow for a phase-in of the Foundation Aid formula, a reduction in the Gap Elimination Adjustment, and the present law reimbursement of expense-based aids and other programs within General Support for Public Schools (GSPS) within a personal income growth cap. Beginning in 2012-13, the growth in School Aid would be determined by the growth of personal income in the State.

The Legislature restores \$230 million in State Fiscal Year for GSPS, providing a total of \$19.6 billion in SY 2011-12.

The Legislature denies the Executive's proposal to shift costs to school districts for the Summer School Special Education (4408) program.

- **Higher Education.** The Enacted Budget provides a \$60 million restoration in operating support for SUNY Hospitals at Stony Brook, Syracuse and Brooklyn, and also restores \$3.8 million in operating support to the Long Island Veterans Home. The Budget restores \$12.9 million to SUNY Community Colleges and \$5.1 million at CUNY Community Colleges, providing State assistance of up to \$2,122 per Full Time Equivalent student. Child care centers at SUNY and CUNY are supported at a combined \$1.2 million.

The final budget agreement also allows for SUNY Downstate to acquire Long Island College Hospital and adds language to facilitate SUNY Upstate's acquisition of the Community General Hospital of Syracuse.

The enacted budget makes modifications to procurement law that would allow SUNY and CUNY to purchase certain goods without prior approval from the Comptroller and the Attorney General.

- **Medicaid/Public Health.** The Enacted Budget provides appropriations to support \$52.96 billion in All Funds Medicaid spending, a year-to-year reduction of \$884 million. For the first time, the budget appropriates funding for the Medicaid program in a two-year basis, and will limit year-to-year spending increases in Medicaid to the ten-year rolling average of the medical component of the Consumer Price Index.

The Enacted Budget accepts \$2.67 billion in State share reductions to the Medicaid program, out of the \$2.85 billion in reductions proposed by the Governor's Medicaid Redesign Team (MRT). Included among \$194.35 million in State share restorations is the rejection of a proposal to cap non-economic damages resulting from medical malpractice lawsuits, a restoration of the "physician prevails" provision when prescriptions are delivered on a fee-for-service basis under the Medicaid program and a 50 percent restoration to proposed reductions in Early Intervention rates.

The Enacted Budget also accepts \$113.95 million in reductions to public health programs, out of \$157.8 million in reductions proposed by the Executive. The Legislature rejects an Executive proposal to eliminate Medicare Part D premium assistance under the Elderly Pharmaceutical Insurance Coverage (EPIC) program and provides \$22.3 million.

- **Human Services.** The Enacted Budget includes net restorations of \$91 million for various human services programs including a full restoration of Title XX discretionary funding; and a full restoration of funding for the Summer Youth Employment Program.
- **Housing.** The Enacted Budget provides an additional \$6 million for the Rural Preservation Program and Neighborhood Preservation Program, restoring both to State Fiscal Year (SFY) 2010-11 funding levels. The Legislature also provides additional capital support for the Main Street Program (\$2.2 million), the Access to Home Program (\$1 million) and the Low Income Housing Trust Fund (\$3.2 million).

In addition, the legislature provided \$1.5 million to provide continued support for the Foreclosure Prevention Program. These funds were subsequently vetoed by the Governor.

- **State Operations and Workforce.** The Enacted Budget includes \$1.4 billion in State Operations and workforce reductions, which is comprised of \$485 million in

non-personal service reductions taken across all State agencies, \$450 million in reductions to be achieved through negotiations between the Executive and State employee labor unions and \$365 million in reductions to SUNY, CUNY and SUNY Hospitals. Additionally, the Enacted Budget assumes \$100 million in reductions will result from facility closures, agency consolidations and mergers. The Enacted Budget also includes an Article VII provision to provide for the reorganization of government agencies and functions, subject to the approval of the Legislature.

- **STAR.** The Enacted Budget accepts the Executive proposal to limit the year-over-year growth in STAR benefits to two percent and authorizes the repayment of exemptions when the property owner received benefits for which they were not eligible; an application fee of five hundred dollars and applicable interest will be required. The anticipated savings applicable to limiting the year-over-year growth in STAR is \$125,000,000 in SFY 2011-12 and \$212,000,000 in SFY 2012-13 while the repayment of exemptions is expected to generate \$100,000 annually.

In addition, the Department of Taxation and Finance anticipates that audits of the STAR program will generate \$50,000,000 in additional savings in 2012-13.

Receipts

General Fund receipts for the State Fiscal Year 2011-12 Enacted Budget are estimated at \$57.3 billion, an increase \$2.8 billion or 5.2 percent from SFY 2010-11.

Receipts of the State, excluding federal receipts, are estimated at \$88.4 billion, an increase of \$4.4 billion or 5.3 percent from SFY 2010-11. State receipts excluding federal and capital receipts are estimated to \$83 billion, an increase of \$4.2 billion or 5.4 percent from SFY 2010-11.

Receipts on an All Funds basis are projected to be approximately \$131.7 billion, a net decrease of \$1.6 billion or 1.2 percent from SFY 2010-11.

Closing Balance and Reserves

The Legislative Financial Plan anticipates a General Fund closing balance (including certain reserves) of \$1.7 billion.

Restricted reserves are projected to be \$1.4 billion and include:

Tax Stabilization Reserve Fund	\$1,031
Statutory Rainy Day Reserve	275
Community Projects	51
Contingency Reserve Fund	21

Unrestricted reserves of \$359 million and include:

Labor Agreements	346
Debt Management	13

**CASH FINANCIAL PLAN
ALL FUNDS
Enacted 2011-12
(millions of dollars)**

	2011-12 Enacted
Opening fund balance	3,811
Receipts:	
Taxes	64,976
Miscellaneous receipts	23,407
Federal grants	43,305
Total Receipts	131,688
Disbursements:	
Grants to local governments	95,404
State operations	18,424
General State charges	6,833
Debt service	5,855
Capital projects	5,182
Total Disbursements	131,698
Other financing sources (uses)	
Bond and note proceeds	484
Transfers from other funds	26,805
Transfers to other funds	(26,830)
Net other financing sources (uses)	459
Deposit to/(use of) Community Projects Fund	0
Deposit to/(use of) Prior Year Reserves	0
Deposit to/(use of) Debt Reduction Reserve	0
Change in fund balance	449
Closing fund balance	4,260

CASH FINANCIAL PLAN
STATE FUNDS
Enacted 2011-12
(millions of dollars)

	2011-12	Enacted
Opening fund balance		3,908
Receipts:		
Taxes		64,976
Miscellaneous receipts		23,275
Federal grants		145
Total Receipts		88,396
Disbursements:		
Grants to local governments		59,465
State operations		16,728
General State charges		6,530
Debt service		5,855
Capital projects		4,226
Total Disbursements		92,804
Other financing sources (uses)		
Transfers from other funds		27,136
Transfers to other funds		(22,746)
Bond and note proceeds		484
		0
Net other financing sources (uses)		4,874
Deposit to/(use of) Community Projects Fund		0
Deposit to/(use of) Prior Year Reserves		0
Change in fund balance		466
Closing fund balance		4,374

CASH FINANCIAL PLAN
GENERAL FUND
Enacted 2011-12
(millions of dollars)

	2011-12 Enacted
Opening fund balance	1,376
Receipts:	
Taxes	
Personal Income Tax	26,001
User taxes and fees	9,105
Business taxes	6,101
Other taxes	1,030
Miscellaneous receipts	3,098
Federal grants	60
Transfers from other funds	
- PIT Revenue Bond	8,096
- LGAC	2,409
- RETT	395
- All other	998
Total Receipts	57,293
Disbursements:	
Grants to local governments	38,888
State operations	7,356
General State charges	4,668
Transfers to other funds	
- Debt service	1,449
- Capital projects	800
- State Share Medicaid	3,032
- Other purposes	739
Total Disbursements	56,932
Change in fund balance	361
Closing fund balance	1,737
Tax Stabilization Reserve Fund	1,031
Statutory Rainy Day Reserve Fund	275
Contingency Reserve Fund	21
Community Projects Fund	51
Reserved for Prior-Yr Labor Agreements (2007-2011)	346
Reserved for Debt Reduction	13

SUMMARY OF LEGISLATIVE ACTIONS ON THE REVENUE PROVISIONS IN THE SFY 2011-12 EXECUTIVE BUDGET

Overview

The Enacted Budget will increase revenues by \$344 million in State Fiscal Year (SFY) 2011-12. The Enacted Budget also rejected various Executive Budget proposals that would have increased revenues by \$32 million. In addition, the Legislature is required to report on any action to continue, modify or repeal any tax expenditure and these changes are identified in the discussion below.

Legislative Action on the Executive Budget Proposals

The Legislature denied the following Executive revenue proposals which would have increased revenue by \$32 million in SFY 2011-12:

- Changing the taxation of Cooperative Insurance Companies;
- Removing restrictions from the Quick Draw Lottery game; and
- Amending the Department of Taxation and Finance's powers regarding Empire Zone credits.

The Legislature also modified the following Executive revenue enhancement proposals:

- Tax shelter reporting;
- Excess lines federal conformity;
- Excelsior Jobs Program amendments;
- Multijurisdictional Lottery payout change; and the
- Tax modernization program.

Proposals related to the following items were accepted as submitted by the Executive:

- Abandoned property changes;
- Offset of lottery winning;
- Financial services investment tax credit;
- Bank tax and Gramm Leach Bliley extenders;
- Modernization of fuel definitions;
- Alternative fuels exemption extender;
- Streamlining the distribution of motor vehicle fees;
- Low income housing credit;
- Authorizing VLT freeplay allowance;
- Authorizing additional 75 percent Lottery games;
- Multijurisdictional Video Lottery games; and
- Pari-Mutuel tax reduction.

Legislative Additions to the Executive Budget

Language was enacted to reduce the tobacco retailer registration fee which is now dependant on gross sales to a flat \$300 fee.

Language was enacted to create an Economic Transformation and Facilities Redevelopment Program which will offer tax incentives to redevelop communities affected by prison or youth facility closures.

LEGISLATIVE ACTIONS AND ADDITIONS TO THE EXECUTIVE BUDGET							
ALL GOVERNMENTAL FUNDS							
(millions of dollars)							
REVENUE PROPOSALS	Actions	SFY 2011-12	Diff Exec	Net	SFY 2012-13	Diff Exec	Net
USER TAXES AND FEES		\$0	\$3	\$3	\$0	\$5	\$5
Modernize certain fuel definitions.	Accept	-	-	-	-	-	-
Extend the alternative fuels tax exemptions for one year.	Accept	-	-	-	-	-	-
Amend Tobacco Retail Registration fees	Added	-	3	3	-	5	5
BUSINESS TAXES		\$22	(\$22)	\$0	\$16	(\$16)	\$0
Make tax shelter reporting provisions permanent.	Modified	-	-	-	-	-	-
Provide the DED with continuing authority to monitor Empire Zone Program compliance and to decertify non-complying businesses.	Rejected	-	-	-	-	-	-
Extend the financial services investment tax credit to certain broker-dealers for four years from October 1, 2011 to October 1, 2015.	Accept	-	-	-	-	-	-
Authorize additional credits of \$4 million for the Low-Income Housing Credit.	Accept	-	-	-	-	-	-
Improve the effectiveness of the Excelsior Jobs Program.	Accept	-	-	-	-	-	-
Limit the exemption provided for town or county cooperative insurance corporations under the Insurance Franchise Tax.	Rejected	22	(22)	-	16	(16)	-
Conform the New York State Insurance and Tax laws to the Federal Dodd-Frank Act excess lines tax provisions and authorize New York State to participate in a national compact that collects and remits excess lines taxes to the states.	Modified	-	-	-	-	-	-
Extend Gramm-Leach Bliley provisions for two years and make Bank Tax Extender permanent.	Accept	-	-	-	-	-	-
Creates the Community Transformation Program	Added	-	-	-	-	-	-
OTHER		\$65	\$0	\$65	\$80	\$0	\$80
Abandoned property dormancy periods	Accept	65	-	65	80	-	80
LOTTERY AND GAMING		\$61	(\$10)	\$51	\$101	(\$44)	\$57
Offset lottery winnings by outstanding tax liabilities.	Accept	5	-	5	10	-	10
Eliminate restrictions on the operation of Quick Draw.	Rejected	10	(10)	-	44	(44)	-
Authorize a Free Play Allowance Program for VLTs.	Accept	38	-	38	38	-	38
Allow two additional 75 percent Instant Lottery Games.	Accept	4	-	4	4	-	4
Allow for a higher prize pay-out on multi-jurisdictional Lottery Games.	Modified	-	-	-	-	-	-
Authorize multi-jurisdictional Video Lottery gaming.	Accept	4	-	4	5	-	5
Extend Pari-Mutuel tax rates and rules governing simulcasting of out-of-state races.	Accept	-	-	-	-	-	-
TAX ADMINISTRATION		\$225	\$0	\$225	\$225	(\$56)	\$169
Simplify the distribution of Motor Vehicle fees.	Accept	-	-	-	-	-	-
Tax Modernization Program Increased Revenues	Modified	200	-	200	200	(50)	150
Tax Modernization Program Administrative Savings	Modified	25	-	25	25	(6)	19
TOTAL		\$373	(\$29)	\$344	\$422	(\$111)	\$311

**SUMMARY OF THE REVENUE PROVISIONS CONTAINED IN THE ENACTED BUDGET
REVENUE S. 2811-C/A. 4011-C**

Part A – Abandoned Property Spin Up. The Legislature concurs with the Executive proposal by changing from five to three years the amount of time it takes for a condemnation award, credit balances arising from loans, bank accounts, lost cash, money on deposits to secure funds, court bail, certain trusts, escrow accounts and child or spousal support to be deemed abandoned property and collected by the state. The Legislature also concurs with the proposed change of the amount of time a surplus from the sale of pledged property will become abandoned property from six years to three years. In addition, the Legislature advanced certain changes to streamline the administration of the abandoned property program.

Part B - Tax Shelter Reporting. The Legislature amends the Executive proposal by extending the provisions of the tax law relating to tax shelter disclosure and penalties by four years until April 1, 2015. First enacted in 2005, these provisions require the disclosure of information necessary to detect the use of tax shelters by taxpayers.

Part D – Offset of Lottery Winnings. The Legislature concurs with the Executive proposal to allow the Division of Lottery to intercept lottery prizes for the payment of outstanding tax liabilities. Currently, the Tax Department is authorized to intercept a taxpayer's tax refund in order to pay outstanding tax liabilities, child support payments, education loans, or debts to state agencies. In addition, the Division of Lottery is authorized to intercept a lottery winner's awards for the payment of outstanding child support and the repayment of public assistance benefits.

Part E – Financial Services Investment Tax Credit. The Legislature concurs with the Executive proposal to extend the financial services investment tax credit for four years, until October 1, 2015. The credit is also extended for the corporation franchise tax, personal income tax, bank tax and insurance tax.

Part F - Low-Income Housing Credit. The Legislature concurs with the Executive to authorize an additional \$4 million in low-income housing credits for ten years, allowing the Commissioner of Housing and Community Renewal to allocate a total of \$32 million in these credits per year.

Part G – Excelsior Jobs Program Amendments. The Legislature concurs with the Executive's proposal to enhance the Excelsior Jobs Program to:

- Amend the calculation of the Excelsior New Jobs Tax Credit from a percentage of salary and benefits, capped at \$5,000, to 6.85 percent of gross wages with no cap.
- Phase-down the real property tax credit from 50 percent to 5 percent over ten years as opposed to a phase down to ten percent over five years.

- Apply the real property tax credit to real property taxes assessed on the property after any improvements.
- Increase the research and development credit from 10 percent to 50 percent of the federal credit. The credit would be capped at three percent of qualified research and development expenditures.

The Legislature also amends the Executive's proposal to allow Agricultural Co-ops to participate in the program.

Part I – Conform the New York State Insurance and Bank Laws to the Federal Dodd-Frank excess lines tax provisions and authorize New York State to participate in a national compact that collects and remits excess lines taxes to the states. The Legislature amends the Executive's proposal to conform certain definitions and state regulation of excess line brokers in the Insurance Law with the Federal Dodd-Frank Wall Street Reform and Consumer Protection Act by allowing for New York State to tax 100 percent of the excess lines risk premium if the insured party is either a resident of New York State or 100 percent of the risk premium is located in New York State. The Legislature denies the authorization to allow New York State's Superintendent of Insurance to enter into a multi-state agreement that authorizes participation in a national clearinghouse for the purpose of collecting, allocating and disbursing taxes on excess lines premiums to participating states.

Part J - 1985 Bank Tax Extension and Gramm-Leach-Bliley Extender. The Legislature concurs with the Executive proposal make permanent the major provisions of the 1985 and 1987 bank tax reforms and extending for two years the transitional provisions in New York's bank tax that were originally enacted in response to the Federal Gramm-Leach-Bliley Act.

Part K – Modernize Fuel Definitions. The Legislature concurs with the Executive proposal to change the definitions of fuels in the tax law to match the definitions in Federal law. This will change the current assignment of taxation from the fuel's level of "enhancement" to the federal basis of whether the fuel is dyed. Changes at the federal level regarding the use of low sulfur diesel and changes enacted by New York State in 2010 requiring all home heating fuel to be low sulfur fuel necessitated this change. This Part does not change any tax rates. Additionally, the definition for E85 is amended to match federal standards to allow the alternative fuels exemption for all seasonal mixes of E85.

Part L – Alternative Fuels Exemption. The Legislature concurs with the Executive proposal to extend the sunset date of the exemption for alternative fuels from September 1, 2011 to September 1, 2012. This provision of law allows 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. The definition for E85 is amended to match federal standards to allow the alternative fuels exemption for all seasonal mixes of E85.

Part M – Streamline the Distribution of Motor Vehicle Fees. The Legislature concurs with the Executive proposal to streamline the disposition of revenues from motor vehicle taxes and fees. Currently, some motor vehicle fees are counted as miscellaneous receipts and flow directly into the General Fund while motor vehicle taxes and other fees flow to the Dedicated Funds Pool. Any excess over \$169.4 million then flows into the General Fund. This new method will not result in a General Fund or Dedicated Funds Pool receipt increase or decrease; the method will streamline the way the state accounts for Motor Vehicle Fee collections and disbursements.

Part O – Authorizes a Free Play Allowance Program. The Legislature concurs with the Executive proposal to give the Division of Lottery the ability to authorize a free play allowance program for all nine Video Lottery Gaming (VLG) facilities. The free play allowance program will allow VLG facilities to offer free play credits up to an amount equal to 10 percent of net machine income without having to include free plays in the calculation of net machine income (NMI) distributions.

Part P – Additional 75 percent Instant Lottery Games. The Legislature concurs with the Executive proposal to expand from three to five the number of new instant scratch off games that may offer a 75 percent payout.

Part Q – Multi-Jurisdictional Lottery Game Higher Prize Payouts. The Legislature amends the Executive proposal to allow the Division of Lottery to increase the prize payouts to up to 55 percent on multi-jurisdictional lottery games. Currently, New York State participates in the Mega Millions and Powerball multi-jurisdictional lottery games. Among participating states, New York is the only state that has a prize payout limit.

Part R – Multi-Jurisdictional Video Lottery Gaming. The Legislature concurs with the Executive proposal to allow the Division of Lottery to enter into VLG agreements with other states for the purpose of creating multi-state progressive jackpot games. Currently, VLG facilities within the state work together in administering progressive jackpots.

Part S – Pari-Mutuel Tax. The Legislature concurs with the Executive proposal to extend lower pari-mutuel tax rates and rules governing simulcasting of out-of-state races for one year.

Part T – Tobacco Retail Registration Fee. Language was enacted to reduce the Tobacco Retail Registration Fee from the current levels of \$1,000, \$2,500 and \$5,000, depending on gross sales of the establishment down to a flat fee of \$300. This reduction is retroactive, beginning with the 2010 fee.

Part U – Tax Modernization. The Legislature concurs with the Executive recommendation to authorize the establishment of standards for Electronic Real Property Tax Administration, with an amendment to allow local discretion to opt into the program.

The Legislature concurs with the Executive recommendation to make those requirements regarding placing final assessment rolls on local government websites to be consistent with existing website requirements for tentative assessment rolls.

The Legislature rejects the Executive proposal to implement an e-government data system.

The Legislature accepts the Executive recommendation to allow localities to use third party vendors for the collection of taxes, as amended to authorize the State Comptroller to issue guidelines to govern the use of such vendors.

The Legislature concurs with the Executive tax modernization program which will allow the Department of Taxation and Finance, with the permission of the taxpayer, to use secure electronic means to deliver documents to account holders.

The Legislature amends the Executive proposal to require tax preparers that prepare more than five state returns to e-file and e-pay all of the returns that they prepare. Additionally, for the tax filing season in 2011, if the total number of e-filers reaches sufficient numbers then there will be no mandates on individual tax filers. However, if there are still not a sufficient number of e-filers then in 2012 the Department will require e-filing and e-pay for all personal income taxpayers who use tax software to prepare their return. These provisions will sunset December 31, 2012.

The Legislature amends the Executive proposal to require sales tax vendors that have been delinquent in payments to set up a segregated bank account in which the taxpayer will be required to make weekly deposits of sales tax collections. The Department would then sweep these accounts after the deposit. These provisions will sunset December 31, 2012.

The Legislature concurs with the Executive's proposal to define debit cards used for the issuance of tax refunds the same as a state issued check for the purposes of abandoned property.

Part V – Economic Transformation and Facility Redevelopment Program. Language was enacted to provide an economic development incentive package for the redevelopment of communities impacted by prison and youth facility closures. The incentive package would be limited to businesses locating within a specified distance from the closed facility and will be available for a five year period. This package includes five refundable tax incentives for job creation and capital investments as follows:

- New Jobs Tax Credit - A tax credit equal to the product of 6.85 and wages paid for each new employee.
- Investment Tax Credit – A tax credit equal to 6 percent of capital investments made in the area surrounding the closed facility and 10 percent for redevelopment of the facility. These credits would be capped at \$4 million and \$8 million, respectively.

- Job Training Credit – Businesses will be allowed a tax credit equal to 50 percent of training expenses in relation to hiring a displaced worker from the closed facility. The tax credit would be capped at \$4,000 per employee per year.
- Real Property Tax Credit – A tax credit equal to 25 percent of property taxes paid for businesses locating in the area surrounding the closed facility and 50 percent of property taxes paid for the redevelopment of the closed facility. The credits will be phased out over the five year tax benefit period.
- Sales Tax Refund – Businesses or contractors of businesses will be allowed a refund of sales taxes paid for purchases made in relation to a capital construction project.
- In addition, \$50 million in capital funding is also available for communities impacted by prison and youth facility closures. Those funds are appropriated in the capital projects bill.

THE FISCAL IMPACT OF THE SFY 2011-12 ENACTED BUDGET ON LOCAL GOVERNMENTS

The following charts detail the primary impacts on localities from the State Fiscal Year (SFY) 2011-12 Enacted Budget for local fiscal years that end in 2011 and 2012.

Fiscal Impact of the SFY 2011-12 Enacted Budget on Local Governments in Local Fiscal Year Ending in 2011

FISCAL IMPACT OF THE SFY 2011-12 ENACTED BUDGET ON LOCAL GOVERNMENTS						
Local Fiscal Year 2011						
(millions of dollars)						
	Total	NYC	School Districts	Counties	Other Cities	Towns & Villages
HUMAN SERVICES	(21.2)	(16.4)	(4.2)	(0.6)	0.0	0.0
Shift a Portion of the State Share for CSE to School Districts	(8.7)	(4.5)	(4.2)	0.0	0.0	0.0
Eliminate Open-Ended Funding for Local Secure and Non-Secure Detention	(53.4)	(22.9)	0.0	(30.5)	0.0	0.0
Eliminate Funding for the Work Advantage Program	(8.8)	(8.8)	0.0	0.0	0.0	0.0
Increase NYC Homeless Services	3.8	3.8	0.0	0.0	0.0	0.0
Reduce State Share of Adoption Subsidy Program to 62%	(12.7)	(6.3)	0.0	(6.4)	0.0	0.0
Reduce Community Optional Preventative Services	(7.7)	(0.7)	0.0	(7.0)	0.0	0.0
Reduce Funding for YDDP/SDPP	(7.2)	(1.0)	0.0	(6.2)	0.0	0.0
Reduce Adult Homeless Shelter Reimbursement	(3.9)	(3.9)	0.0	0.0	0.0	0.0
Reduce Caseload Ratio Funding	(0.6)	0.0	0.0	(0.6)	0.0	0.0
Provide Supervision and Treatment Services for Juveniles	3.8	1.3	0.0	2.5	0.0	0.0
Establish New Detention Reimbursement	53.3	22.8	0.0	30.5	0.0	0.0
Maximize Public Assistance Shares	20.9	3.8	0.0	17.1	0.0	0.0
HEALTH	(3.5)	(0.4)	0.0	(3.1)	0.0	0.0
Eliminate Reimbursement for Optional General Public Health Works Services	(2.3)	0.0	0.0	(2.3)	0.0	0.0
Reform Early Intervention	(1.2)	(0.4)	0.0	(0.8)	0.0	0.0
MENTAL HYGIENE	(2.7)	(0.5)	0.0	(2.2)	0.0	0.0
Reduce OPWDD Services	(1.1)	(0.2)	0.0	(0.9)	0.0	0.0
Reduce OMH Local Government Unit Administration	(0.9)	(0.1)	0.0	(0.8)	0.0	0.0
All Other Mental Hygiene	(0.7)	(0.2)	0.0	(0.5)	0.0	0.0
MUNICIPAL AID	(6.2)	0.0	0.0	(2.0)	(1.9)	(2.3)
Reduce AIM to Cities, Towns and Villages	(4.4)	0.0	0.0	0.0	(3.4)	(1.0)
Modify VLT Aid Outside of Yonkers	0.2	0.0	0.0	0.0	1.5	(1.3)
Eliminate Miscellaneous Financial Assistance to Oneida & Madison Counties	(2.0)	0.0	0.0	(2.0)	0.0	0.0
PUBLIC PROTECTION/GENERAL GOVERNMENT	(5.0)	(0.6)	0.0	(2.5)	0.0	(1.9)
Reduce DCJS Local Assistance	(3.6)	(0.6)	0.0	(3.0)	0.0	0.0
Reduce Justice Court Assistance Program 50%	(1.9)	0.0	0.0	0.0	0.0	(1.9)
Provide Emergency Communications Funding to Oneida County	0.5	0.0	0.0	0.5	0.0	0.0
ALL OTHER IMPACTS	15.0	3.0	0.5	11.0	0.9	(0.4)
Implement Tax Modernization	17.1	3.0	0.2	12.4	1.1	0.4
Provide PILOT Payment on New State Owned Land	0.6	0.0	0.3	0.2	0.0	0.1
Reduce Office of Real Property Tax Services Local Assistance	(2.7)	0.0	0.0	(1.6)	(0.2)	(0.9)
Total SFY 2011-12 Enacted Budget Actions	(23.6)	(14.9)	(3.7)	0.6	(1.0)	(4.6)
Continuing Medicaid Cap and FHP Takeover Savings	1,844.4	1,214.7	0.0	629.7	0.0	0.0
GRAND TOTAL	1,820.8	1,199.8	(3.7)	630.3	(1.0)	(4.6)

Local Government Impact Changes from the Executive Proposal in 2011

For local fiscal years ending in 2011 the Executive Budget had an impact of \$1.79 billion to local governments. In the Enacted Budget the impact to local governments is \$1.82 billion, representing an increase of \$25 million. The primary changes relate to various measures taken within Human Services and initiatives implemented in All Other Impacts. Human Services funding increased \$19.5 million over. This includes increases of \$3.3 million to the City of New York, \$4.1 million to school districts, and \$12.1 million to counties, respectively.

The Enacted Budget restored the following: The elimination of funding for local secure and non-secure detention; and shifting Title XX funding to Child Welfare Services. The Enacted Budget also provided for an additional program for New York City Homeless Services. This initiative provided an additional \$3.8 million to the City of New York.

Fiscal Impact of the SFY 2011-12 Enacted Budget on Local Governments in Local Fiscal Year Ending in 2012

FISCAL IMPACT OF THE SFY 2011-12 ENACTED BUDGET ON LOCAL GOVERNMENTS Local Fiscal Year 2012 (millions of dollars)						
	Total	NYC	School Districts	Counties	Other Cities	Towns & Villages
EDUCATION	(1,305.0)	(461.0)	(844.0)	0.0	0.0	0.0
Reduce School Aid	(1,305.0)	(461.0)	(844.0)	0.0	0.0	0.0
HUMAN SERVICES	(84.3)	(66.3)	(17.2)	(0.8)	0.0	0.0
Shift State Share for CSE to School Districts	(35.9)	(18.7)	(17.2)	0.0	0.0	0.0
Eliminate Open-Ended Funding for Local Secure and Non-Secure Detention	(79.6)	(47.2)	0.0	(32.4)	0.0	0.0
Eliminate Funding for the Work Advantage Program	(35.0)	(35.0)	0.0	0.0	0.0	0.0
Increase for NYC Homeless	15.0	15.0	0.0	0.0	0.0	0.0
Reduce State Share of Adoption Subsidy Program to 62%	(34.6)	(25.5)	0.0	(9.1)	0.0	0.0
Eliminate Community Optional Preventative Services	(12.2)	(2.8)	0.0	(9.4)	0.0	0.0
Eliminate Funding for YDDP/SDPP	(12.2)	(3.9)	0.0	(8.3)	0.0	0.0
Reduce Adult Homeless Shelter Reimbursement	(15.7)	(15.7)	0.0	0.0	0.0	0.0
Implement Phase II of the DOJ Remedial Plan	(1.5)	(0.5)	0.0	(1.0)	0.0	0.0
Reduce Caseload Ratio Funding	(0.8)	0.0	0.0	(0.8)	0.0	0.0
Delay Public Assistance Grant Increase	2.8	1.2	0.0	1.6	0.0	0.0
Close Youth Facilities	5.8	2.0	0.0	3.8	0.0	0.0
Establish New Detention Reimbursement	76.2	45.7	0.0	30.5	0.0	0.0
Provide Supervision and Treatment Services for Juveniles	5.6	4.1	0.0	1.5	0.0	0.0
Maximize Public Assistance Shares	37.8	15.0	0.0	22.8	0.0	0.0
HEALTH	(28.3)	(12.6)	0.0	(15.7)	0.0	0.0
Eliminate Reimbursement for Optional General Public Health Works Services	(32.9)	(13.5)	0.0	(19.4)	0.0	0.0
Reform Early Intervention	4.6	0.9	0.0	3.7	0.0	0.0
MENTAL HYGIENE	(5.1)	(1.9)	0.0	(3.2)	0.0	0.0
Reduce OPWDD Services	(1.9)	(0.7)	0.0	(1.2)	0.0	0.0
Reduce OMH Local Government Unit Administration	(1.9)	(0.5)	0.0	(1.4)	0.0	0.0
All Other Mental Hygiene	(1.3)	(0.7)	0.0	(0.6)	0.0	0.0
MUNICIPAL AID	(16.5)	0.0	0.0	(2.0)	(11.7)	(2.8)
Reduce AIM to Cities, Towns and Villages	(14.6)	0.0	0.0	0.0	(13.2)	(1.4)
Modify VLT Aid Outside of Yonkers	0.1	0.0	0.0	0.0	1.5	(1.4)
Reduce Miscellaneous Financial Assistance to Oneida & Madison Counties	(2.0)	0.0	0.0	(2.0)	0.0	0.0
PUBLIC PROTECTION/GENERAL GOVERNMENT	(8.2)	(2.3)	0.0	(3.4)	0.0	(2.5)
Reduce DCJS Local Assistance	(6.3)	(2.3)	0.0	(4.0)	0.0	0.0
Reduce Justice Court Assistance Program by 50%	(2.5)	0.0	0.0	0.0	0.0	(2.5)
Provide Emergency Communications Funding to Oneida County	0.6	0.0	0.0	0.6	0.0	0.0
ALL OTHER IMPACTS	47.3	39.2	(1.9)	11.4	1.7	(3.1)
Implement Tax Modernization	58.3	39.8	0.7	13.5	2.0	2.3
Provide PILOT Payment on New State Owned Land	0.4	0.0	0.2	0.1	0.0	0.1
Reduce Office of Real Property Tax Services Local Assistance	(11.4)	(0.6)	(2.8)	(2.2)	(0.3)	(5.5)
Total SFY 2011-12 Enacted Budget Actions	(1,400.1)	(504.9)	(863.1)	(13.7)	(10.0)	(8.4)
Continuing Medicaid Cap and FHP Takeover Savings	2,372.8	1,577.8	0.0	795.0	0.0	0.0
GRAND TOTAL	972.7	1,072.9	(863.1)	781.3	(10.0)	(8.4)

Local Government Impact Changes from the Executive Proposal in 2012

For local fiscal years ending in 2012 the Executive Budget had an impact of \$603.4 million to local governments. In the Enacted Budget the impact to local governments is \$972.7 million, representing an increase of \$369.3 million. The primary changes were restorations of \$336.6 million to Education and \$29.9 million for various Human Services initiatives. These restorations provided an additional \$118.5 million to the City of New York, \$237.2 million to School Districts and \$11.7 million to Counties, respectively.

The Enacted Budget provides for a modification to the distribution of Video Lottery Terminal (VLT) aid to host municipalities. This change provided an additional \$1.5 million to Other Cities. In addition, the Enacted Budget rejected the implementation of Full Family Sanctions, and the creation of a Primary Prevention Incentive Program.

General Legislative Findings

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PUBLIC PROTECTION & GENERAL GOVERNMENT

By Agency

DIVISION OF ALCOHOLIC BEVERAGE CONTROL

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
STATE OPERATIONS				
Special Revenue-Other	22,335,000	16,860,000	16,860,000	0
Total for STATE OPERATIONS	22,335,000	16,860,000	16,860,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive recommendation.

Article VII

The Legislature accepts the Executive's proposal to modify the compensation structure for the Commissioners of the New York State Liquor Authority which eliminates the annual salary of the Commissioners and replaces it with per diem reimbursement. The Chairman is exempt from this provision.

DEPARTMENT OF AUDIT AND CONTROL

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
STATE OPERATIONS				
General Fund	139,773,000	125,801,000	125,801,000	0
Special Revenue-Other	11,008,000	18,508,000	18,508,000	0
Total for Agency	150,781,000	144,309,000	144,309,000	0
Total Contingency	105,648,000	107,999,000	107,999,000	0
Total for STATE OPERATIONS	256,429,000	252,308,000	252,308,000	0
AID TO LOCALITIES				
General Fund	32,025,000	32,025,000	32,025,000	0
Total for AID TO LOCALITIES	32,025,000	32,025,000	32,025,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive recommendation.

DIVISION OF THE BUDGET

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
STATE OPERATIONS				
General Fund	34,477,000	29,054,000	29,054,000	0
Special Revenue-Other	23,431,000	22,931,000	22,931,000	0
Internal Service Fund	1,650,000	1,650,000	1,650,000	0
Total for STATE OPERATIONS	59,558,000	53,635,000	53,635,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive recommendation.

DEPARTMENT OF CIVIL SERVICE

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
STATE OPERATIONS				
General Fund	18,593,000	16,734,000	16,734,000	0
Special Revenue-Other	2,257,000	2,257,000	2,257,000	0
Internal Service Fund	40,704,000	40,704,000	40,704,000	0
Total for STATE OPERATIONS	61,554,000	59,695,000	59,695,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive recommendation.

Article VII

The Legislature accepts the Executive proposal to change the compensation levels of Commissioners of the State Civil Service Commission, other than the President, from an annual salary of \$90,800 to a new rate of compensation of \$250 per diem plus reimbursement for actual and necessary expenses.

DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
STATE OPERATIONS				
General Fund	2,689,347,000	2,418,614,000	2,418,614,000	0
Special Revenue-Other	30,755,000	30,355,000	30,355,000	0
Special Revenue-Federal	38,900,000	39,400,000	39,400,000	0
Enterprise	43,013,000	43,013,000	43,013,000	0
Internal Service Fund	73,692,000	73,692,000	73,692,000	0
Total for STATE OPERATIONS	2,875,707,000	2,605,074,000	2,605,074,000	0
AID TO LOCALITIES				
General Fund	11,171,000	6,171,000	6,171,000	0
Internal Service Fund	11,000,000	11,000,000	11,000,000	0
Total for AID TO LOCALITIES	22,171,000	17,171,000	17,171,000	0
CAPITAL PROJECTS				
Correctional Facilities Capital Improvement Fund	320,000,000	320,000,000	320,000,000	0
Total for CAPITAL PROJECTS	320,000,000	320,000,000	320,000,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive recommendation.

Legislative Changes

The Legislature rejects an Executive proposal to close correctional facilities upon the recommendations of a task force that was established by Executive Order. Instead, the Legislature agrees to notwithstanding the one-year prison closure notification requirement, and allows the Executive the discretion to close correctional facilities in a manner that supports the cost-effective and efficient operations of the correctional system.

Prior to the closure of any correctional facility, the Executive is required to provide at least sixty days notice to the Temporary President of the Senate and the Speaker of the Assembly. This expedited closure process is authorized for State Fiscal Year (SFY) 2011-12 only.

Article VII

The Legislature amends the Executive's proposal to merge the Division of Parole and the Department of Correctional Services into a new Department of Corrections and Community Supervision (DCCS). Under the Enacted Budget, the Board of Parole will become a separate program within the new Department supported with distinct appropriations. The Board of Parole will maintain its current authority over parole revocation hearing officers, establishing the

conditions of parole supervision, and granting discretionary parole release. The new Department will be required to provide the Legislature with an annual report regarding persons released to community supervision.

The Legislature denies an Executive proposal to permanently eliminate the one year prison closure notification requirement and adaptive reuse plan. The Legislature authorizes the Executive to close correctional facilities in SFY 2011-12 by providing at least sixty days notice prior to such closure.

DIVISION OF CRIMINAL JUSTICE SERVICES

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
STATE OPERATIONS				
General Fund	59,845,000	57,857,000	53,861,000	(3,996,000)
Special Revenue-Other	23,579,000	25,312,000	18,079,000	(7,233,000)
Special Revenue-Federal	35,225,000	30,361,000	24,200,000	(6,161,000)
Internal Service Fund	0	890,000	0	(890,000)
Total for STATE OPERATIONS	118,649,000	114,420,000	96,140,000	(18,280,000)
AID TO LOCALITIES				
General Fund	115,790,000	106,807,000	109,908,000	3,101,000
Special Revenue-Other	34,627,000	57,990,000	33,181,000	(24,809,000)
Special Revenue-Federal	52,925,000	67,768,000	32,875,000	(34,893,000)
Total for AID TO LOCALITIES	203,342,000	232,565,000	175,964,000	(56,601,000)

LEGISLATIVE ACTION

The Legislature appropriates \$272,104,000 on an All Funds basis, a decrease of \$74,811,000 from the Executive's budget submission. This reduction is largely attributable to the denial of proposed agency consolidations.

Legislative Changes

The Legislature provides \$3,000,000 to partially offset the Executive's proposed 12 percent reduction to various programs, and to deny the recommendation to combine all local assistance programs into a single, competitively awarded appropriation.

The Legislature restores \$2,886,000 in Special Revenue Funds for the Legal Services Assistance Account to support an array of civil and criminal legal service programs.

The Legislature provides \$2,000,000 in appropriations for the Federal Edward Byrne/Justice Assistance Grant program, with a portion of such funds to be allocated pursuant to a joint resolution.

The Legislature provides a total of \$1,218,000 in Special Revenue Fund support for domestic violence services with a portion of such funds to be allocated pursuant to a joint resolution.

The Legislature provides an additional \$650,000 to support civil or criminal legal services for domestic violence programs, to be allocated pursuant to a joint resolution.

The Legislature further provides funding for indigent legal services for incarcerated persons (\$1,000,000), the operation and consolidation of public safety answering points in Oneida County (\$600,000) and additional support for the New York State Defenders Association (\$250,000).

Article VII

The Legislature denies the merger of the Office of Victim Services, the Office for the Prevention of Domestic Violence and the State Commission on Correction into the Division of Criminal Justice Services and instead restores these agencies as stand-alone entities.

The Legislature amends the Executive's proposal to extend various criminal justice programs for two years, and also includes extensions for: the Interstate Compact for Adult Supervision; the ability of State correctional facilities to house local inmates; the Division of Military and Naval Affairs (DMNA) Recruitment and Retention program, and authorization for Armory Rentals.

The Legislature amends the Executive's proposal to change the distribution of certain monies recovered by District Attorneys and to make the program permanent and instead extends this provision for only one year.

The Legislature makes technical changes to the District Attorney and Indigent Legal Attorney Loan Forgiveness Program to ensure that residency requirements are met and to provide continued eligibility for district attorneys who met the eligibility requirements prior to State Fiscal Year (SFY) 2009-10.

The Legislature provides funding for the following:

PROGRAM	APPROPRIATION
VIOLENCE AGAINST WOMEN ACCOUNT	\$6,500,000
PARTIAL RESTORATION OF LOCAL ASSISTANCE PROGRAMS	\$3,000,000
CRIMINAL OR CIVIL LEGAL SERVICE PROVIDERS	\$2,886,000
BYRNE/JUSTICE ASSISTANCE GRANT (JAG)	\$2,000,000
DOMESTIC VIOLENCE SERVICES	\$1,218,000
INDIGENT LEGAL SERVICES FOR PERSONS REENTERING COMMUNITIES FROM STATE FACILITIES	\$1,000,000
VIOLENCE AGAINST WOMEN ACCOUNT	\$900,000
CIVIL OR CRIMINAL LEGAL SERVICES FOR DOMESTIC VIOLENCE PROGRAMS	\$650,000
ONEIDA COUNTY PUBLIC SAFETY ANSWERING POINTS	\$600,000
VIOLENCE AGAINST WOMEN ACCOUNT	\$600,000
AMENDED GENERAL FUND - PERSONAL SERVICE APPROPRIATION	\$268,000
NEW YORK STATE DEFENDERS ASSOCIATION	\$186,000
AMENDED GENERAL FUND - NON PERSONAL SERVICE APPROPRIATION	\$146,000
NEW YORK STATE DEFENDERS ASSOCIATION	\$64,000

STATE BOARD OF ELECTIONS

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
STATE OPERATIONS				
General Fund	6,135,000	5,521,000	5,521,000	0
Special Revenue-Other	500,000	500,000	500,000	0
Special Revenue-Federal	6,500,000	6,500,000	6,500,000	0
Total for STATE OPERATIONS	13,135,000	12,521,000	12,521,000	0
AID TO LOCALITIES				
Special Revenue-Federal	1,000,000	1,000,000	1,000,000	0
Total for AID TO LOCALITIES	1,000,000	1,000,000	1,000,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive recommendation.

Article VII

The Legislature denies an Executive proposal to repeal language requiring the State Board of Elections to annually compile and publish the full text of the election law in hard copy form and transmit copies to each county board of election.

The Legislature denies the Executive's proposal to substitute digital publication for newspaper publication of certain pre- and post-election information, such as the text of proposed ballot questions and constitutional amendments, and the results of general elections.

OFFICE OF EMPLOYEE RELATIONS

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
STATE OPERATIONS				
General Fund	3,290,000	2,961,000	2,961,000	0
Special Revenue-Other	121,000	121,000	121,000	0
Internal Service Fund	3,710,000	3,710,000	3,710,000	0
Total for STATE OPERATIONS	7,121,000	6,792,000	6,792,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive recommendation.

EXECUTIVE CHAMBER

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
STATE OPERATIONS				
General Fund	20,538,000	18,484,000	18,484,000	0
Special Revenue-Other	100,000	90,000	90,000	0
Total for STATE OPERATIONS	20,638,000	18,574,000	18,574,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive recommendation.

DEPARTMENT OF FINANCIAL SERVICES

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
STATE OPERATIONS				
General Fund	150,000	0	0	0
Special Revenue-Other	330,818,555	330,430,823	329,430,823	(1,000,000)
Special Revenue-Federal	1,000,000	0	0	0
Total for STATE OPERATIONS	331,968,555	330,430,823	329,430,823	(1,000,000)
AID TO LOCALITIES				
Special Revenue-Other	225,566,000	225,566,000	225,566,000	0
Total for AID TO LOCALITIES	225,566,000	225,566,000	225,566,000	0

LEGISLATIVE ACTION

The Legislature amends the Executive recommendation resulting in All Funds appropriations of \$554,996,823.

Legislative Changes

The Legislature reduces State Operations appropriations to \$329,430,823, a \$1,000,000 decrease from Executive proposed funding levels. This action reflects the transfer of funding and personnel for Consumer Services activities from this Agency to the Department of State.

Article VII

The Legislature accepts the Executive's recommendation that would, effective October 3, 2011, merge the operations of the Banking and Insurance Departments into a newly established Department of Financial Services (DFS). The DFS would enforce the banking, insurance, and financial services law and have the authority to regulate certain existing and newly-created financial products and services. An Insurance Division and a Banking Division would be established within the DFS, as well as a Financial Frauds and Consumer Protection Unit, which would be charged with investigating suspected financial fraud and bringing civil enforcement actions against violators. The Agreement also provides for the transfer of the functions, duties and staff of the Consumer Protection Board to the Department of State under a new Consumer Protection Division.

OFFICE OF GENERAL SERVICES

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
STATE OPERATIONS				
General Fund	143,172,000	128,912,000	128,912,000	0
Special Revenue-Other	21,591,000	21,591,000	21,591,000	0
Special Revenue-Federal	11,340,000	8,230,000	8,230,000	0
Enterprise	2,009,000	2,009,000	2,009,000	0
Internal Service Fund	300,720,000	300,720,000	300,720,000	0
Fiduciary	750,000	750,000	750,000	0
Total for STATE OPERATIONS	479,582,000	462,212,000	462,212,000	0
CAPITAL PROJECTS				
Capital Projects Fund	82,000,000	50,900,000	50,900,000	0
Capital Projects Fund - Authority Bonds	16,000,000	33,100,000	33,100,000	0
Total for CAPITAL PROJECTS	98,000,000	84,000,000	84,000,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive recommendation.

DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
STATE OPERATIONS				
General Fund	11,957,000	10,754,000	10,754,000	0
Special Revenue-Other	63,665,000	63,665,000	63,665,000	0
Special Revenue-Federal	9,111,000	9,111,000	9,111,000	0
Enterprise	50,000,000	50,000,000	50,000,000	0
Internal Service Fund	2,000,000	2,000,000	2,000,000	0
Total for STATE OPERATIONS	136,733,000	135,530,000	135,530,000	0
AID TO LOCALITIES				
General Fund	3,300,000	3,300,000	3,300,000	0
Special Revenue-Other	36,054,700	61,088,000	61,088,000	0
Special Revenue-Federal	618,363,000	618,363,000	618,363,000	0
Total for AID TO LOCALITIES	657,717,700	682,751,000	682,751,000	0
CAPITAL PROJECTS				
Capital Projects Fund	42,000,000	0	0	0
Total for CAPITAL PROJECTS	42,000,000	0	0	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive recommendation.

Legislative Changes

The Legislature amends an existing \$45,000,000 Statewide Public Safety Communications Account appropriation to allow for a portion of these funds to also support the effective operations of Public Safety Answering Points (PSAPs).

Article VII

The Legislature amends an Executive proposal that would have eliminated an annual transfer of \$1,500,000 million from the Public Safety Communications Account to the Emergency Services Revolving Loan Fund. Instead, the Legislature denies any transfer to the fund for a period of two years.

The Legislature modifies statutory allocations from the Public Safety Communications Account to reprogram \$9,000,000 to support the operation of PSAPs in State Fiscal Year (SFY) 2012-13.

INDIGENT LEGAL SERVICES, OFFICE OF

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
STATE OPERATIONS				
Special Revenue-Other	1,500,000	3,000,000	1,500,000	(1,500,000)
Total for STATE OPERATIONS	1,500,000	3,000,000	1,500,000	(1,500,000)
AID TO LOCALITIES				
Special Revenue-Other	77,000,000	77,000,000	77,000,000	0
Total for AID TO LOCALITIES	77,000,000	77,000,000	77,000,000	0

LEGISLATIVE ACTION

The Legislature appropriates \$78,500,000 on an All Funds basis, a decrease of \$1,500,000 from the Executive budget submission.

Legislative Changes

The Executive proposal to provide a \$1,500,000 increase in administrative support for the Office of Indigent Legal Services is denied, holding the Office at prior year funding levels.

OFFICE OF THE INSPECTOR GENERAL

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
STATE OPERATIONS				
General Fund	6,138,000	5,524,000	5,524,000	0
Special Revenue-Other	100,000	100,000	100,000	0
Total for STATE OPERATIONS	6,238,000	5,624,000	5,624,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive recommendation.

NEW YORK INTEREST ON LAWYERS ACCOUNT

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
STATE OPERATIONS				
Special Revenue-Other	1,873,000	1,889,000	1,889,000	0
Total for STATE OPERATIONS	1,873,000	1,889,000	1,889,000	0
AID TO LOCALITIES				
Special Revenue-Other	45,000,000	45,000,000	45,000,000	0
Total for AID TO LOCALITIES	45,000,000	45,000,000	45,000,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive recommendation.

JUDICIAL COMMISSIONS

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
STATE OPERATIONS				
General Fund	5,474,000	5,452,000	5,452,000	0
Total for STATE OPERATIONS	5,474,000	5,452,000	5,452,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive recommendation.

DEPARTMENT OF LAW

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
STATE OPERATIONS				
General Fund	112,641,000	101,381,000	101,381,000	0
Special Revenue-Other	61,565,000	72,819,000	72,819,000	0
Special Revenue-Federal	35,820,000	34,820,000	34,820,000	0
Total for STATE OPERATIONS	210,026,000	209,020,000	209,020,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive recommendation.

DIVISION OF MILITARY AND NAVAL AFFAIRS

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
STATE OPERATIONS				
General Fund	17,105,000	15,394,000	15,394,000	0
Special Revenue-Other	8,741,000	8,741,000	8,741,000	0
Special Revenue-Federal	42,780,000	42,780,000	42,780,000	0
Total for STATE OPERATIONS	68,626,000	66,915,000	66,915,000	0
AID TO LOCALITIES				
General Fund	650,000	650,000	650,000	0
Total for AID TO LOCALITIES	650,000	650,000	650,000	0
CAPITAL PROJECTS				
Capital Projects Fund	6,100,000	14,200,000	14,200,000	0
Federal Capital Projects Fund	17,600,000	25,000,000	25,000,000	0
Total for CAPITAL PROJECTS	23,700,000	39,200,000	39,200,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive recommendation.

PUBLIC EMPLOYEES RELATIONS BOARD

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
STATE OPERATIONS				
General Fund	3,968,000	3,571,000	3,571,000	0
Special Revenue-Other	575,000	575,000	575,000	0
Total for STATE OPERATIONS	4,543,000	4,146,000	4,146,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive recommendation.

PUBLIC INTEGRITY, COMMISSION ON

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
STATE OPERATIONS				
General Fund	4,308,000	3,878,000	3,878,000	0
Total for STATE OPERATIONS	4,308,000	3,878,000	3,878,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive recommendation.

DIVISION OF STATE POLICE

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
STATE OPERATIONS				
General Fund	469,079,000	422,174,000	422,174,000	0
Special Revenue-Other	236,350,000	236,350,000	236,350,000	0
Special Revenue-Federal	6,310,000	7,335,000	7,335,000	0
Total for STATE OPERATIONS	711,739,000	665,859,000	665,859,000	0
CAPITAL PROJECTS				
Capital Projects Fund	5,500,000	5,500,000	5,500,000	0
Capital Projects Fund - Authority Bonds	6,000,000	6,000,000	6,000,000	0
Total for CAPITAL PROJECTS	11,500,000	11,500,000	11,500,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive recommendation.

STATEWIDE FINANCIAL SYSTEM

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
STATE OPERATIONS				
Special Revenue-Other	1,684,000	45,000,000	45,000,000	0
Total for STATE OPERATIONS	1,684,000	45,000,000	45,000,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive recommendation.

Legislative Changes

The Legislature amends appropriation language to provide for coordination and joint implementation of the Statewide Financial System by the mutual agreement of the Director of the Division of the Budget and the State Comptroller.

OFFICE FOR TECHNOLOGY

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
STATE OPERATIONS				
General Fund	30,558,000	27,502,000	27,502,000	0
Special Revenue-Other	3,445,000	3,445,000	3,445,000	0
Internal Service Fund	403,165,000	403,165,000	403,165,000	0
Total for STATE OPERATIONS	437,168,000	434,112,000	434,112,000	0

LEGISLATIVE ACTION

The Legislature appropriates \$434,112,000 on an All Funds Basis, representing no change from the Executive proposal.

Legislative Reductions

The Legislature eliminates \$99,000,000 in prior year capital appropriations for the development of a consolidated data center.

DIVISION OF VETERANS' AFFAIRS

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
STATE OPERATIONS				
General Fund	6,451,000	5,806,000	5,806,000	0
Special Revenue-Federal	1,966,000	1,966,000	1,966,000	0
Capital Projects Fund	0	0	500,000	500,000
Total for STATE OPERATIONS	8,417,000	7,772,000	8,272,000	500,000
AID TO LOCALITIES				
General Fund	7,946,000	8,026,000	8,176,000	150,000
Special Revenue-Federal	500,000	500,000	500,000	0
Total for AID TO LOCALITIES	8,446,000	8,526,000	8,676,000	150,000

LEGISLATIVE ACTION

The Legislature appropriates \$16,948,000 on an All Fund basis, reflecting an increase of \$650,000 in funding from the Executive submission.

Legislative Additions

The Legislature provides \$500,000 in funding for services and expenses related to a federally funded state Veteran's cemetery, pursuant to a chapter of the laws of 2011, and pursuant to a project approved by the United States Department of Veterans Affairs.

Aid to Localities

The Legislature also includes \$150,000 in additional funding for the following:

- \$75,000 for services and expenses related to the NYS Veterans of Foreign Wars – New York City Office
- \$50,000 for services and expenses related to the NYS Veterans of Foreign wars – Buffalo Service Office; and
- \$25,000 for services and expenses of the Vietnam Veterans of America – New York State Council.

The Legislature provides funding for the following:

PROGRAM	APPROPRIATION
FOR SERVICES AND EXPENSES RELATED TO A FEDERALLY FUNDED STATE VETERAN'S CEMETERY	\$500,000
FOR SERVICES AND EXPENSES OF THE NEW YORK VETERANS OF FOREIGN WARS - NEW YORK CITY SERVICE OFFICE	\$75,000
FOR SERVICES AND EXPENSES OF THE NEW YORK VETERANS OF FOREIGN WARS - BUFFALO SERVICE OFFICE	\$50,000
FOR SERVICES AND EXPENSES OF THE VIETNAM VETERANS OF AMERICA - NEW YORK STATE COUNCIL	\$25,000

WORKERS' COMPENSATION BOARD

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
STATE OPERATIONS				
Special Revenue-Other	204,749,000	204,749,000	204,749,000	0
Total for STATE OPERATIONS	204,749,000	204,749,000	204,749,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive recommendation.

Article VII

The Legislature modifies the Governor's proposal to implement the findings of the Task Force on Group Self Insurance. The Legislature accepts provisions to limit workers' compensation coverage for private employers by group self-insured trusts. The Legislature also amends provisions related to the repeal of certain assessments on funded trusts and provides mechanisms to encourage the settlement or payment of outstanding liabilities related to underfunded trusts.

GENERAL STATE CHARGES

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
STATE OPERATIONS				
General Fund	2,377,665,000	2,889,150,000	2,889,150,000	0
Fiduciary	101,000,000	101,000,000	101,000,000	0
Total for STATE OPERATIONS	2,478,665,000	2,990,150,000	2,990,150,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive recommendation.

Article VII

The Legislature accepts the Executive proposal to authorize State payments for lands acquired by the Department of Environmental Conservation within the Hemlock and Canadice Lakes watershed.

MISCELLANEOUS: PUBLIC PROTECTION & GENERAL GOVERNMENT

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
STATE OPERATIONS				
General Fund	2,513,477,000	2,431,601,000	2,431,601,000	0
Special Revenue-Other	7,529,000	13,529,000	13,529,000	0
Special Revenue-Federal	50,000,000	50,000,000	50,000,000	0
Fiduciary	192,400,000	192,400,000	192,400,000	0
Emergency	215,000,000	210,000,000	210,000,000	0
Total for STATE OPERATIONS	2,978,406,000	2,897,530,000	2,897,530,000	0
Homeland Security				
Special Revenue-Other	3,000,000	9,000,000	9,000,000	0
Special Revenue-Federal	50,000,000	50,000,000	50,000,000	0
Emergency	115,000,000	110,000,000	110,000,000	0
Total for Program	168,000,000	169,000,000	169,000,000	0
Aggregate Trust Fund				
General Fund	220,000,000	220,000,000	220,000,000	0
Total for Program	220,000,000	220,000,000	220,000,000	0
Collective Bargaining Agreements				
General Fund	39,093,000	5,300,000	5,300,000	0
Special Revenue-Other	500,000	500,000	500,000	0
Total for Program	39,593,000	5,800,000	5,800,000	0
Deferred Compensation Board				
General Fund	114,000	114,000	114,000	0
Special Revenue-Other	817,000	817,000	817,000	0
Total for Program	931,000	931,000	931,000	0
Health Insurance Contingency Reserve				
General Fund	651,240,000	605,057,000	605,057,000	0
Total for Program	651,240,000	605,057,000	605,057,000	0
Health Insurance Reserve Receipts Fund				
Fiduciary	192,400,000	192,400,000	192,400,000	0
Total for Program	192,400,000	192,400,000	192,400,000	0
Reserve for Federal Audit Disallowance				
General Fund	200,000,000	200,000,000	200,000,000	0
Total for Program	200,000,000	200,000,000	200,000,000	0
Special Emergency Appropriations				
Emergency	100,000,000	100,000,000	100,000,000	0
Total for Program	100,000,000	100,000,000	100,000,000	0

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
Worker's Compensation Reserve				
General Fund	18,030,000	16,130,000	16,130,000	0
Total for Program	18,030,000	16,130,000	16,130,000	0
State Insurance Fund				
General Fund	1,295,000,000	1,295,000,000	1,295,000,000	0
Total for Program	1,295,000,000	1,295,000,000	1,295,000,000	0
Property/Casualty Insurance Security Fund				
General Fund	90,000,000	90,000,000	90,000,000	0
Total for Program	90,000,000	90,000,000	90,000,000	0
New York State Financial Control Board				
Special Revenue-Other	3,212,000	3,212,000	3,212,000	0
Total for Program	3,212,000	3,212,000	3,212,000	0
AID TO LOCALITIES				
General Fund	942,630,698	983,600,000	992,044,300	8,444,300
Special Revenue-Federal	1,000,000,000	1,000,000,000	1,000,000,000	0
Fiduciary	30,000,000	30,000,000	30,000,000	0
Total for AID TO LOCALITIES	1,972,630,698	2,013,600,000	2,022,044,300	8,444,300
Video Lottery Terminal Municipal Aid				
General Fund	25,801,000	19,600,000	25,867,000	6,267,000
Total for Program	25,801,000	19,600,000	25,867,000	6,267,000
Local Government Assistance Tax Fund				
General Fund	170,000,000	170,000,000	170,000,000	0
Total for Program	170,000,000	170,000,000	170,000,000	0
Municipal Assistance Tax Fund				
Fiduciary	15,000,000	15,000,000	15,000,000	0
Total for Program	15,000,000	15,000,000	15,000,000	0
Municipal Assistance State Aid Fund				
Fiduciary	15,000,000	15,000,000	15,000,000	0
Total for Program	15,000,000	15,000,000	15,000,000	0
Miscellaneous Financial Assistance				
General Fund	3,920,000	0	1,960,000	1,960,000
Total for Program	3,920,000	0	1,960,000	1,960,000
Small Government Assistance				
General Fund	2,088,698	0	0	0
Total for Program	2,088,698	0	0	0

MISCELLANEOUS: PUBLIC PROTECTION & GENERAL GOVERNMENT 27-2

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
Aid to Municipalities				
General Fund	740,821,000	794,000,000	794,000,000	0
Total for Program	740,821,000	794,000,000	794,000,000	0
Special Federal Emergency Appropriation				
Special Revenue-Federal	1,000,000,000	1,000,000,000	1,000,000,000	0
Total for Program	1,000,000,000	1,000,000,000	1,000,000,000	0
Small Government Assistance				
General Fund	0	0	217,300	217,300
Total for Program	0	0	217,300	217,300
CAPITAL PROJECTS				
All Funds	187,285,000	92,751,000	92,751,000	0
Total for CAPITAL PROJECTS	187,285,000	92,751,000	92,751,000	0
State Equipment Financing Program				
All Funds	187,285,000	92,751,000	92,751,000	0
Total for Program	187,285,000	92,751,000	92,751,000	0

LEGISLATIVE ACTION

Local Government Assistance

The Legislature appropriates \$1,022,044,300 on an All Funds basis, an increase of \$8,444,300.

Video Lottery Terminal Aid

The Legislature provided a partial restoration of \$6,267,000 for Video Lottery Terminal (VLT) aid to host municipalities. Municipalities that currently have VLT facilities will receive 45 percent of their base level aid provided in the State Fiscal Year (SFY) 2008-09 Enacted Budget.

Miscellaneous Financial Assistance

The Legislature restores \$1,960,000 for Miscellaneous Financial Assistance to Madison and Oneida Counties.

Small Government Assistance

The Legislature restores \$217,300 for Small Government Assistance to Essex, Franklin and Hamilton Counties.

Article VII

The Legislature accepts the Executive proposal to reduce Aid and Incentives for Municipalities (AIM) funding by two percent for all cities, towns and villages and to eliminate New York City from the AIM program.

The Legislature denies the Executive proposal to eliminate VLT aid to certain host communities.

The Legislature modifies the Executive proposal for the Citizens Reorganization Empowerment Grants and the Citizens Empowerment Tax Credits to require that at least 70 percent of the aid be used for direct property tax relief.

The Executive-proposed repeal of the Industrial Development Agency (IDA) cost recovery assessment is amended to retroactively repeal the assessment from April 1, 2009.

The Legislature provides funding for the following:

PROGRAM	APPROPRIATION
VIDEO LOTTERY TERMINAL AID	\$6,267,000
MISCELLANEOUS FINANCIAL ASSISTANCE	\$1,960,000
SMALL GOVERNMENT ASSISTANCE PROGRAM	\$217,300

OFFICE FOR PREVENTION OF DOMESTIC VIOLENCE

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
STATE OPERATIONS				
General Fund	1,365,000	0	1,365,000	1,365,000
Special Revenue-Other	70,000	0	70,000	70,000
Special Revenue-Federal	1,100,000	0	1,100,000	1,100,000
Internal Service Fund	890,000	0	890,000	890,000
Total for STATE OPERATIONS	3,425,000	0	3,425,000	3,425,000
AID TO LOCALITIES				
General Fund	685,000	0	685,000	685,000
Special Revenue-Federal	500,000	0	500,000	500,000
Total for AID TO LOCALITIES	1,185,000	0	1,185,000	1,185,000

LEGISLATIVE ACTION

The Legislature appropriates \$4,610,000 on an All Funds basis, an increase of \$4,610,000 from the Executive recommendation.

Legislative Changes

The Legislature denies the merger of the Office for the Prevention of Domestic Violence (OPDV) into the Division of Criminal Justice Services (DCJS) and restores the Office as a separate entity. The Legislature also denies a proposed ten percent reduction to this agency and provides total All Funds appropriations of \$4,610,000 for OPDV, representing no change from the State Fiscal Year (SFY) 2010-11 funding levels.

The Legislature provides funding for the following:

PROGRAM	APPROPRIATION
GENERAL FUND - PERSONAL SERVICE	\$1,213,000
SPECIAL REVENUE FEDERAL - STATE OPERATIONS	\$1,100,000
INTERNAL SERVICE FUNDS	\$890,000
DOMESTIC VIOLENCE HOTLINE AND LAW CLINIC	\$685,000
SPECIAL REVENUE FEDERAL - AID TO LOCALITIES	\$500,000
GENERAL FUND - NONPERSONAL SERVICE	\$152,000
SPECIAL REVENUE OTHER - NONPERSONAL SERVICE	\$70,000

COMMISSION OF CORRECTION

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
STATE OPERATIONS				
General Fund	2,975,000	0	2,975,000	2,975,000
Total for STATE OPERATIONS	2,975,000	0	2,975,000	2,975,000

LEGISLATIVE ACTION

The Legislature appropriates \$2,975,000, an increase of \$2,975,000 over the Executive proposal.

Legislative Changes

The Legislature denies the merger of the State Commission of Corrections (SCOC) into the Division of Criminal Justice Services (DCJS) and restores the Commission as a separate entity. In denying this consolidation the Legislature also denies the Executive proposed ten percent reduction to this agency for an All Funds recommendation of \$2,975,000 million, representing no change from State Fiscal Year (SFY) 2010-11 funding levels.

Legislative Additions

The Legislature provides funding for the following:

PROGRAM	APPROPRIATION
REJECTION OF EXECUTIVE PROPOSED AGENCY CONSOLIDATION	\$2,453,000
REJECTION OF EXECUTIVE PROPOSED CONSOLIDATION	\$522,000

OFFICE OF VICTIM SERVICES

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
STATE OPERATIONS				
Special Revenue-Other	7,268,000	0	7,163,000	7,163,000
Special Revenue-Federal	3,061,000	0	3,061,000	3,061,000
Total for STATE OPERATIONS	10,329,000	0	10,224,000	10,224,000
AID TO LOCALITIES				
Special Revenue-Other	30,627,000	0	30,627,000	30,627,000
Special Revenue-Federal	36,393,000	0	36,393,000	36,393,000
Total for AID TO LOCALITIES	67,020,000	0	67,020,000	67,020,000

LEGISLATIVE ACTION

The Legislature appropriates \$77,244,000 on an All Funds basis, an increase of \$77,244,000 over the Executive proposal.

Legislative Changes

The Legislature denies an Executive proposal to merge the Office of Victim Services into the Division of Criminal Justice Services and instead restores the Office as a separate entity and includes an All Funds appropriation of \$77,244,000.

Legislative Reductions

The Legislature reduces support for the Conference Fees Account by \$105,000.

Legislative Additions

The Legislature provides funding for the following:

PROGRAM	APPROPRIATION
SPECIAL REVENUE FEDERAL - AID TO LOCALITIES	\$36,393,000
CRIMINAL JUSTICE IMPROVEMENT ACCOUNT	\$30,587,000
CRIMINAL JUSTICE IMPROVEMENT ACCOUNT	\$6,166,000
CRIME VICTIMS ASSISTANCE ACCOUNT	\$2,454,000
RESTITUTION ACCOUNT	\$997,000
CRIME VICTIMS COMPENSATION ACCOUNT	\$607,000
GIFTS AND BEQUESTS ACCOUNT	\$40,000

EDUCATION, LABOR & FAMILY ASSISTANCE

By Agency

COUNCIL ON THE ARTS

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
STATE OPERATIONS				
General Fund	4,838,000	4,574,000	4,574,000	0
Special Revenue-Other	1,777,000	0	0	0
Special Revenue-Federal	100,000	100,000	100,000	0
Total for STATE OPERATIONS	6,715,000	4,674,000	4,674,000	0
AID TO LOCALITIES				
General Fund	35,150,000	31,635,000	31,635,000	0
Special Revenue-Other	196,000	196,000	196,000	0
Special Revenue-Federal	2,413,000	2,413,000	2,413,000	0
Total for AID TO LOCALITIES	37,759,000	34,244,000	34,244,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive recommendation.

Article VII

The Legislature modifies the Executive's proposal to eliminate the statutory authority for the New York State Theatre Institute (NYSTI) and to provide for the transfer of its rights and property to the Office of General Services (OGS). Instead, the Legislature authorizes the Commissioner of OGS to transfer all personal and real property previously owned by NYSTI to The Sage Colleges upon terms and conditions to be determined by the Commissioner.

CITY UNIVERSITY OF NEW YORK

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
STATE OPERATIONS				
Special Revenue-Other	145,000,000	175,400,000	175,400,000	0
Fiduciary	1,860,258,000	1,880,890,000	1,840,890,000	(40,000,000)
Total for STATE OPERATIONS	2,005,258,000	2,056,290,000	2,016,290,000	(40,000,000)
AID TO LOCALITIES				
General Fund	1,216,362,110	1,202,703,000	1,208,362,000	5,659,000
Special Revenue-Federal	7,554,000	0	0	0
Total for AID TO LOCALITIES	1,223,916,110	1,202,703,000	1,208,362,000	5,659,000
CAPITAL PROJECTS				
Capital Projects Fund	0	21,000,000	21,000,000	0
Cap Proj Fund - CUNY - Direct Auth Bonds	318,785,000	315,461,000	315,461,000	0
Total for CAPITAL PROJECTS	318,785,000	336,461,000	336,461,000	0

LEGISLATIVE ACTION

The Legislature provides an All Funds operating budget of \$1,840,890,900 for the City University of New York (CUNY) Senior Colleges and \$178,156,765 in operating support for CUNY Community Colleges. These amounts represent a decrease of \$34,341,000 over the Executive proposal for the Academic Year 2011-12.

Legislative Reductions

The Legislature reduces appropriation authority to the Senior College Revenue Offset account by \$40,000,000, relating to the rejection of the five percent tuition increase authorized by the CUNY Board of Trustees in 2010-11.

Legislative Changes

The Legislature provides \$5,115,000 in additional academic year funding for CUNY Community Colleges, providing a 38 percent restoration or an \$88 per full-time equivalent (FTE) restoration. Base aid stands at \$2,122 for Academic Year 2011-12.

The Legislature adds \$544,000 for CUNY Child Care Centers.

Article VII

The Legislature modifies language to authorize CUNY to: purchase goods; execute contracts for construction and construction-related services; and execute printing contracts without prior approval of the Comptroller and Attorney General.

The Legislature modifies language to authorize the City University Construction Fund to: purchase goods; and execute contracts for services without prior approval of the Comptroller and Attorney General.

Legislative Additions

The Legislature provides funding for the following:

PROGRAM	APPROPRIATION
CUNY COMMUNITY COLLEGE BASE AID RESTORATION	\$5,115,000
CHILD CARE-COMMUNITY COLLEGES	\$544,000

EDUCATION DEPARTMENT

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
STATE OPERATIONS				
General Fund	42,564,000	38,309,000	38,309,000	0
Special Revenue-Other	154,983,000	149,293,000	149,293,000	0
Special Revenue-Federal	367,224,000	345,703,000	345,703,000	0
Internal Service Fund	31,563,000	33,563,000	33,563,000	0
Total for STATE OPERATIONS	596,334,000	566,868,000	566,868,000	0
AID TO LOCALITIES				
General Fund	18,245,852,000	35,618,422,000	36,090,250,000	471,828,000
Special Revenue-Other	6,462,479,000	9,335,479,000	9,285,479,000	(50,000,000)
Special Revenue-Federal	7,484,797,000	4,084,088,000	4,084,088,000	0
Total for AID TO LOCALITIES	32,193,128,000	49,037,989,000	49,459,817,000	421,828,000
CAPITAL PROJECTS				
Capital Projects Fund	6,800,000	3,400,000	3,400,000	0
Capital Projects Fund - Authority Bonds	20,400,000	0	0	0
Library Aid (Auth Bonds)	14,000,000	14,000,000	14,000,000	0
Total for CAPITAL PROJECTS	41,200,000	17,400,000	17,400,000	0

LEGISLATIVE ACTION

The Legislature provides an All Funds appropriation of \$50,044,085,000, a net \$421,828,000 increase from the Executive's proposal.

Legislative Changes

State Operations

The Legislature accepts the Executive's proposal to decrease General Fund State Operations support for the State Education Department (SED) by \$4,255,000 or 10 percent in State Fiscal Year (SFY) 2011-12.

Formula Based Aids

The Legislature funds General Support for Public Schools at \$19,620,213,730, which is an increase of \$230,548,077 over the Executive's proposal and a decrease of \$695,797,009 below School Year (SY) 2010-11.

The Legislature reduces the Executive's proposed \$2,785,794,864 Gap Elimination Adjustment (GEA) by \$229,312,647 in SY 2011-12, and this restoration will focus on average need and high need school districts. The Legislature provides for a two year appropriation for GEA, consistent with the Executive's proposal.

The final budget also includes a two year appropriation for school aid which provides for an \$800,000,000 increase in SY 2012-13. These funds will allow for a phase-in of the Foundation Aid formula, a reduction in the GEA and the present law reimbursement of expense based aids and other programs in GSPS within a personal income growth cap.

The Legislature accepts the Executive's proposal to fund Foundation Aid at \$14,893,624,660, which is the same level of funding as in SY 2010-11.

The Legislature accepts the Executive's proposal to fund Universal Pre-kindergarten (UPK) at \$384,290,953, which is the same level of funding as in SY 2010-11. UPK funding would be maintained through SY 2012-13.

The Legislature modifies the Executive's proposal to fund Building Aid at its present law level of \$2,638,665,363, which is an increase of \$170,877,554 over SY 2010-11 and an increase of \$4,641,411 over the Executive's proposal. The Legislature denied the creation of a new competitive Building Aid construction fund.

The Legislature modifies the Executive's proposal and provides funding for Reorganization Building Aid at its present law level of \$25,984,070, which is an increase of \$4,490,356 over SY 2010-11 and an increase of \$97,366 over the Executive's proposal.

The Legislature modifies the Executive's proposal for Transportation Aid and provides support at its present law level of \$1,653,589,465, an increase of \$75,301,226 over SY 2010-11 and a decrease of \$1,099,811 from the Executive's proposal. The Legislature denies the Executive's proposal to require districts to incorporate certain efficiency practices to forestall a penalty in reimbursement levels.

The Legislature modifies the Executive's proposal and provides funding for BOCES at its present law level of \$719,114,815, which is an increase of \$17,343,823 over SY 2010-11 and a decrease of \$960,403 from the Executive's proposal. The Legislature denies various modifications to BOCES Aid that would start in the 2012-13 SY including: changing the aid ratio for BOCES; a reduction in the minimum reimbursement to 10 percent; and the removal of certain non-instructional items from the list of BOCES services that are eligible for State Aid.

The Legislature modifies the Executive's proposal to fund High Cost Excess Cost Aid for special need students and provides aid at its present law level of \$483,958,833, which is an increase of \$21,460,836 over SY 2010-11 and an increase of \$1,343,583 over the Executive's proposal.

The Legislature modifies the Executive's proposal to fund Private Excess Cost Aid for special need students at its present law level of \$349,144,284, which is an increase of \$15,894,826 over SY 2010-11 and an increase of \$6,413,664 over the Executive's proposal.

The Legislature modifies the Executive's proposal for Special Services Aid and provides aid at its present law level of \$213,911,530, which is an increase of \$2,817,729 over SY 2010-11 and an increase of \$15,678 over the Executive's proposal.

The Legislature accepts the Executive's proposal to fund High Tax Aid at \$204,770,097, which is the same level of funding as in SY 2010-11. High Tax Aid would remain level through SY 2012-13.

The Legislature modifies the Executive's proposal to fund Textbook Aid and provides funding at its present law level of \$181,855,290, which is an increase of \$715,092 over SY 2010-11.

The Legislature modifies the Executive's proposal for funding Computer Software and provides aid at its present law level of \$46,148,408, which is an increase of \$959,598 over SY 2010-11.

The Legislature modifies the Executive's proposed funding for Library Materials and provides support at its present law level of \$19,325,824, which is an increase of \$138,462 over SY 2010-11.

The Legislature modifies the Executive's proposal for funding Computer Hardware and provides support at its present law level of \$37,800,017, which is a decrease of \$96,467 below SY 2010-11.

The Legislature modifies the Executive's proposal for funding Charter School Transition Aid and provides funding at its present law level of \$25,108,679, which is an increase of \$1,891,497 over SY 2010-11, representing no change from the Executive's proposal.

The Legislature modifies the Executive's proposal for funding Full-Day Kindergarten and provides support at its present law level of \$4,829,872, which is an increase of \$3,480,094 over SY 2010-11 and an increase of \$155,477 over the Executive's proposal.

The Legislature accepts the Executive's proposal to fund the Supplemental Educational Improvement Grant for Yonkers at \$17,500,000, which is the same level of funding it received in SY 2010-11. Support for this Grant would remain level through SY 2012-13.

The Legislature accepts the Executive's proposal to fund Academic Enhancement Aid at \$8,324,033, which is the same level of funding as in SY 2010-11. Academic Enhancement Aid would remain level through SY 2012-13.

The Legislature accepts the Executive's proposal to fund Supplemental Public Excess Cost Aid at \$4,313,167, which is the same level of funding as in SY 2010-11. Supplemental Public Excess Cost Aid would remain level through SY 2012-13.

The Legislature accepts the Executive's proposal to fund Reorganization Operating Aid at \$2,856,587, which is the same level of funding as in SY 2010-11.

The Legislature accepts the Executive's proposal to fund the Academic Achievement Grant for New York City at \$1,200,000, which is the same level of funding as in SY 2010-11. Support for this Grant would remain level through SY 2012-13.

Other General Support for Public Schools Programs (GSPS)

The Legislature accepts the Executive's proposal to fund Urban-Suburban Transfer at its present law level of \$2,730,000, which is the same level as SY 2010-11.

The Legislature accepts the Executive's proposal to fund the Special Academic Improvement Grant for the Roosevelt Union Free School District at \$6,000,000 for the 2011-12 School Year. This program would be restored to \$12,000,000 in SY 2012-2013.

The Legislature accepts the Executive's proposal to fund Teachers of Tomorrow at \$25,000,000, which is the same level as SY 2010-11.

The Legislature accepts the Executive's proposal to support the Teacher Mentor Intern program at \$2,000,000, which is the same level as SY 2010-11.

The Legislature accepts the Executive's proposal to support Employment Preparation Education (EPE) at \$96,000,000, which is the same level as SY 2010-11.

The Legislature accepts the Executive's proposal to fund School Health Services at \$13,840,000, which is the same level as SY 2010-11.

The Legislature accepts the Executive's proposal to fund Bilingual Education at \$12,500,000, which is the same level as SY 2010-11.

The Legislature accepts the Executive's proposal to fund Special Act School Districts at \$2,700,000, which is the same level as SY 2010-11.

The Legislature accepts the Executive's proposal to fund BOCES Aid for Special Act Districts at \$700,000, which is the same level as SY 2010-11.

The Legislature accepts the Executive's proposal to fund Learning Technology Grants at \$3,285,000, which is the same level as SY 2010-11.

The Legislature accepts the Executive's proposal to fund Bus Driver Safety at \$400,000, which is the same level as SY 2010-11.

The Legislature accepts the Executive's proposal to fund Native American Building Aid at \$5,000,000, which is an increase of \$1,500,000 over SY 2010-11.

The Legislature accepts the Executive's proposal to fund Education of OMH/OPWDD Pupils at \$76,000,000, which is an increase of \$4,000,000 over SY 2010-11.

The Legislature accepts the Executive's proposal to fund Incarcerated Youth assistance at \$19,500,000, which is an increase of \$750,000 over SY 2010-11.

The Legislature accepts the Executive's proposal to fund Homeless Pupils aid at \$17,225,000, which is an increase of \$1,000,000 over SY 2010-11.

The Legislature accepts the Executive's proposal to fund Native American Education at \$32,000,000, which is a decrease of 3,000,000 from SY 2010-11.

Other Elementary and Secondary Education Programs

The Legislature denies the Executive's proposal to alter State reimbursement to school districts for the Summer School Special Education Program and restores \$86,000,000 in SY support for this program.

The Legislature denies the Executive's proposal to change the status of Blind and Deaf Schools to approved private schools for students with disabilities. The State will fully reimburse districts who will pay these schools in the first instance; at least 50 percent of this reimbursement would be within the same school year as districts incur the costs. The Legislature accepts the Executive's proposal to provide \$20,000,000 in funding for debt service, residential costs of students, and for remaining allowances for the 2010-11 SY.

The Legislature modifies the Executive's creation of two new competitive grant programs. School District Management Efficiency Awards and the School District Performance Improvement Awards are appropriated at a combined \$500,000,000.

The Legislature restores \$20,440,000 for Teacher Resource and Computer Training Centers.

The Legislature restores funding for Nonpublic School Aid to \$103,377,000, representing a \$3,000,000 increase over the Executive's proposal.

The Legislature denies the elimination of the Primary Mental Health Project and restores its funding to \$894,000.

The Legislature denies the elimination of support for the National Board for Professional Teaching Standards Certification program and restores funding levels to \$368,000.

The Legislature restores funding for the offset within the Employment Preparation Education (EPE) program for the Consortium for Worker Education (CWE) to \$13,000,000, a \$1,500,000 increase over the Executive's proposal.

The Legislature accepts the Executive's proposal to provide \$70,000,000 to reimburse school districts for costs associated with the payment of the Metropolitan Commuter Transportation Mobility Tax, which is an increase of \$10,000,000 over SY 2010-11.

The Legislature accepts the Executive's proposal to increase Preschool Special Education (4410) funding to \$869,900,000, which is an increase of \$56,000,000 over SY 2010-11.

The Legislature accepts the Executive's proposal to increase support for the School Lunch and Breakfast Program to \$33,100,000, which is an increase of \$800,000 over SY 2010-11.

The Legislature provides \$7,000,000 to SED for services and expenses related to State assessments.

The Legislature provides \$700,000 to SED for services and expenses of GED testing.

The Legislature denies the elimination of support for the Mentoring and Tutoring Program and restores funding to \$490,000.

The Legislature denies the Executive's proposal to create a new Competitive Educational Improvement Performance Grants program, and also denies new funding of \$1,730,000.

The Legislature accepts the establishment of a new Smart Scholars Early College High School program, funded at \$6,000,000.

The Legislature accepts the Executive's proposal to continue Fiscal Stabilization Grants at \$30,022,000, which is the same funding level as SY 2010-11.

The Legislature accepts the Executive's proposal to maintain support for the Extended Day/School Violence Prevention program at \$24,344,000, which is the same funding level as SY 2010-11.

The Legislature accepts the Executive's proposal to continue aid for Prior Year Claims at \$15,046,000, which is the same funding level as SY 2010-11.

The Legislature accepts the Executive's proposal to continue Charter School Start-Up Grants at \$4,837,000, which is the same funding level as SYF 2010-11.

The Legislature accepts the Executive's proposal to maintain support for the Summer Food Program at \$3,049,000, which is the same funding level as SY 2010-11.

The Legislature accepts the Executive's proposal to continue funding Adult Basic Education at \$1,843,000.

The Legislature accepts the Executive's proposal to continue support for Math and Science High Schools at \$1,382,000, which is the same funding level as SY 2010-11.

The Legislature accepts the Executive's proposal to continue assistance for Targeted Pre-kindergarten at \$1,303,000, which is the same funding level as SY 2010-11.

The Legislature provides for small government assistance in the amount of \$1,868,000 to certain school districts.

The Legislature accepts the Executive's proposal to continue support for County Vocational Education and Extension Boards at \$932,000, which is the same funding level as SY 2010-11.

The Legislature accepts the Executive's proposal to continue Academic Intervention Services for Nonpublic Schools at \$922,000.

The Legislature accepts the Executive's proposal to fund the Health Education Program at \$691,000, which is the same funding level as SY 2010-11.

The Legislature accepts the Executive's proposal to provide continued assistance to the Statewide Center for School Safety at \$466,000, which is the same funding level as SY 2010-11.

The Legislature accepts the Executive's proposal to maintain funding for the Syracuse City School District's "Say Yes to Education" Program at \$350,000, which is the same funding level as SY 2010-11.

The Legislature accepts the Executive's proposal to continue support for Education of Children of Migrant Workers at \$89,000, which is the same funding level as SY 2010-11.

The Legislature accepts the Executive's proposal to continue Adult Literacy Education at \$4,293,000, which is the same funding level as SY 2010-11.

The Legislature accepts the Executive's proposal to provide \$4,000,000 in continued federal support for salary enhancements for teachers in schools for students with special needs.

The Legislature accepts the Executive's proposal to maintain Summer School of the Arts appropriation levels at \$1,481,000, unchanged from SY 2010-11.

The Legislature accepts the Executive's proposal continuing funding for the Center for Autism and Related Disabilities at the University at Albany at \$490,000 for SFY 2010-11. In addition, a \$500,000 federal appropriation for this same purpose is continued.

The Legislature provides \$100,000 to the New York State Historical Association for National History Day.

Cultural Education

The Legislature provides aid to public libraries at \$79,012,000, which is a restoration of \$3,000,000 over the Executive's proposal.

The Legislature provides support for Educational Television and Radio at \$14,002,000, which is a restoration of \$500,000 over the Executive's proposal.

The Legislature accepts the Executive funding levels for the Local Government Records Management Improvement Fund at \$8,346,000, which is the same level as SY 2010-11.

The Legislature accepts the Executive's proposal to continue aid for Documentary Heritage grants at \$461,000, which is the same level of funding as in SY 2010-11 levels.

The Legislature accepts the Executive's proposal to reduce the Talking Book and Braille Library program to \$542,000, which is \$60,000 below the SFY 2010-11 funding level.

Adult Career and Continuing Education Services Program

The Legislature accepts the Executive's proposal to fund Case Services at \$54,000,000, which is the same level of funding as in SFY 2010-11.

The Legislature accepts the Executive's proposal to fund Supported Employment at \$15,160,000, representing no change from SFY 2010-11.

The Legislature accepts the Executive's proposal funding Independent Living Centers at \$12,361,000, representing no change from SFY 2010-11.

The Legislature accepts the Executive's proposal to fund College Readers Aid at \$294,000, which is the same level of funding as in SFY 2010-11.

Capital Projects

The Legislature accepts the Executive proposal to provide \$14,000,000 in continued support for public library capital projects throughout the State.

The Legislature accepts the Executive proposal to provide \$3,400,000 for rehabilitation projects to keep State Education Department facilities in safe operating condition.

Article VII

The Legislature approves an Executive proposal to continue the Contract for Excellence (C4E) Program but factors in both the 2010-11 and the 2011-12 Gap Elimination Adjustments (GEAs) when calculating the amounts school districts must spend.

The Legislature approves the Executive proposal to authorize unused SY 2009-10 C4E funds in SY 2011-12.

The Legislature approves the Executive proposal to codify the current library aid distribution and ensure that any library aid reductions are proportionate.

The Legislature denies the Executive proposal to reclassify State Supported Schools for the Blind and Deaf into approved private schools for students with disabilities. The Legislature also denies changes to the funding structure and the student appointment and evaluation process. The State will fully reimburse districts that will pay these schools in the first instance; at least 50 percent of this reimbursement would be within the same school year as districts incur the costs.

The Legislature denies the Executive proposal to statutorily alter the calculation of payments for County Vocational Education and Extension Boards (CVEEBs) and to limit the amount of time permitted for these institutions to submit claims to the State.

The Legislature denies the Executive proposal to restrict the ability for school districts to enter into school bus leases for longer than one year.

The Legislature denies the Executive proposal to remove certain non-instructional items from the list of BOCES services that are eligible for State Aid.

The Legislature denies the Executive proposal to change the level of reimbursement for BOCES including the minimum reimbursement, starting in the 2012-13 school year.

The Legislature approves the Executive proposal to freeze the SY 2011-12 and 2012-13 per pupil tuition paid by school districts to charter schools at the SY 2010-11 rate.

The Legislature denies the Executive proposal to impose a statute of limitations on the calculation of Foundation Aid base funding levels. The Legislature approves the Executive recommendation to maintain Foundation Aid at its existing

funding level in the 2011-12 School Year. However, the Legislature would allow for the phase-in of Foundation Aid beginning in 2012-13. The growth in School Aid would be determined by the growth of personal income in the State.

The Legislature would continue the GEA in 2012-13 at its current level and will have the opportunity to reduce the GEA in SY 2012-13 within the personal income growth cap.

The Legislature approves the Executive proposal to modify the method for calculation of the effective interest rate for Building Aid in order to better take into account certain federally authorized bonds.

The Legislature approves the Executive proposal to provide for a recalculation of Building Aid if a school district's building is sold or if ownership is transferred.

The Legislature provides for Reorganization Building Aid for eligible districts that have submitted plans to the Commissioner by July 1, 2010 as well as to all districts that have reorganized within the past ten years.

The Legislature denies the Executive proposal to remove energy performance contracts from the list of expenses eligible for a 10 percent Building Aid incentive.

The Legislature denies the Executive proposal to transform Building Aid from a reimbursable aid to a competitive grant program. The Legislature also denies the Executive proposal to eliminate the use of a Select Building Aid Ratio.

The Legislature denies the Executive's proposal to require districts to incorporate certain efficiencies in order to avoid penalties in reimbursement levels.

The Legislature denies the Executive proposal to restrict the eligibility to purchase school buses to replace existing buses and receive state reimbursement.

The Legislature denies an Executive proposal that would restrict state reimbursement on the purchase of some school bus equipment.

The Legislature approves the Executive proposal to modify the school aid payment schedule by specifying that statutory payments may be made on or before the end of the month instead of the beginning of the month.

The Legislature approves the Executive proposal to continue existing provisions for the Teachers of Tomorrow program in the New York City school district.

The Legislature denies an Executive proposal to establish a new \$1,700,000 million Competitive Education Improved Performance grant.

The Legislature approves the Executive proposal to extend special education class size provisions for school districts.

The Legislature approves an Executive proposal to clarify that the Commissioner of Health has responsibility for Medicaid reimbursement for school supportive health services provided to students with disabilities.

The Legislature denies an Executive proposal to change the current reimbursement to school districts for the Summer School Special Education Program from 70 percent State reimbursement, to a new wealth-adjusted formula which would range from 10 to 80 percent. The current 10 percent county contribution will continue.

The Legislature approves an Executive proposal to extend a provision allowing for waivers of maintenance of effort requirements for libraries due to economic hardship.

The Legislature approves the Executive proposal to extend the authority of school districts to lease school buses.

The Legislature approves the Executive proposal to extend the provisions of law in regard to conditional appointments of school district, charter school, and BOCES employees.

The Legislature approves the Executive proposal to extend the provisions of State law that conform to federal No Child Left Behind (NCLB) requirements.

The Legislature continues a set aside within the EPE program for students with high school diplomas that do not have basic skills.

The Legislature continues the authority of the Commissioner of Education to award discretionary grants to public educational entities pursuant to streamlined contracting procedures developed in conjunction with the Office of the State Comptroller.

The Legislature approves an Executive proposal to authorize school districts to transfer excess funds from Employee Benefit Accrued Liability Reserve (EBALR) accounts, in amounts that are limited to the lesser of funds necessary to offset any Gap Elimination Adjustment during SY 2011-12 or the amount of excess funds as determined by the State Comptroller for the purpose of maintaining educational programming.

The Legislature provides legislation to allow for BOCES to transfer excess funds from their EBALR and return those funds to school districts.

The Legislature modifies the Executive proposal to extend the Consortium for Workforce Education (CWE) program by funding the program at \$13,000,000.

The Legislature approves the Executive proposal to continue current provisions for School Bus Driver Training.

The Legislature modifies the Executive's Chapter 1 Advance language to allow districts to expand the advance by the size of their 2011-12 GEA.

The Legislature approves the Executive proposal to continue the existing provisions for a lottery accrual due to a change made by the Government Accounting Standards Board regarding the Teachers Retirement System pension contributions.

The Legislature approves the Executive proposal to extend the Rochester City School District's ability to purchase health services from BOCES.

The Legislature approves the Executive proposal to continue Magnet School, Attendance Improvement and Dropout Prevention, and Teacher Support Aid set asides within Foundation Aid.

The Legislature modifies the Executive proposal to allow interchange among textbook, hardware and software aid. The Legislature would not allow school districts to spend Library Materials Aid on any of these other uses.

The Legislature accepts the Executive proposal to continue the provision of Universal Prekindergarten into the 2011-12 and 2012-13 school years.

The Legislature denies the Executive proposal to freeze all school aid formulas for both the 2010-11 and 2011-12 school years at the lesser of the SY 2011-12 Executive run or revised data.

The Legislature modifies the Executive calculation of the GEA as applied to formula based aids, with the exception of Building Aid and Universal Prekindergarten.

The Legislature accepts the Executive’s establishment of two new competitive grant programs, the School District Management Efficiency Awards Program and the School District Performance Improvement Awards Grant (totaling \$500,000,000), but modifies the programs to be multi-year.

The Legislature further modifies the School District Management Efficiency Awards Program to also include school districts that have implemented efficiencies within the last two years.

The Legislature further modifies the School District Performance Improvement Awards Grant by expanding eligibility to include all school districts, incorporating a focus on school districts that implemented strategies for narrowing student achievement gaps and increasing academic performance in traditionally underserved student groups, and granting priority to school districts whose programs benefit students having the greatest educational needs, including but not limited to students in traditionally underserved student groups, students with limited English proficiency and students who are English language learners, students in poverty, students with disabilities, and students with low academic achievement.

The Legislature provides funding for the following:

PROGRAM	APPROPRIATION
ADDITIONAL GENERAL SUPPORT TO PUBLIC SCHOOLS	\$366,713,000
SPECIAL ED - SUMMER SCHOOL 4408	\$57,000,000
GRANTS IN AID TO SCHOOL DISTRICTS	\$16,226,000
TEACHER CENTERS	\$14,308,000
STATE ASSESSMENTS	\$7,000,000
AID TO NONPUBLIC, RELIGIOUS, AND INDEPENDENT SCHOOLS	\$3,000,000
CULTURAL - PUBLIC LIBRARY SERVICES	\$3,000,000
FOREST TAX EXEMPTION FOR SCHOOL DISTRICTS	\$1,868,000
CWE	\$1,500,000
HIGH NEEDS NURSING	\$941,000
PRIMARY MENTAL HEALTH PROJECT	\$894,000
GED PROGRAM	\$700,000
EDUCATIONAL TELEVISION AND RADIO	\$500,000
MENTORING AND TUTORING PROGRAM	\$490,000
TEACHER OPPORTUNITY CORPS	\$450,000
NATIONAL BOARD FOR PROFESSIONAL TEACHING STANDARDS	\$368,000
NEW YORK STATE HISTORICAL ASSOCIATION	\$100,000

OFFICE OF CHILDREN AND FAMILY SERVICES

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
STATE OPERATIONS				
General Fund	287,088,000	283,251,000	283,251,000	0
Special Revenue-Other	104,535,000	104,538,000	104,538,000	0
Special Revenue-Federal	142,165,700	140,836,000	140,836,000	0
Enterprise	475,000	475,000	475,000	0
Internal Service Fund	100,000	100,000	100,000	0
Total for STATE OPERATIONS	534,363,700	529,200,000	529,200,000	0
AID TO LOCALITIES				
General Fund	1,886,087,400	1,716,768,300	1,792,823,250	76,054,950
Special Revenue-Other	18,802,000	15,343,000	18,802,000	3,459,000
Special Revenue-Federal	1,396,535,300	1,406,865,000	1,406,865,000	0
Total for AID TO LOCALITIES	3,301,424,700	3,138,976,300	3,218,490,250	79,513,950
CAPITAL PROJECTS				
Capital Projects Fund	1,825,000	1,825,000	1,825,000	0
Youth Facilities Improvement Fund	35,850,000	35,850,000	35,850,000	0
Total for CAPITAL PROJECTS	37,675,000	37,675,000	37,675,000	0

LEGISLATIVE ACTION

The Legislature appropriates \$3,785,365,250 on an All Funds basis, an increase of \$79,513,950 over the Executive budget submission.

Legislative Reductions

The Legislature denies the Executive proposal to establish the Primary Prevention Incentive Program and eliminates \$35,420,000 in General Fund support for the program.

The Legislature reduces Executive-proposed funding for the Supervision and Treatment Services for Juveniles program by \$23,000,000, and instead includes a total appropriation of \$8,376,000 for the program. Further, the Legislature provides appropriation language that eliminates the 38 percent local match requirement for the Supervision and Treatment for Juveniles Program for State Fiscal Year (SFY) 2011-12 only.

Legislative Changes

The Legislature modifies the new \$15,000,000 capped appropriation for State reimbursement for detention services and restores \$23,000,000 in funding to provide for a total capped appropriation of \$76,160,000. The Legislature

modifies the Executive proposal to allow this appropriation to be made available for 49 percent State reimbursement for detention services or 62 percent State reimbursement for alternatives to detention.

The Legislature denies the Executive proposal to permanently repeal the 12-month notification requirement prior to the closure of any youth facility operated by the Office of Children and Family Services (OCFS). The Legislature notwithstanding the requirement for SFY 2011-12 only, and provides language that would require 60 days notice prior to any facility closure. Further, the Legislature provides a list of criteria that must be considered by OCFS in determining facility closures.

The Legislature modifies the Executive proposal to increase the fee for Statewide Central Registry (SCR) background checks from \$5 to \$60 by increasing the fee to \$25, and restoring \$7,100,000.

The Legislature provides \$54,369,950 in General Fund appropriations to restore funding for the following prevention programs that were eliminated under the Executive proposal to establish a Primary Prevention Incentive Program: Home Visiting, Community Optional Preventive Services (COPS), Youth Development and Delinquency Prevention (YDDP) / Special Delinquency Prevention Program (SDPP), Runaway and Homeless Youth Act (RHYA), Settlement Houses, Kinship Care, Caseload Reduction, Hoyt Children and Family Trust Fund, and Post-Placement Services.

The Legislature rejects the Executive's proposal to eliminate discretionary Title XX funding, and provides \$22,459,000 in General Fund appropriations to fully restore these funds to local districts. In New York City, discretionary Title XX funds will support the continued operation of senior centers.

The Legislature provides \$34,646,000 to partially restore the proposed elimination of State share reimbursement for Committee on Special Education (CSE) maintenance costs. As a result of this restoration, the State share of CSE maintenance costs decreases from 36.8 percent to 18.4 percent and the school districts' share will increase from 20 percent to 38.4 percent. The local social services districts' share remains unchanged at 43.2 percent.

The Legislature provides appropriation language that authorizes localities to use their Foster Care Block Grant allocations for Kinship Guardianship Assistance Program expenditures on a one-year pilot basis.

Article VII

The Legislature denies an Executive proposal to establish the Primary Prevention Incentive Program.

The Legislature modifies the Executive proposals to:

- increase the SCR Background Check fee from \$5 to \$60 by reducing the proposed fee increase to \$25 and by requiring OCFS to identify a means to automate the search of records in the interest of cost effectiveness; and
- eliminate the 36.8 percent State share of CSE maintenance costs by restoring the State's share to 18.4 percent, or by 50 percent, for both in-state and out-of-state placements. The School Districts' share of maintenance costs will increase from 20 percent to 38.4 percent, and the Local Districts' share will remain unchanged at 43.2 percent.

The Legislature modifies the Executive proposal to establish various juvenile justice reforms to:

- amend the proposal to permanently eliminate the 12-month notification requirement for youth facility closures by notwithstanding the requirement for SFY 2011-12 and requiring a 60-day notification prior to any closures;
- amend the proposal to create a Supervision and Treatment Services for Juveniles Program by denying the exclusion of Persons In Need of Supervision (PINS) youth from eligibility for State reimbursement within the program;

- amend the proposal to cap detention reimbursements to local governments by providing 49 percent State reimbursement for local secure and non-secure detention expenditures or 62 percent reimbursement for local alternative to detention expenditures;
- amend the proposal to eliminate PINS placements in detention by denying the exclusion of PINS youth from detention and by expanding placement options for PINS youth to include foster care where appropriate; and
- amend the proposal to create a risk assessment tool linked to the eligibility of State reimbursement for detention services by requiring localities to implement a tool for the purposes of making a placement determination and by rejecting the proposal to only provide detention reimbursement for youth determined to be "high-risk."

The Legislature advances legislation to require OCFS to report annually on information that pertains to the per-diem rate determinations for children in OCFS placements.

Legislative Additions

The Legislature provides funding for the following:

PROGRAM	APPROPRIATION
SECURE/NON SECURE DETENTION/ALTERNATIVES TO DETENTION	\$38,000,000
COMMITTEES ON SPECIAL EDUCATION	\$34,646,000
HOME VISITING PROGRAM	\$23,288,200
MANDATED CHILD WELFARE PREVENTIVE SERVICES/TITLE XX DISCRETIONARY FUNDING	\$22,459,000
RESTORE COMMUNITY OPTIONAL PREVENTIVE SERVICES (COPS) FUNDING	\$12,124,750
YOUTH DEVELOPMENT DELINQUENCY PROGRAM (YDDP)	\$10,622,675
SPECIAL DELINQUENCY PREVENTION PROGRAM (SDPP)	\$3,499,025
HOYT CHILDREN AND FAMILY TRUST FUND	\$3,459,000
RUNAWAY AND HOMELESS YOUTH	\$2,355,800
CHILD PROTECTIVE CASELOAD REDUCTION	\$757,200
HOYT CHILDREN & FAMILY TRUST FUND	\$621,850
SETTLEMENT HOUSES	\$450,000
KINSHIP/CARETAKER RELATIVE	\$338,750
POST-PLACEMENT SERVICES	\$311,700

OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
STATE OPERATIONS				
General Fund	63,116,000	56,804,000	56,804,000	0
Special Revenue-Other	156,618,000	139,203,000	139,203,000	0
Special Revenue-Federal	250,359,000	275,086,000	275,086,000	0
Internal Service Fund	1,199,000	1,199,000	1,199,000	0
Total for STATE OPERATIONS	471,292,000	472,292,000	472,292,000	0
AID TO LOCALITIES				
General Fund	1,249,887,700	1,304,707,000	1,342,707,000	38,000,000
Special Revenue-Other	29,900,000	29,900,000	29,900,000	0
Special Revenue-Federal	4,143,670,000	3,720,067,000	3,725,967,000	5,900,000
Fiduciary	10,000,000	10,000,000	10,000,000	0
Total for AID TO LOCALITIES	5,433,457,700	5,064,674,000	5,108,574,000	43,900,000
CAPITAL PROJECTS				
Housing Program Fund	30,000,000	30,000,000	30,000,000	0
Total for CAPITAL PROJECTS	30,000,000	30,000,000	30,000,000	0

LEGISLATIVE ACTION

The Legislature appropriates \$5,610,866,000 on an All Funds basis, an increase of \$43,900,000 over the Executive's budget submission.

Legislative Reductions

The Legislature reduces Temporary Assistance for Needy Families (TANF) funding for the Flexible Fund for Family Services (FFFS) program by \$9,000,000 and eliminates a proposed \$10,000,000 set aside for the consolidation of local social services district operations.

The Legislature accepts the Executive's proposal to fully finance Family Assistance benefits with federal funds and to decrease the State share of Safety Net Assistance (SNA) expenditures from 50 percent to 30 percent. The Legislature further reduces the State share of SNA expenditures from 30 percent to 29 percent for a savings of \$15,000,000.

Legislative Changes

The Legislature restores \$15,500,000 in General Fund support for the Summer Youth Employment Program.

The Legislature provides a new \$15,000,000 General Fund appropriation to establish a program for the homeless in New York City, which will provide shelter supplements or other services to low-income households in order to prevent evictions or homelessness.

The Legislature restores \$7,400,000 in General Fund support and \$5,500,000 in TANF support to deny the Executive's proposal to implement Full Family Sanctions.

The Legislature provides additional funding of \$50,000 for the Niagara Community Action Program and \$50,000 for the Carolyn House YWCA of Niagara County.

The Legislature reprograms \$9,400,000 of the TANF Block Grant to restore specific funding for child care investments; employment and transportation initiatives; and various other programmatic initiatives. The Legislature allocates the State Fiscal Year 2011-12 TANF "Surplus" as follows:

<u>Flexible Fund for Family Services (FFFS)</u>	<u>\$951,000,000</u>
<u>Child Care Investments</u>	<u>\$396,696,000</u>
Child Care	\$392,967,000
Child Care Demonstration Projects	\$3,395,000
Child Care SUNY/CUNY	\$334,000
<u>Employment and Transportation Initiatives</u>	<u>\$975,000</u>
Community Solutions for Transportation	\$112,000
Centro of Oneida	\$25,000
Rochester Genesee Regional Transportation Authority	\$82,000
Wheels for Work	\$144,000
Non-Residential Domestic Violence Services	\$510,000
BRIDGE	\$102,000
<u>Programmatic Initiatives</u>	<u>\$4,594,000</u>
Displaced Homemakers	\$546,000
Preventive Services	\$610,000
Advantage After School	\$500,000
Wage Subsidy Program	\$950,000
Supplemental Homelessness Assistance Program (SHIP)	\$205,000
ACCESS- Welfare to Careers	\$250,000
Emergency Homeless Needs	\$176,000
Disability Advocacy Program	\$98,000
Supportive Housing for Families and Young Adults	\$508,000
Kinship Caretaker Relative	\$51,000
Strengthening Families Through Stronger Fathers	\$200,000
Settlement Houses	\$500,000
<u>Total TANF "Surplus"</u>	<u>\$1,353,265,000</u>

Article VII

The Legislature denies the Executive proposal to implement Full-Family Sanctions on an individuals' second instance of non-compliance with public assistance work requirements.

The Legislature approves the Executive's proposals to:

- delay the third public assistance grant increase to July of 2012; and
- authorize a federal Supplemental Security Income (SSI) cost of living adjustment pass-through.

The Legislature provides funding for the following:

PROGRAM	APPROPRIATION
SUMMER YOUTH EMPLOYMENT	\$15,500,000
NEW YORK CITY HOMELESSNESS PROGRAM	\$15,000,000
REJECT FULL FAMILY SANCTION ARTICLE VII - GENERAL FUND	\$7,400,000
REJECT FULL FAMILY SANCTION ARTICLE VII - TANF	\$5,500,000
CHILD CARE FACILITATED ENROLLMENT DEMONSTRATION PROJECT	\$3,395,000
WAGE SUBSIDY	\$950,000
PREVENTIVE SERVICES	\$610,000
DISPLACED HOMEMAKER PROGRAM	\$546,000
NON-RESIDENTIAL DOMESTIC VIOLENCE SERVICES	\$510,000
SUPPORTIVE HOUSING FOR FAMILIES AND YOUNG ADULTS (SHFYA)	\$508,000
ADVANTAGE SCHOOL PROGRAM	\$500,000
SETTLEMENT HOUSES	\$500,000
SUNY/CUNY CHILD CARE	\$334,000
ACCESS - WELFARE TO CAREERS	\$250,000
SUPPLEMENTAL HOMELESS INTERVENTION PROGRAM	\$205,000
STRENGTHENING FAMILIES THROUGH STRONGER FATHERS	\$200,000
EMERGENCY HOMELESS NEEDS	\$176,000
WHEELS FOR WORK	\$144,000
COMMUNITY SOLUTIONS FOR TRANSPORTATION	\$112,000
BRIDGE	\$102,000
NEW YORK STATE REFUGEE RESETTLEMENT ASSISTANCE - TANF	\$102,000
DISABILITY ADVOCACY PROGRAM (DAP)	\$98,000
ROCHESTER-GENESEE REGIONAL TRANSPORTATION AUTHORITY	\$82,000
KINSHIP/CARETAKER RELATIVE	\$51,000
NIAGARA COMMUNITY ACTION PROGRAM	\$50,000
CAROLYN HOUSE YWCA	\$50,000
CENTRO OF ONEIDA	\$25,000

NEW YORK STATE HIGHER EDUCATION SERVICES CORPORATION

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
STATE OPERATIONS				
General Fund	10,000,000	4,037,000	2,500,000	(1,537,000)
Special Revenue-Other	100,047,000	88,292,000	88,292,000	0
Special Revenue-Federal	10,000,000	12,601,000	12,601,000	0
Total for STATE OPERATIONS	120,047,000	104,930,000	103,393,000	(1,537,000)
AID TO LOCALITIES				
General Fund	833,566,000	955,893,000	965,066,000	9,173,000
Special Revenue-Other	22,200,000	16,000,000	16,000,000	0
Special Revenue-Federal	55,800,000	0	0	0
Total for AID TO LOCALITIES	911,566,000	971,893,000	981,066,000	9,173,000

LEGISLATIVE ACTION

The Legislature provides \$1,084,459,000 in support of the Higher Education Services Corporation (HESC), representing a net \$7,636,000 increase over the Executive recommendation.

Legislative Reductions

The Legislature reduces \$1,537,000 from the New York Higher Education Loan Program (NYHELPS).

Legislative Changes

The Legislature includes \$9,173,000 to provide additional Tuition Assistance Program (TAP) awards for students who attend institutions that are not currently under the direct supervision of the State Education Department (SED).

Article VII

The Legislature accepts the Executive's proposal to eliminate TAP awards for graduate students.

The Legislature accepts the Executive's proposal to deny TAP awards for students in default on federal student loans that are not guaranteed by HESC.

The Legislature accepts the Executive's proposal to create parity between public and private pensions in TAP award calculations.

The Legislature accepts the Executive's proposal to reduce the maximum TAP award for financially independent students who are married without children from \$5,000 to \$3,025.

The Legislature accepts the Executive’s proposal to reduce the maximum TAP award for students who are enrolled at two year institutions from \$5,000 to \$4,000 and modifies appropriation language to exempt public community colleges.

The Legislature accepts the Executive’s proposal to increase academic standards and credit maximums for TAP awards to non-remedial students and modifies the appropriation to clarify the definition of “remedial”.

The Legislature enacts new language to provide TAP awards for students who attend institutions that are not currently under the direct supervision of SED.

The Legislature accepts the Executive’s proposal to extend the Regents Physician Loan Forgiveness Program, the Patricia McGee Nursing Faculty Scholarship, and Nursing Faculty Loan Forgiveness Program, and the Social Worker Loan Forgiveness Program until June 30, 2016.

The Legislature provides funding for the following:

PROGRAM	APPROPRIATION
TUITION ASSISTANCE PROGRAM	\$9,173,000

DIVISION OF HOUSING AND COMMUNITY RENEWAL

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
STATE OPERATIONS				
General Fund	23,930,000	21,537,000	21,537,000	0
Special Revenue-Other	58,936,000	56,181,000	56,181,000	0
Special Revenue-Federal	16,437,000	14,269,000	14,269,000	0
Total for STATE OPERATIONS	99,303,000	91,987,000	91,987,000	0
AID TO LOCALITIES				
General Fund	38,411,000	31,031,000	37,039,000	6,008,000
Special Revenue-Other	8,227,000	8,227,000	8,227,000	0
Special Revenue-Federal	244,600,000	102,372,000	102,372,000	0
Total for AID TO LOCALITIES	291,238,000	141,630,000	147,638,000	6,008,000
CAPITAL PROJECTS				
Housing Program Fund	74,200,000	74,200,000	74,200,000	0
Total for CAPITAL PROJECTS	74,200,000	74,200,000	74,200,000	0

LEGISLATIVE ACTION

The Legislature appropriates \$313,825,000 on an All Funds basis, an increase of \$6,008,000 over the Executive's proposal.

Legislative Changes

The Legislature rejects the Executive proposal to consolidate the Rural Preservation Program (RPP) and the Neighborhood Preservation Program (NPP) into a single, competitive-based program funded at \$6,008,000. Instead, the Legislature maintains discrete appropriations for the two separate programs and provides an additional \$4,239,000 for NPPs and an additional \$1,769,000 for RPPs, restoring each program to its State Fiscal Year (SFY) 2010-11 funding level.

The Legislature provides capital appropriations of \$74,200,000, representing no net change from the Executive proposal. However, the Legislature reduces capital funding for the Public Housing Modernization Program by \$6,400,000 and reallocates this amount to augment Executive appropriations for the Low Income Housing Trust Fund by \$3,200,000, and to provide \$2,200,000 for the Main Street Program and \$1,000,000 for the Access to Home Program.

Article VII

The Legislature rejects an Executive proposal to merge the Neighborhood Preservation Program and Rural Preservation Program into a single, competitively based program.

The Legislature includes language to allow the existing balance in the Catskill Flood Remediation Home Buyout Program to be used for flood remediation activities within Ulster County.

Legislative Additions

The Legislature provided a new \$1,500,000 to support the Foreclosure Prevention Program. The Executive subsequently vetoed these funds (Chapter 53, veto #22 Laws of 2011). Additionally, the Executive vetoed prior year reappropriations for the Neighborhood Preservation Program and Rural Preservation Program for technical reasons (Veto # 20 and 21).

The Legislature provides funding for the following:

PROGRAM	APPROPRIATION
NEIGHBORHOOD PRESERVATION PROGRAM	\$4,239,000
LOW INCOME HOUSING TRUST FUND	\$3,200,000
MAIN STREET PROGRAM	\$2,200,000
RURAL PRESERVATION PROGRAM	\$1,769,000
ACCESS TO HOME PROGRAM	\$1,000,000

DIVISION OF HUMAN RIGHTS

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
STATE OPERATIONS				
General Fund	14,522,000	13,070,000	13,070,000	0
Special Revenue-Federal	8,223,000	8,223,000	8,223,000	0
Total for STATE OPERATIONS	22,745,000	21,293,000	21,293,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive recommendation.

DEPARTMENT OF LABOR

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
STATE OPERATIONS				
Special Revenue-Other	74,580,000	74,580,000	74,580,000	0
Special Revenue-Federal	543,968,000	574,015,000	574,015,000	0
Enterprise	10,020,000,000	8,400,000,000	8,400,000,000	0
Total for STATE OPERATIONS	10,638,548,000	9,048,595,000	9,048,595,000	0
AID TO LOCALITIES				
General Fund	0	0	2,150,000	2,150,000
Special Revenue-Other	430,000	430,000	430,000	0
Special Revenue-Federal	227,135,000	192,439,000	192,439,000	0
Total for AID TO LOCALITIES	227,565,000	192,869,000	195,019,000	2,150,000

LEGISLATIVE ACTION

The Legislature appropriates \$9,243,614,000 on an All Funds basis, an increase of \$2,150,000 from the Executive's Budget submission.

Legislative Changes

The Legislature provides \$2,150,000 in support of various labor programs, and also restores prior year re-appropriations for Employment and Training Programs, which the Executive Budget proposed to repeal.

Article VII

The Legislature modifies the Executive proposal that would make permanent the Commissioner of Labor's ability to assess interest payments on unemployment insurance loans borrowed from the Federal government when the State Unemployment Insurance Trust Fund is insolvent. The Legislature extends such authority for two years.

Legislative Additions

The Legislature provides funding for the following:

PROGRAM	APPROPRIATION
NYS AFL-CIO WORKFORCE DEVELOPMENT INSTITUTE (WDI)	\$1,800,000
ROCHESTER SUMMER OF OPPORTUNITY YOUTH EMPLOYMENT PROGRAM	\$250,000
HILLSIDE WORKS	\$100,000

STATE UNIVERSITY OF NEW YORK

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
STATE OPERATIONS				
General Fund	2,298,224,900	2,190,233,300	2,190,233,300	0
Special Revenue-Other	4,937,888,400	5,339,889,300	5,538,691,300	198,802,000
Special Revenue-Federal	358,500,000	363,600,000	363,600,000	0
Internal Service Fund	16,600,000	19,100,000	19,100,000	0
Total for STATE OPERATIONS	7,611,213,300	7,912,822,600	8,111,624,600	198,802,000
AID TO LOCALITIES				
General Fund	503,802,736	431,701,345	445,271,345	13,570,000
Special Revenue-Federal	19,438,650	0	0	0
Total for AID TO LOCALITIES	523,241,386	431,701,345	445,271,345	13,570,000
CAPITAL PROJECTS				
Capital Projects Fund - Advances	550,000,000	550,000,000	550,000,000	0
Cap Proj Fund - SUNY CC - Direct Auth				
Bonds	22,426,000	31,571,000	32,370,750	799,750
SUNY Dorms - Direct Auth Bonds	0	331,000,000	331,000,000	0
State University Residence Hall				
Rehabilitation Fund	0	90,000,000	90,000,000	0
Total for CAPITAL PROJECTS	572,426,000	1,002,571,000	1,003,370,750	799,750

LEGISLATIVE ACTION

The Legislature provides an All Funds appropriation of \$9,560,266,695 for the State University of New York (SUNY), an increase of \$213,171,750 from the Executive recommendation.

Legislative Changes

The Legislature authorizes an additional \$135,000,000 for the acquisition of Community General Hospital of Greater Syracuse by the SUNY Upstate Medical University.

The Legislature includes \$60,000,000 to provide a partial restoration of State support for the operation of SUNY hospitals at Stony Brook, Brooklyn, and Syracuse.

The Legislature provides \$3,802,000 to restore support to the Long Island Veterans Home.

The Legislature provides \$12,917,000 in additional academic year funding for SUNY Community Colleges, which represents a 38 percent restoration to the Executive's proposed reductions, or an \$88 per full-time equivalent (FTE) restoration. Base aid per FTE stands at \$2,122 for Academic Year 2011-12.

The Legislature includes \$653,000 for SUNY Child Care Centers.

The Legislature provides \$799,750 to support a 50 percent State share contribution toward projects at Jamestown Community College.

The Legislature modifies a \$48,687,200 appropriation to allow Educational Opportunity Centers to use such funds to support outreach centers, including ATTAIN Labs.

The Legislature modifies reappropriations for capital projects at Broome County Community College, SUNY-IT, and Stony Brook.

Article VII

The Legislature accepts language to authorize SUNY Trustees to accept conditional gifts of real and personal property.

The Legislature rejects the authorization for a new State Asset Maximization Board.

The Legislature modifies language that would authorize SUNY to purchase certain goods, execute contracts for construction and construction-related services, and to execute printing contracts without prior approval of the Comptroller and Attorney General.

The Legislature also modifies language that would authorize SUNY Hospitals to purchase certain goods and to enter into joint and group purchasing arrangements for goods without prior approval of the Comptroller and Attorney General.

The Legislature accepts the Executive proposal to authorize SUNY Downstate Hospital to enter into a long-term lease with a not-for-profit corporation for use of facilities to be acquired from the Long Island College Hospital.

The Legislature adds language to authorize SUNY Upstate Hospital to manage existing pension obligations resulting from a merger with Community General Hospital of Greater Syracuse.

The Legislature provides funding for the following:

PROGRAM	APPROPRIATION
SUNY UPSTATE MERGER	\$135,000,000
SUNY HOSPITALS SPECIAL REVENUE	\$60,000,000
SUNY COMMUNITY COLLEGE BASE AID RESTORATION	\$12,917,000
LONG ISLAND VETERANS HOME	\$3,802,000
CHILD CARE CENTERS-ADDITIONAL AID-COMMUNITY COLLEGES	\$653,000
JAMESTOWN COMMUNITY COLLEGE- RENOVATION OF CARNAHAN CENTER	\$599,750
JAMESTOWN COMMUNITY COLLEGE - ACQUISITION OF LAND	\$200,000

STATE UNIVERSITY CONSTRUCTION FUND

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
STATE OPERATIONS				
Special Revenue-Other	25,678,000	26,172,000	26,172,000	0
Total for STATE OPERATIONS	25,678,000	26,172,000	26,172,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive recommendation.

Article VII

The Legislature modifies language to authorize the State University Construction Fund to: purchase goods and execute contracts for services without prior approval of the Comptroller and Attorney General.

The Legislature accepts language to increase the threshold for State University Construction Fund projects that require a performance bond from \$50,000 to \$250,000.

OFFICE OF WELFARE INSPECTOR GENERAL

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
STATE OPERATIONS				
General Fund	420,000	378,000	378,000	0
Special Revenue-Other	1,177,000	1,177,000	1,177,000	0
Total for STATE OPERATIONS	1,597,000	1,555,000	1,555,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive recommendation.

MISCELLANEOUS: EDUCATION, LABOR & FAMILY ASSISTANCE

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
STATE OPERATIONS				
General Fund	380,000	342,000	342,000	0
Special Revenue-Other	829,800	829,800	829,800	0
Special Revenue-Federal	36,000,000	30,000,000	30,000,000	0
Total for STATE OPERATIONS	37,209,800	31,171,800	31,171,800	0
National and Community Service				
General Fund	380,000	342,000	342,000	0
Special Revenue-Federal	36,000,000	30,000,000	30,000,000	0
Total for Program	36,380,000	30,342,000	30,342,000	0
Misc. Higher Ed.				
Special Revenue-Other	829,800	829,800	829,800	0
Total for Program	829,800	829,800	829,800	0
AID TO LOCALITIES				
General Fund	350,000	350,000	350,000	0
Total for AID TO LOCALITIES	350,000	350,000	350,000	0
National and Community Service				
General Fund	350,000	350,000	350,000	0
Total for Program	350,000	350,000	350,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive recommendation.

STATE OF NEW YORK MORTGAGE AGENCY

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
STATE OPERATIONS				
General Fund	76,800,000	76,800,000	76,800,000	0
Total for STATE OPERATIONS	76,800,000	76,800,000	76,800,000	0
AID TO LOCALITIES				
General Fund	97,720,000	96,372,000	96,372,000	0
Total for AID TO LOCALITIES	97,720,000	96,372,000	96,372,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive recommendation.

HEALTH & MENTAL HYGIENE

By Agency

OFFICE FOR THE AGING

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
STATE OPERATIONS				
General Fund	2,748,400	2,473,600	2,473,600	0
Special Revenue-Other	250,000	250,000	250,000	0
Special Revenue-Federal	11,252,000	10,987,000	10,987,000	0
Enterprise	100,000	100,000	100,000	0
Total for STATE OPERATIONS	14,350,400	13,810,600	13,810,600	0
AID TO LOCALITIES				
General Fund	111,163,000	109,454,000	113,333,500	3,879,500
Special Revenue-Other	980,000	980,000	980,000	0
Special Revenue-Federal	116,985,000	113,985,000	113,985,000	0
Total for AID TO LOCALITIES	229,128,000	224,419,000	228,298,500	3,879,500

LEGISLATIVE ACTION

The Legislature appropriates \$242,109,100 on an All Funds basis, an increase of \$3,879,500 over the Executive Budget submission.

Legislative Reductions

The Legislature eliminates \$1,550,000 in proposed funding related to a new Local Competitive Grant Program.

Legislative Changes

The Legislature restores \$3,800,000 in funding for a long term care point of entry initiative, also known as NY-Connects, and transfers funding for the program from the Department of Health to the Office for the Aging.

The Legislature provides a 50 percent restoration for eleven aging programs eliminated in the Executive Budget, including:

- Congregate Services Initiative (\$403,000);
- Elderly Abuse Education and Outreach (\$245,000);
- Retired and Senior Volunteer Program (\$216,500);
- Community Empowerment Initiative (\$122,500);
- Enriched Social Adult Day Centers (\$122,500);
- EAC/Nassau Respite (\$118,500);
- Regional Caregiver Centers for Excellence (\$115,000);
- Foster Grandparent Program (\$98,000);

- NY Foundation Home Sharing (\$86,000);
- Long Term Care Senior Respite (\$71,000); and
- Patients' Rights Hotline (\$31,500).

Article VII

The Legislature denies an Executive proposal to create a Local Competitive Grant Program.

The Legislature advances Article VII language to extend the Enriched Social Adult Day Program for three years.

Legislative Additions

The Legislature provides funding for the following:

PROGRAM	APPROPRIATION
NYCONNECTS	\$3,800,000
CONGREGATE SERVICES INITIATIVE (CSI)	\$403,000
ELDERLY ABUSE EDUCATION, OUTREACH AND SUPPORT PROGRAM	\$245,000
RETIRED AND SENIOR VOLUNTEER PROGRAM (RSVP)	\$216,500
ENRICHED SOCIAL MODEL ADULT DAY PROGRAM	\$122,500
COMMUNITY EMPOWERMENT INITIATIVE	\$122,500
EAC/NASSAU SENIOR RESPITE PROGRAM	\$118,500
REGIONAL CAREGIVER CENTERS FOR EXCELLENCE	\$115,000
FOSTER GRANDPARENT PROGRAM	\$98,000
NY FOUNDATION HOME SHARING	\$86,000
LONG-TERM SENIOR RESPITE PROGRAM	\$71,000
PATIENT'S RIGHTS HOTLINE AND ADVOCACY PROJECT	\$31,500

DEVELOPMENTAL DISABILITIES PLANNING COUNCIL

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
STATE OPERATIONS				
Special Revenue-Federal	4,750,000	4,750,000	4,750,000	0
Enterprise	10,000	10,000	10,000	0
Total for STATE OPERATIONS	4,760,000	4,760,000	4,760,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive recommendation.

DEPARTMENT OF HEALTH

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
STATE OPERATIONS				
General Fund	284,576,500	244,615,000	244,615,000	0
Special Revenue-Other	540,291,587	518,938,100	525,738,100	6,800,000
Special Revenue-Federal	1,335,200,200	1,480,570,000	1,480,570,000	0
Enterprise	10,000	0	0	0
Total for STATE OPERATIONS	2,160,078,287	2,244,123,100	2,250,923,100	6,800,000
AID TO LOCALITIES				
General Fund	12,555,033,940	29,713,714,290	30,209,356,815	495,642,525
Special Revenue-Other	6,621,672,850	12,677,165,300	12,623,573,800	(53,591,500)
Special Revenue-Federal	36,703,876,000	61,105,414,000	61,888,904,000	783,490,000
Total for AID TO LOCALITIES	55,880,582,790	103,496,293,590	104,721,834,615	1,225,541,025
CAPITAL PROJECTS				
Capital Projects Fund	232,600,000	15,600,000	15,600,000	0
Capital Projects Fund - Advances	108,000,000	0	0	0
Federal Capital Projects Fund	157,183,000	74,833,000	74,833,000	0
Total for CAPITAL PROJECTS	497,783,000	90,433,000	90,433,000	0

LEGISLATIVE ACTION

The Legislature provides for \$107,063,190,715 on an All Funds basis, an increase of \$1,232,341,025 over the Executive Budget. The budget appropriates funding for the Medicaid program in a two-year interval, and limits year-to-year spending increases in Medicaid to the 10-year rolling average of the medical component of the Consumer Price Index.

Legislative Reductions

The Legislature reduces funding for the Tobacco Use, Prevention and Control Program by \$17,000,000.

The Legislature reduces funding for the Medical Indemnity Fund by \$13,000,000, commensurate with the enacted budget language on medical malpractice that eliminates the proposed cap on non-economic damage awards.

The Legislature delays the implementation of Patient Centered Medical Homes, resulting in State share savings of \$8,500,000.

The Legislature rejects the creation of a Local Competitive Grant Program and the \$7,743,000 appropriation associated with the recommendation. Instead the Legislature discretely appropriates funding for various public health programs at 50 percent of SFY 2010-11 levels.

The Legislature rejects the creation of a Public Health Services Corps and the \$1,000,000 appropriation associated with the recommendation.

The Legislature also achieves \$46,500,000 in cash savings through reductions to the Health Efficiency and Affordability Law for New Yorkers (HEAL-NY) program, long term care assessment centers and the Commissioner's emergency assistance distribution pool.

Legislative Changes

The Legislature restores \$120,500,000 in Medicaid State funds to reject the Executive's recommendation to place a \$250,000 limit on non-economic damages.

The Legislature restores \$30,300,000 in State share support to reject the elimination of "prescriber prevails" in Medicaid fee-for-service.

The Legislature restores \$28,300,000 in Medicaid State funds to reject the elimination of spousal refusal provisions.

The Legislature restores \$22,300,000 to the Elderly Pharmaceutical Insurance Coverage Program to maintain premium assistance for lower income senior citizens.

The Legislature restores \$7,760,000 for Roswell Park Cancer Institute.

The Legislature restores \$6,800,000 in State Operations funding for the Veterans' Homes in New York City, Montrose, Batavia and Oxford.

The Legislature rejects the proposed 10 percent reimbursement reduction in Early Intervention rates. Instead the Legislature enacts a five percent reduction and restores \$5,550,000. The Legislature rejects a proposal to require direct Medicaid billing for certain Early Intervention providers and restores \$500,000 to maintain current billing practices.

The Legislature shifts a portion of the appropriations for Family Planning and Emergency Contraception to Medicaid in order to take advantage of enhanced Federal reimbursement and achieves \$7,000,000 in annual State share savings as a result of this action.

The Legislature adds \$4,800,000 in State share support to reject increased co-payments for Medicaid and Family Health Plus. The Legislature further provides \$2,700,000 in State share support to reject the imposition of co-payments on Child Health Plus recipients.

The Legislature adds \$2,400,000 in State share support to modify the geographic boundaries for certain Federally Qualified Health Centers.

The Legislature adds \$800,000 in State funds to exempt pediatric nursing homes from the suspension of the Trend Factor.

The Legislature restores \$300,000 for the Adelphi University Breast Cancer Support Program.

The Legislature provides a 50 percent restoration for various priority health programs eliminated in the Executive Budget.

Article VII

Part A - Public Health Programs

The Legislature:

- amends the proposal to eliminate Medicare Part D Premium Assistance under the Elderly Pharmaceutical Insurance Program (EPIC) to instead restore premium assistance for lower income seniors. The Legislature accepts the Executive proposal to only provide coverage gap (doughnut hole) assistance and institute mandatory Part D enrollment for all EPIC participants, as well as eliminate the EPIC financial exemption, drug wrap coverage and co-payment assistance;
- amends the proposal to provide for a five percent across the board reduction to Early Intervention rates;
- accepts the proposal to eliminate reimbursement for optional services under the General Public Health Works program;
- amends the proposal to clarify the cost components of the methodology used to determine fees that support the Department of Health's oversight system for clinical laboratories and blood banks to include public posting of fees and to make language changes with regard to charges related to federal grants and patents;
- amends the proposal to authorize the Commissioner of Health to distribute funds available under the HEAL program through grants to general hospitals and nursing homes without a competitive bid or Request-for-Proposal (RFP) by adding notification language that is currently required when HEAL funds are disbursed without adhering to the State's procurement process;
- amends the proposal to extend the monetary penalties for violation of the Public Health Law for three years;
- enacts legislation to extend the Enriched Social Adult Day Services Demonstration program for three years;
- accepts the proposal to extend the ability for the Office of Professional Medical Conduct to use funds to support patient safety initiatives for two years; and
- amends the proposal to extend the streamlined process for contracting for the purchase of goods and services for State hospitals operated by the Department, and provides authorization for the Dormitory Authority to bundle Primary Care Development Corporation projects for four years.

Part B - Medicaid Cost Containment

The Legislature accepts the Executive proposal to:

- authorize supplemental Medicaid payments for SUNY physicians, nurse practitioners, and physician assistants;
- require hospitals to submit additional data to the Department of Health for the purpose of calculating provider-specific disproportionate share hospital caps, in accordance with the federal requirements;
- authorize the continuation of Medicaid payments for nursing homes with discrete units for treating patients with Huntington disease; and
- allow prior year Medicaid payments to adult day health care providers treating patients with AIDS to be paid in SFY 2011-12.

Part C - Health Care Reform Act (HCRA)

The Legislature:

- accepts the proposal to extend HCRA and a number of its financing components through March 31, 2014;
- accepts the proposal to extend the State's authority to transfer funds from HCRA to the General Fund for purposes related to subsidizing HEAL-NY capital grants and debt service costs through March 31, 2015;
- accepts the proposal to extend the Physician's Excess Medical Malpractice Program through June 30, 2014; and
- extend hospital indigent care payments through December 31, 2014 and reserve funds (\$36,000,000) each year through December 31, 2014 for distribution as high need adjustments.

Part D - Prior Year Cost Containment Extensions

The Legislature:

- amends the proposal to extend various prior year cost containment initiatives through March 31, 2013;
- accepts the proposal to extend authorization for bad debt and charity care allowances for certified home health agencies through June 30, 2013;
- accepts the proposal to exclude Medicare from capital cost reimbursement;
- accepts the proposal to extend the requirement that nursing homes, hospitals, certified home health care and long term home health care providers maximize Medicare revenues through February 1, 2013;
- amends the proposal to extend certain income and benefit expansions relating to Child Health Plus and facilitated enrollment until July 1, 2014;
- amends the proposal to extend authorization for partially capitated managed care plans to provide primary care and preventive services to Medicaid recipients as well as HIV special needs plans until March 31, 2016;
- accepts the proposal to extend authorization for the Commissioner of Health to establish utilization thresholds for Medicaid services through July 1, 2014;
- amends the proposal to extend authorization for the Medicaid program to cover Medicaid Managed Care (MMC) premiums for the six-month period beginning with enrollment in a MMC plan until March 31, 2016;
- amends the proposal to extend the Medicaid managed care program until March 31, 2016; and
- amends the proposal to extend Medicaid co-payments until March 31, 2015.

Part H - Medicaid Redesign

The Legislature:

- amends the proposal to exempt pediatric nursing homes from the two-year elimination of the Medicaid trend factor;

- accepts the proposal to implement utilization controls on Certified Home Health Agencies (CHHAs) through provider-specific annual spending caps;
- amends the proposal to implement a CHHA episodic payment system, based on 60-day episodes of care and adjusted by regional wages and case mix, to limit implementation of such payment system to three years;
- accepts the proposal to include prescription drug coverage in Medicaid Managed Care (MMC);
- accepts the proposal to authorize the Commissioner to conduct studies to determine actual medical care costs, including expenses for special education and special transportation, incurred by public school districts and state operated/supported schools;
- amends the proposal to authorize the Commissioner to discontinue reimbursement of equity in the capital component of proprietary nursing homes rates;
- enacts legislation to enable hospitals sponsored by public benefit corporations to provide increased payments to certain managed care providers and physicians;
- amends the proposal to preserve the “prescriber prevails” provision under Medicaid Fee-for-Service (FFS);
- amends the proposal to eliminate statutory Medicaid pharmacy reimbursement and dispensing fees, to require 60-day notification should the Commissioner seek to modify reimbursement or dispensing fees;
- accepts the proposal to authorize the Commissioner to negotiate rebates directly with pharmaceutical manufacturers;
- accepts the proposal that would make various changes to the Pharmacy and Therapeutics Committee (P&TC);
- accepts the proposal to discontinue the State-only Medicaid wrap around coverage for Part D pharmaceuticals;
- accepts the proposal to repeal provisions that exempt atypical anti-psychotics, antidepressants, immunosuppressants and anti-retrovirals from prior authorization requirements;
- accepts the proposal to limit payments for enteral formula, prescription footwear and compression stockings to certain medically necessary circumstances, and authorizes the Commissioner to require prior authorization for more than four opioid prescriptions in a 30 day period;
- accepts the proposal to authorize implementation of behavioral health utilization thresholds, and establishes limits for physical therapy, occupational therapy, speech therapy and pathology services for adults who are not developmentally disabled;
- accepts the proposal to eliminate the nursing adjustment for home care services provided by a certified home health agency (CHHA) or a long term home health care program (LTHHCP) to individuals diagnosed with acquired immune deficiency syndrome (AIDS);
- accepts the proposal to expand access to Medicaid coverage for smoking cessation beyond pregnant women and youth between 10 and 20 years of age;
- enacts the proposal to de-link workers’ compensation rates from hospital Medicaid reimbursement rates;
- amends the proposal to establish living wage requirements for home and community-based long term care providers for Long Island, Westchester and New York City;

- amends the proposal to expand the current State-wide patient centered medical home program to more payers and to broaden participation;
- amends the proposal to establish regulations that would incorporate quality measures relating to potentially preventable conditions and unnecessary surgical procedures into hospital reimbursement rates;
- amends the proposal to coordinate care for high-cost chronic populations through the establishment of Health Homes;
- advances legislation to expand the Statewide Planning and Research Cooperative System;
- advances legislation to require the Department to make Medicaid waiver and plan amendments public;
- accepts the proposal to expand screening, brief intervention, and referral to treatment (SBIRT) for alcohol and drug use to other settings in addition to emergency rooms;
- amends the proposal to require persons 21 years of age or older in need of home and community-based long term care services to enroll in Medicaid managed long term care;
- amends the proposal to authorize the State to contract with regional behavioral health organizations (BHO) to coordinate care for Medicaid recipients with behavioral health diagnoses;
- amends the proposal to require hospitals, nursing homes, and assisted living residences to provide access to palliative care, including associated pain management services;
- amends the proposal to mitigate potential anti-trust issues to improve the health system through increased coordination, integration and collaboration;
- amends the proposal to establish a medical indemnity fund to provide for the future health needs of neurologically impaired infants, while removing the proposed cap on non-economic damage awards;
- accepts the proposal to establish a disregard for retirement assets to encourage participation in the Medicaid Buy-In for the Working Poor and Disabled;
- accepts the proposal to eliminate duplicative laboratory and hospital psychiatric surveillance activities;
- amends the proposal to clarify requirements pertaining to adverse event reporting by hospitals and diagnostic and treatment centers;
- amends the proposal to require participating Medicaid providers to utilize a verification organization to review services set forth in a claim prior to submission;
- accepts the proposal to limit Medicaid co-insurance for Medicare covered Part B services when the total co-insurance amount would exceed the amount Medicaid would have paid under a Medicaid rate;
- amends the proposal to authorize the establishment of Accountable Care Organization (ACO) demonstration project;
- accepts the proposal to extend the HCRA amnesty through December 31, 2011, and denies the extension of the HCRA surcharge to outpatient surgery and radiation physician services;
- accepts the proposal to limit bed hold payments to nursing homes that have at least 50 percent of eligible residents enrolled in Medicaid managed care;

- accepts the proposal to establish a housing disregard as an incentive to join Medicaid managed long term care plans;
- amends the proposal to require certain populations to enroll in Medicaid managed care;
- accepts the proposal to authorize the conversion of certain family planning benefits to the Medicaid program;
- accepts the proposal to limit Level I Personal Care services to eight hours per week;
- amends the proposal to implement a two percent across-the-board reduction in consultation with various health care providers. The new language limits the effective period to SFYs 2011-12 and 2012-13, and caps the aggregate value of such reductions at \$345 million for SFY 2011-12;
- amends the proposal to institute a cap on the Medicaid rate of growth based on 10 year rolling average of the health component of the Consumer Price Index, and limits the enforcement of such cap to SFYs 2011-12 and 2012-13;
- accepts the proposal to restrict the processing of nursing home rate appeals to \$50 million for each SFY, and extends the Commissioner's authority to negotiate agreements resolving multiple pending appeals;
- accepts the proposal to implement a cost-neutral nursing home rebasing plan until the implementation of a statewide pricing methodology, which would begin between October 1, 2011 and January 1, 2012. Industry-funded rebasing payments to homes adversely impacted by rebasing would begin prior to July 1, 2011; and
- enacts legislation to allow the Department to enter into a contract for the Early Innovator Grant under an expedited procurement process.

Legislative Additions

The Legislature provides funding for the following:

PROGRAM	APPROPRIATION
MEDICAID: HOSPITAL INPATIENT (FEDERAL)	\$416,750,000
MEDICAL MALPRACTICE REFORM	\$298,000,000
ADDITIONAL LONG TERM CARE APPROPRIATION AUTHORITY (SRO OFFSET)	\$200,900,000
FEDERAL MATCH FOR NON-INSTITUTIONAL AND OTHER MEDICAID SERVICES	\$126,040,000
NURSING HOME REBASING	\$109,501,000
MEDICAID: NURSING HOMES (FEDERAL)	\$105,100,000
MEDICAID: NON-INSTITUTIONAL LONG-TERM CARE (FEDERAL)	\$84,800,000
REJECT PROPOSAL TO ELIMINATE PRESCRIBER PREVAILS	\$59,500,000
FEDERAL MATCH FOR MEDICAID-PHARMACY RESTORATIONS	\$59,500,000
ELIMINATION OF SPOUSAL REFUSAL	\$56,600,000
EPIC RESTORATIONS	\$22,300,000
CO-PAYMENTS FOR MEDICAID AND FHP	\$14,400,000
RESTORE FUNDING FOR ROSWELL PARK CANCER INSTITUTE	\$7,760,000
EARLY INTERVENTION - MEDICAID	\$7,400,000
RESTORATIONS TO VETERANS' NURSING HOMES	\$6,800,000
AMEND DEFINITION OF "DOWNSTATE" FOR FEDERALLY QUALIFIED HEALTH CENTER (FQHC) REIMBURSEMENT	\$4,800,000
MEDICAID: NON-INSTITUTIONAL LONG TERM CARE	\$4,800,000
CHILD HEALTH INSURANCE CO-PAYMENT (FEDERAL)	\$3,500,000
CO-PAYMENTS FOR CHILD HEALTH PLUS (CHP)	\$2,700,000

PEDIATRIC NURSING HOMES - EXEMPTION FROM TREND ELIMINATION	\$2,600,000
EARLY INTERVENTION PROGRAM	\$2,500,000
SHIFT OF STATE FAMILY PLANNING GRANTS TO MEDICAID	\$2,000,000
AUDIT OF RESIDENT TEACHING PROGRAMS	\$1,250,000
FUNDING FOR IMPROVED ACCESS TO INFERTILITY SERVICES (HCRA)	\$1,100,000
FUNDING FOR IMPROVED ACCESS TO INFERTILITY SERVICES	\$923,500
MEDICAID COLLABORATIVE STUDIES	\$695,600
CARDIAC SERVICES	\$690,900
HEALTH PROMOTION INITIATIVES	\$570,000
ADELPHI UNIVERSITY BREAST CANCER HOTLINE & SUPPORT	\$300,000
MATERNITY AND EARLY CHILDHOOD FOUNDATION	\$299,500
PUBLIC MANAGEMENT LEADERS OF TOMORROW PROGRAM	\$277,000
OFFICE OF MINORITY HEALTH	\$266,000
BRAIN TRAUMA FOUNDATION	\$245,000
CENTER FOR HEALTH WORKFORCE STUDIES	\$196,000
PATIENT INFORMATION & QUALITY IMPROVEMENT	\$184,000
FALLS PREVENTION	\$150,000
RACIAL DISPARITY STUDY	\$147,500
COMPREHENSIVE CARE CENTERS FOR EATING DISORDERS	\$125,000
NEW YORK STATE DONOR REGISTRY AWARENESS CAMPAIGN	\$122,500
GATEWAY INSTITUTE - CUNY	\$110,000
RESTORE THE INTERM LEAD SAFE HOUSING PROGRAM	\$100,000
TICK-BORNE DISEASE PROGRAM	\$73,500
COST OF LIVING ADJUSTMENT FOR PUBLIC HEALTH PROGRAMS.	\$47,200
STATEWIDE HEALTH BROADCASTS	\$41,750
WINTHROP - LATINO OUTREACH PROGRAM	\$36,750
SAFE MOTHERHOOD INITIATIVE	\$36,750
LONG TERM CARE COMMUNITY COALITION	\$34,500
STATEWIDE MATERNAL MORTALITY REVIEW	\$33,125
OSTEOPOROSIS PREVENTION	\$32,500
MINORITY MALE WELLNESS/SCREENING PROGRAM	\$26,950
PUBLIC HEALTH GENOMICS	\$25,000
SUDDEN INFANT DEATH SYNDROME CENTERS	\$19,500
UPSTATE MEDICAL - SUNY (MINORITY PARTICIPATION IN EDUCATION)	\$19,500
OFFICE OF MINORITY HEALTH COLA	\$14,500

MEDICAID INSPECTOR GENERAL, OFFICE OF THE

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
STATE OPERATIONS				
General Fund	33,274,000	29,577,000	29,577,000	0
Special Revenue-Other	4,083,000	3,700,000	3,700,000	0
Special Revenue-Federal	50,804,000	47,076,000	47,076,000	0
Total for STATE OPERATIONS	88,161,000	80,353,000	80,353,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive recommendation.

DEPARTMENT OF MENTAL HYGIENE

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
STATE OPERATIONS				
Special Revenue-Other	600,000,000	600,000,000	600,000,000	0
Total for STATE OPERATIONS	600,000,000	600,000,000	600,000,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive recommendation.

OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
STATE OPERATIONS				
Special Revenue-Other	123,905,000	112,483,400	112,483,400	0
Special Revenue-Federal	6,805,000	6,530,000	6,530,000	0
Total for STATE OPERATIONS	130,710,000	119,013,400	119,013,400	0
AID TO LOCALITIES				
General Fund	39,000,000	36,878,500	36,878,500	0
Special Revenue-Other	298,479,000	282,242,500	282,242,500	0
Special Revenue-Federal	139,755,000	135,000,000	135,000,000	0
Total for AID TO LOCALITIES	477,234,000	454,121,000	454,121,000	0
CAPITAL PROJECTS				
Capital Projects Fund	10,888,000	9,560,000	9,560,000	0
Mental Hygiene Capital Improvement Fund-389	98,046,000	88,046,000	88,046,000	0
Total for CAPITAL PROJECTS	108,934,000	97,606,000	97,606,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive recommendation.

Legislative Changes

The Legislature includes appropriation language to specify that \$14,703,672 of the \$42,552,000 that supports the continuation of prior year contracts for entities providing services for problem gambling and chemical dependency prevention and treatment services is available to the New York City Department of Education.

Article VII

The Legislature accepts an Executive proposal to eliminate the human services cost of living adjustment (COLA) for State Fiscal Year (SFY) 2011-12 and to extend the COLA for an additional year, through March 31, 2015.

OFFICE OF MENTAL HEALTH

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
STATE OPERATIONS				
General Fund	800,000	800,000	800,000	0
Special Revenue-Other	2,141,991,000	2,037,172,000	2,037,172,000	0
Special Revenue-Federal	2,038,000	2,038,000	2,038,000	0
Enterprise	8,606,000	8,606,000	8,606,000	0
Internal Service Fund	2,810,000	2,610,000	2,610,000	0
Total for STATE OPERATIONS	2,156,245,000	2,051,226,000	2,051,226,000	0
AID TO LOCALITIES				
General Fund	420,982,000	420,982,000	420,982,000	0
Special Revenue-Other	807,394,000	826,038,000	826,038,000	0
Special Revenue-Federal	46,807,000	51,414,000	51,414,000	0
Total for AID TO LOCALITIES	1,275,183,000	1,298,434,000	1,298,434,000	0
CAPITAL PROJECTS				
Capital Projects Fund	37,600,000	37,600,000	37,600,000	0
Mental Hygiene Capital Improvement Fund-389	196,691,000	183,274,000	183,274,000	0
Total for CAPITAL PROJECTS	234,291,000	220,874,000	220,874,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive recommendation.

Legislative Changes

The Legislature amends appropriation language to establish criteria and to extend notification periods for closures, mergers, and consolidations of State-operated mental health facilities.

Article VII

The Legislature amends the Executive proposal to close, merge and consolidate mental health facilities. Specifically, the Legislature:

- denies the proposal to permanently repeal the requirement that the Office of Mental Health (OMH) provide notification 12-months prior to any closures, consolidations or service reductions at facilities and programs operated by OMH. Instead, the Legislature authorizes a one-year suspension of the 12-month notification requirement for State Fiscal Year (SFY) 2011-12 only;

- limits consolidations and service reductions to an aggregate maximum of 600 beds in SFY 2011-12;
- requires OMH to provide 30 days notification when closing wards and 60 days notification prior to facility closures; and
- requires OMH to consider certain criteria prior to closing a ward or facility, including the services provided by the facility, the long-term needs of the service area, the availability of staffing, the capital needs of the facility, the proximity to other facilities, the anticipated savings, the availability of community services, and the impact on access to mental health services.

The Legislature accepts Executive proposals to:

- suspend, rather than terminate, Medicaid eligibility for individuals in Institutions for Mental Diseases;
- convert the Brooklyn Children’s Psychiatric Center from a children’s psychiatric hospital to a community-based program for children with serious emotional disturbances; and
- eliminate the human services cost of living adjustment (COLA) for State Fiscal Year (SFY) 2011-12 and to extend the COLA for an additional year, through March 31, 2015.

OFFICE FOR PEOPLE WITH DEVELOPMENTAL DISABILITIES

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
STATE OPERATIONS				
Special Revenue-Other	2,260,020,000	2,147,051,700	2,147,051,700	0
Special Revenue-Federal	751,000	751,000	751,000	0
Enterprise	2,668,000	2,668,000	2,668,000	0
Internal Service Fund	350,000	350,000	350,000	0
Total for STATE OPERATIONS	2,263,789,000	2,150,820,700	2,150,820,700	0
AID TO LOCALITIES				
General Fund	1,472,023,000	1,430,364,800	1,430,364,800	0
Special Revenue-Other	891,773,000	866,536,700	866,536,700	0
Total for AID TO LOCALITIES	2,363,796,000	2,296,901,500	2,296,901,500	0
CAPITAL PROJECTS				
Capital Projects Fund	57,025,000	62,140,000	62,140,000	0
Mental Hygiene Capital Improvement Fund-389	82,535,000	89,855,000	89,855,000	0
Total for CAPITAL PROJECTS	139,560,000	151,995,000	151,995,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive recommendation.

Article VII

The Legislature accepts the Executive Article VII proposal to eliminate the human services cost of living adjustment (COLA) for State Fiscal Year (SFY) 2011-12 and to extend the COLA for an additional year, through March 31, 2015.

COMMISSION ON QUALITY OF CARE AND ADVOCACY FOR PERSONS WITH DISABILITIES

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
STATE OPERATIONS				
General Fund	5,466,000	4,922,000	4,922,000	0
Special Revenue-Other	4,185,000	4,185,000	4,185,000	0
Special Revenue-Federal	8,345,000	8,345,000	8,345,000	0
Enterprise	45,000	45,000	45,000	0
Total for STATE OPERATIONS	18,041,000	17,497,000	17,497,000	0
AID TO LOCALITIES				
General Fund	170,000	170,000	170,000	0
Special Revenue-Other	478,000	478,000	478,000	0
Total for AID TO LOCALITIES	648,000	648,000	648,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive recommendation.

**TRANSPORTATION,
ECONOMIC
DEVELOPMENT &
ENVIRONMENTAL
CONSERVATION**

By Agency

ADIRONDACK PARK AGENCY

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
STATE OPERATIONS				
General Fund	5,119,000	4,607,000	4,607,000	0
Special Revenue-Federal	700,000	700,000	700,000	0
Total for STATE OPERATIONS	5,819,000	5,307,000	5,307,000	0
CAPITAL PROJECTS				
Capital Projects Fund	500,000	500,000	500,000	0
Total for CAPITAL PROJECTS	500,000	500,000	500,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive recommendation.

DEPARTMENT OF AGRICULTURE AND MARKETS

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
STATE OPERATIONS				
General Fund	29,286,000	26,357,000	26,768,000	411,000
Special Revenue-Other	47,257,000	46,600,000	46,600,000	0
Special Revenue-Federal	29,644,000	29,644,000	29,644,000	0
Enterprise	21,361,000	21,361,000	21,361,000	0
Fiduciary	1,836,000	1,836,000	1,836,000	0
Total for STATE OPERATIONS	129,384,000	125,798,000	126,209,000	411,000
AID TO LOCALITIES				
General Fund	18,808,000	13,809,000	17,329,000	3,520,000
Special Revenue-Federal	20,000,000	20,000,000	20,000,000	0
Total for AID TO LOCALITIES	38,808,000	33,809,000	37,329,000	3,520,000
CAPITAL PROJECTS				
Misc. Capital Projects	2,000,000	2,000,000	2,000,000	0
Capital Projects Fund	1,750,000	1,000,000	1,000,000	0
Total for CAPITAL PROJECTS	3,750,000	3,000,000	3,000,000	0

LEGISLATIVE ACTION

The Legislature appropriates \$166,538,000 on an All Funds basis, an increase of \$3,931,000 over the Executive budget submission.

Legislative Changes

The Legislature rejects the consolidation of programs associated with the Cornell Diagnostic Lab into a single, \$6,066,000 appropriation and separately lines out each program to preserve State Fiscal Year 2010-2011 funding levels accordingly:

- "Core" Diagnostic Lab assistance - \$3,750,000;
- Avian Disease - \$252,000;
- Cattle Health Assurance - \$360,000;
- Johnes Disease - \$480,000;
- Quality Milk Promotion - \$1,174,000; and
- Rabies - \$50,000.

The Legislature rejects the Executive proposal to establish a new \$1,222,000 Competitive Local Assistance Grants Program and replaces the proposal with discrete appropriations for the following programs for a total restoration of \$4,742,000:

Program	Appropriation
Agriculture In the Classroom	\$80,000
Apple Growers Association	\$206,000
Association of Ag. Educators	\$66,000
Center for Dairy Excellence	\$150,000
Cornell Rabies Program	\$100,000
Farm Family Assistance	\$384,000
Farm Viability Institute	\$1,221,000
Future Farmers of America	\$192,000
Geneva Seed Station Inspection	\$128,000
Golden Nematode Program	\$62,000
Integrated Pest Management	\$500,000
Local Fairs	\$340,000
Maple Producers Association	\$100,000
Northern NY Agricultural Development	\$300,000
Rabies Control Program (Long Island)	\$100,000
Tractor Rollover Protection	\$100,000
Wine & Grape Foundation	\$713,000

Article VII

The Legislature rejects the Executive's proposal to establish a new Competitive Local Grant Program.

The Legislature accepts the Executive's Share New York Food Initiative, which seeks to expand access to farmers' markets and locally grown produce in underserved areas.

Legislative Additions

The Legislature restores \$411,000 to the Pro Dairy program. These funds, combined with an Executive restoration will restore the program to prior state fiscal year funding levels of \$822,000.

The Legislature provides funding for the following:

PROGRAM	APPROPRIATION
CORNELL "CORE" DIAGNOSTIC LAB	\$3,750,000
FARM VIABILITY INSTITUTE	\$1,221,000
CORNELL QUALITY MILK PROMOTION	\$1,174,000
NEW YORK WINE AND GRAPE FOUNDATION	\$713,000
CORNELL UNIVERSITY INTEGRATED PEST MANAGEMENT	\$500,000
CORNELL JOHNE'S DISEASE PROGRAM	\$480,000
CORNELL PRO-DAIRY PROGRAM	\$411,000
CORNELL FARM FAMILY ASSISTANCE	\$384,000
CORNELL - CATTLE HEALTH ASSURANCE PROGRAM	\$360,000
LOCAL FAIRS	\$340,000
NORTHERN NEW YORK AGRICULTURAL DEVELOPMENT	\$300,000
CORNELL AVIAN DISEASE PROGRAM	\$252,000
NEW YORK STATE APPLE GROWERS' ASSOCIATION	\$206,000
FUTURE FARMERS OF AMERICA	\$192,000
CORNELL WILDLIFE RABIES VACCINATION PROGRAM	\$150,000
CENTER FOR DAIRY EXCELLENCE	\$150,000
CORNELL UNIVERSITY - GENEVA EXPERIMENT STATION (SEED INSPECTION PROGRAM)	\$128,000

NEW YORK STATE MAPLE PRODUCERS' ASSOCIATION	\$100,000
TRACTOR ROLLOVER PROGRAM	\$100,000
CORNELL RABIES - LONG ISLAND RABIES	\$100,000
CORNELL AGRICULTURE IN THE CLASSROOM	\$80,000
ASSOCIATION OF AGRICULTURAL EDUCATORS	\$66,000
CORNELL UNIVERSITY - GOLDEN NEMATODE	\$62,000

DEPARTMENT OF ECONOMIC DEVELOPMENT

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
STATE OPERATIONS				
General Fund	21,941,000	19,747,000	20,597,000	850,000
Special Revenue-Other	3,765,000	3,765,000	3,765,000	0
Special Revenue-Federal	1,000,000	1,000,000	2,000,000	1,000,000
Total for STATE OPERATIONS	26,706,000	24,512,000	26,362,000	1,850,000
AID TO LOCALITIES				
General Fund	3,962,000	3,815,000	40,068,000	36,253,000
Special Revenue-Federal	0	0	9,100,000	9,100,000
Total for AID TO LOCALITIES	3,962,000	3,815,000	49,168,000	45,353,000

LEGISLATIVE ACTION

The Legislature appropriates \$75,530,000 on an All Funds basis, a net increase of \$47,203,000.

Article VII

The Legislature amends the Executive proposal to merge the Foundation for Science, Technology, and Innovation (NYSTAR) into the Urban Development Corporation and instead merges NYSTAR into the Department of Economic Development.

The Legislature accepts the Executive proposal to increase the maximum lifetime cap of loans under the Linked Deposit Program from \$1,000,000 to \$2,000,000 and to authorize the extension of loans.

Legislative Additions

The Legislature provides \$850,000 for the Administration Program to support administrative services related to the merger of NYSTAR into the Department.

The Legislature provides \$1,000,000 in appropriations for the Economic Development Program to reflect anticipated receipt of additional Federal funding.

The Legislature provides \$392,000 for Gateway Information Centers.

The Legislature provides funding for the following:

PROGRAM	APPROPRIATION
HIGH TECHNOLOGY PROGRAM	\$34,048,000
TRAINING AND BUSINESS ASSISTANCE PROGRAM	\$9,100,000
TRAINING AND BUSINESS ASSISTANCE PROGRAM	\$1,470,000
FEDERAL OPERATING GRANTS FUND	\$1,000,000
ADMINISTRATION - ADDITIONAL SO FUNDING	\$850,000
RESEARCH DEVELOPMENT PROGRAM	\$343,000
GATEWAY INFORMATION CENTER AT BINGHAMTON	\$196,000
GATEWAY INFORMATION CENTER AT BEEKMANTOWN	\$196,000

NYS ENERGY RESEARCH AND DEVELOPMENT AUTHORITY

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
STATE OPERATIONS				
Special Revenue-Other	6,996,000	8,090,000	8,090,000	0
Total for STATE OPERATIONS	6,996,000	8,090,000	8,090,000	0
AID TO LOCALITIES				
Special Revenue-Other	9,234,000	8,140,000	8,140,000	0
Total for AID TO LOCALITIES	9,234,000	8,140,000	8,140,000	0
CAPITAL PROJECTS				
Capital Projects Fund	0	15,310,000	15,310,000	0
Capital Projects Fund - Authority Bonds	19,247,000	0	0	0
Total for CAPITAL PROJECTS	19,247,000	15,310,000	15,310,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive recommendation.

Article VII

The Legislature accepts the Executive proposal to transfer \$913,000 from New York State Research and Development Authority (NYSERDA) to the General Fund to support New York's debt service obligations associated with the West Valley Nuclear Facility.

The Legislature accepts the Executive proposal to authorize NYSERDA to finance the Department of Environmental Conservation's (DEC) Climate Change Program – as well as a portion of its own research, development, demonstration, and policy planning programs – through an assessment on gas and electric corporations. These fees are assessed pursuant to section 18-a of the Public Service law.

DEPARTMENT OF ENVIRONMENTAL CONSERVATION

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
STATE OPERATIONS				
General Fund	120,373,100	108,327,000	110,527,000	2,200,000
Special Revenue-Other	266,634,300	256,077,000	254,077,000	(2,000,000)
Special Revenue-Federal	127,419,000	76,012,000	76,012,000	0
Internal Service Fund	60,000	60,000	60,000	0
Total for STATE OPERATIONS	514,486,400	440,476,000	440,676,000	200,000
AID TO LOCALITIES				
General Fund	1,867,900	1,675,000	1,875,000	200,000
Total for AID TO LOCALITIES	1,867,900	1,675,000	1,875,000	200,000
CAPITAL PROJECTS				
Capital Projects Fund	16,834,000	16,834,000	16,834,000	0
Federal Capital Projects Fund	156,700,000	184,000,000	184,000,000	0
Environmental Protection Fund	134,000,000	134,000,000	134,000,000	0
Cap Proj Fund - DEC Regular Auth Bonds	12,000,000	12,000,000	12,000,000	0
Cap Proj Fund - State Revolving Fund Auth Bonds	29,600,000	35,000,000	35,000,000	0
Capital Project Fund - Onondaga Lake (Auth. Bonds)	5,000,000	0	0	0
Capital Projects Fund - EQBA 86 Bondable	342,000	0	0	0
Hazardous Waste Remedial Fund - Oversight and Assesment	12,250,000	10,000,000	10,000,000	0
Hazardous Waste Remedial Fund - Cleanup	120,000,000	120,000,000	120,000,000	0
Total for CAPITAL PROJECTS	486,726,000	511,834,000	511,834,000	0

LEGISLATIVE ACTION

The Legislature appropriates \$954,385,000 on an All Funds basis, a \$400,000 increase over the Executive Budget submission.

Legislative Changes

The Legislature accepts Executive funding levels for the Environmental Protection Fund at \$134,000,000, but amends allocations to provide discrete funding for the following items:

- Belleayre Mountain Ski Lift (\$500,000);
- Various Waterfront Revitalization projects including:
 - Buffalo Waterfront - \$300,000;

- Hoyt Lake - \$100,000; and
- Niagara River Greenway - \$225,000.
- Various Municipal Parks projects including:
 - Darwin Martin House - \$250,000;
 - Graycliff Manor House - \$50,000;
 - Hyde Park - \$125,000; and
 - Olmsted Park - \$250,000.

In addition, the Legislature decreases funding for Agricultural Non-Point Source Pollution Abatement by \$297,000 and instead increases support to Non-Agricultural Non-Point Source Pollution Abatement by \$297,000.

The Legislature accepts the Executive’s proposal to transfer \$500,000 of appropriation authority from the Fish/Wildlife/Marine account and \$500,000 of appropriation authority from the DEC Enforcement account into the Land and Forest account, which will allow for all three programs to be adequately implemented.

The Legislature accepts the Executive’s proposal to transfer \$2,250,000 of Conservation Funds out of the Fish/Wildlife/Marine account into Conservation Funds in the DEC Enforcement account, which will allow for both programs to be adequately implemented.

Article VII

The Legislature modifies the Executive proposal to provide a three year extension to the current pesticide product fees and registration timetable.

The Legislature modifies the Saltwater Fishing Registry by providing a moratorium on the fee for saltwater fishing licenses while maintaining a free registry until 2013, and refunds lifetime license fee purchases.

The Legislature modifies the Diesel Emissions Reduction Act to extend retrofit compliance dates for two years, until December 31, 2012.

Legislative Additions

The Legislature amends the Executive proposal by providing \$2,000,000 in General Fund support to support a moratorium on fees for Salt Water Marine Fishing Licenses. Funding will allow for the operation of a free fishing registry without diminishing funds from other licensed sporting activities.

The Legislature amends the Executive proposal by appropriating an additional \$200,000 for the Conditional Shellfish Harvesting program.

The Legislature amends the Executive proposal by appropriating an additional \$200,000 for the Community Integrated Pest Management program.

The Legislature provides funding for the following:

PROGRAM	APPROPRIATION
CONSERVATION FUND TRANSFER	\$2,250,000
SALT WATER FISHING LICENSE MORATORIUM	\$2,000,000
FOREST AND LAND RESOURCES PROGRAM TRANSFER	\$1,000,000
CONDITIONAL SHELLFISH HARVESTING PROGRAM	\$200,000
CORNELL COMMUNITY INTEGRATED PEST MANAGEMENT	\$200,000

ENVIRONMENTAL FACILITIES CORPORATION

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
STATE OPERATIONS				
Special Revenue-Other	12,310,000	12,310,000	12,310,000	0
Total for STATE OPERATIONS	12,310,000	12,310,000	12,310,000	0
CAPITAL PROJECTS				
Clean Water-Clean Air Implementation Fund	343,000	343,000	343,000	0
Total for CAPITAL PROJECTS	343,000	343,000	343,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive recommendation.

HUDSON RIVER PARK TRUST

Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
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LEGISLATIVE ACTION

The Legislature concurs with the Executive recommendation.

DIVISION OF THE LOTTERY

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
STATE OPERATIONS				
Special Revenue-Other	95,310,700	89,704,000	89,704,000	0
Total for STATE OPERATIONS	95,310,700	89,704,000	89,704,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive recommendation.

DEPARTMENT OF MOTOR VEHICLES

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
STATE OPERATIONS				
Special Revenue-Other	90,478,000	90,431,000	90,431,000	0
Special Revenue-Federal	16,390,000	17,381,000	17,381,000	0
Internal Service Fund	11,500,000	13,500,000	13,500,000	0
Total for STATE OPERATIONS	118,368,000	121,312,000	121,312,000	0
AID TO LOCALITIES				
Special Revenue-Federal	20,410,000	20,620,000	20,620,000	0
Total for AID TO LOCALITIES	20,410,000	20,620,000	20,620,000	0
CAPITAL PROJECTS				
Dedicated Highway and Bridge Trust Fund	217,842,000	201,137,000	201,137,000	0
Total for CAPITAL PROJECTS	217,842,000	201,137,000	201,137,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive recommendation.

Article VII

The Legislature accepts the Executive's proposal to make permanent provisions of law relating to the suspension of driver's licenses and the imposition of penalties for driving while intoxicated, as required by federal law.

The Legislature accepts the Executive's proposal to make permanent provisions of law relating to the suspension and revocation of driver's licenses and the imposition of penalties for drug-related convictions, as required by federal law.

The Legislature amends the Executive's proposal to make permanent certain provisions of the Motor Vehicle Financial Security Act, which requires motorists to maintain vehicle insurance at all times and includes fines and penalties for noncompliance.

The Legislature accepts the Executive's proposal to amend provisions of law relating to operators of commercial motor vehicles and medical certification requirements, in order to meet federal standards and to otherwise ensure the continued receipt of federal highway aid.

OLYMPIC REGIONAL DEVELOPMENT AUTHORITY

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
STATE OPERATIONS				
General Fund	5,222,000	4,700,000	4,700,000	0
Special Revenue-Other	354,000	354,000	354,000	0
Total for STATE OPERATIONS	5,576,000	5,054,000	5,054,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive recommendation.

OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
STATE OPERATIONS				
General Fund	132,734,600	119,461,200	119,461,200	0
Special Revenue-Other	88,153,900	88,153,900	88,153,900	0
Special Revenue-Federal	5,700,900	6,650,900	6,650,900	0
Enterprise	1,500,000	0	0	0
Total for STATE OPERATIONS	228,089,400	214,266,000	214,266,000	0
AID TO LOCALITIES				
General Fund	2,920,000	0	3,020,000	3,020,000
Special Revenue-Other	5,635,000	5,635,000	5,635,000	0
Special Revenue-Federal	4,120,000	3,170,000	3,170,000	0
Total for AID TO LOCALITIES	12,675,000	8,805,000	11,825,000	3,020,000
CAPITAL PROJECTS				
Misc. Capital Projects	3,800,000	3,800,000	3,800,000	0
State Parks Infrastructure Fund	29,001,000	29,001,000	29,001,000	0
Federal Capital Projects Fund	4,000,000	4,000,000	4,000,000	0
Fiduciary Funds - Misc Combined	10,000,000	10,000,000	10,000,000	0
Total for CAPITAL PROJECTS	46,801,000	46,801,000	46,801,000	0

LEGISLATIVE ACTION

The Legislature appropriates \$272,892,000 on an All Funds basis, an increase of \$3,020,000 over the Executive Budget submission.

Legislative Changes

The Legislature rejects the Executive proposal to eliminate 50 percent reimbursement of costs paid to localities for the enforcement of certain sections of the Navigation Law and restores funding to State Fiscal Year 2010-2011 levels of \$2,920,000.

The Legislature provides an additional \$100,000 to support the continued operations at Historic Homes that were closed by the Office in SFY 2010-11.

Article VII

The Legislature rejects the Executive's proposal to repeal sections of law that require a 50 percent reimbursement of costs for localities' enforcement of certain sections of the Navigation Law related to the "I Love NY Water" Program.

The Legislature provides funding for the following:

PROGRAM	APPROPRIATION
NAVIGATION LAW REIMBURSEMENT	\$2,920,000
HISTORIC HOMES	\$100,000

DEPARTMENT OF PUBLIC SERVICE

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
STATE OPERATIONS				
Special Revenue-Other	75,392,000	75,392,000	75,392,000	0
Special Revenue-Federal	3,750,000	3,500,000	3,500,000	0
Total for STATE OPERATIONS	79,142,000	78,892,000	78,892,000	0
AID TO LOCALITIES				
Special Revenue-Other	1,000,000	1,500,000	1,500,000	0
Total for AID TO LOCALITIES	1,000,000	1,500,000	1,500,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive recommendation.

STATE RACING AND WAGERING BOARD

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
STATE OPERATIONS				
Special Revenue-Other	22,470,000	24,750,000	22,250,000	(2,500,000)
Total for STATE OPERATIONS	22,470,000	24,750,000	22,250,000	(2,500,000)

LEGISLATIVE ACTION

The Legislature appropriates \$22,250,000 on an All Funds basis, a \$2,500,000 decrease from the Executive proposal.

Legislative Reductions

The Legislature reduces Racing and Wagering Board appropriations by \$2,500,000.

Article VII

The Legislature rejects an Executive proposal to establish a new 2.75 percent surcharge on thoroughbred and harness purses.

GOVERNOR'S OFFICE OF REGULATORY REFORM

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
STATE OPERATIONS				
General Fund	2,350,000	0	0	0
Total for STATE OPERATIONS	2,350,000	0	0	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive recommendation.

Article VII

The Legislature accepts the Executive proposal to provide for the statutory elimination of all references to this Agency.

DEPARTMENT OF STATE

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
STATE OPERATIONS				
General Fund	23,415,000	20,249,700	21,153,700	904,000
Special Revenue-Other	40,786,000	38,368,839	39,555,839	1,187,000
Special Revenue-Federal	13,692,309	7,950,000	7,950,000	0
Total for STATE OPERATIONS	77,893,309	66,568,539	68,659,539	2,091,000
AID TO LOCALITIES				
Special Revenue-Other	539,000	539,000	539,000	0
Special Revenue-Federal	104,594,631	66,706,000	66,706,000	0
Total for AID TO LOCALITIES	105,133,631	67,245,000	67,245,000	0
CAPITAL PROJECTS				
Hazardous Waste Remedial Fund - Oversight and Assesment	2,750,000	0	0	0
Total for CAPITAL PROJECTS	2,750,000	0	0	0

LEGISLATIVE ACTION

The Legislature appropriates \$135,904,539 on an All Funds basis, an increase of \$2,091,000 over the Executive's proposal.

Legislative Changes

The Legislature provides \$1,137,000 to deny the Executive's proposal to eliminate State support for the Tug Hill Commission.

The Legislature rejects an Executive proposal to eliminate the salary of the State Athletic Chair and provides \$154,000 in continued support for this purpose.

Additionally, the Legislature transfers \$800,000 for the Consumer Services Program from the newly-established Department of Financial Services to the Department of State. These funds will augment appropriations included in the Executive Budget, for a total appropriation of \$3,308,000.

Article VII

The Legislature rejects the Executive's proposal to eliminate the salary of the State Athletic Commission Chair.

The Legislature rejects the Executive's proposal to eliminate funding for the Tug Hill Commission.

The Legislature modifies the Executive's proposal that would make the Department of State's authority to charge increased fees for the expedited handling of documents permanent. Instead, the Legislature authorizes a two year extension of this authority.

The Legislature accepts the Executive's proposal to make permanent the funding distribution formula for the Community Services Block Grant Program.

The Legislature accepts the Executive's proposal to allow the Department of State to increase the renewal term for the licensing of certain beauty enhancement disciplines from two years to four years and doubles the associated licensing fee.

The Legislature provides funding for the following:

PROGRAM	APPROPRIATION
TUG HILL COMMISSION	\$1,104,000
CONSUMER SERVICES PROGRAM	\$1,000,000
STATE ATHLETIC CHAIR SALARY	\$154,000
TUG HILL COMMISSION	\$33,000

DEPARTMENT OF TAXATION AND FINANCE

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
STATE OPERATIONS				
General Fund	376,366,000	310,682,000	310,682,000	0
Special Revenue-Other	107,297,000	108,042,000	108,042,000	0
Special Revenue-Federal	2,500,000	2,500,000	2,500,000	0
Internal Service Fund	41,806,000	31,131,000	31,131,000	0
Total for STATE OPERATIONS	527,969,000	452,355,000	452,355,000	0
AID TO LOCALITIES				
General Fund	12,325,000	750,000	926,000	176,000
Total for AID TO LOCALITIES	12,325,000	750,000	926,000	176,000

LEGISLATIVE ACTION

The Legislature appropriates \$453,281,000 on an All Funds basis, an increase of \$176,000 from the Executive's budget submission.

Legislative Changes

The Legislature provides \$176,000 to support reimbursement to assessor training programs.

The Legislature provides funding for the following:

PROGRAM	APPROPRIATION
REIMBURSEMENT FOR ASSESSOR TRAINING	\$176,000

DIVISION OF TAX APPEALS

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
STATE OPERATIONS				
General Fund	3,154,000	3,021,000	3,021,000	0
Total for STATE OPERATIONS	3,154,000	3,021,000	3,021,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive recommendation.

NEW YORK STATE THRUWAY AUTHORITY

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
CAPITAL PROJECTS				
NYS Canal System Development Fund	2,000,000	2,000,000	2,000,000	0
Total for CAPITAL PROJECTS	2,000,000	2,000,000	2,000,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive recommendation.

DEPARTMENT OF TRANSPORTATION

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
STATE OPERATIONS				
Special Revenue-Other	32,309,000	31,089,000	31,089,000	0
Special Revenue-Federal	18,031,000	16,315,000	16,315,000	0
Total for STATE OPERATIONS	50,340,000	47,404,000	47,404,000	0
AID TO LOCALITIES				
General Fund	97,550,900	97,550,900	97,550,900	0
Special Revenue-Other	4,206,878,000	4,081,984,000	4,081,984,000	0
Special Revenue-Federal	53,062,000	53,062,000	53,062,000	0
Total for AID TO LOCALITIES	4,357,490,900	4,232,596,900	4,232,596,900	0
CAPITAL PROJECTS				
Federal Capital Projects Fund	2,316,000,000	2,006,000,000	2,006,000,000	0
Dedicated Mass Transportation Trust Fund	66,471,000	66,471,000	66,471,000	0
Dedicated Highway and Bridge Trust Fund	1,933,144,000	1,845,958,000	1,845,958,000	0
NY Metro Transportation Account	19,300,000	18,148,000	18,148,000	0
Miscellaneous New York State Agency Fund	50,000,000	50,000,000	50,000,000	0
Total for CAPITAL PROJECTS	4,384,915,000	3,986,577,000	3,986,577,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive recommendation.

Legislative Changes

The Legislatures provides language to allow unused Airport Improvement Program (AIP) matching funds to also be utilized to support awards under the Airport Improvement and Revitalization Grant and Loan Program ("Air-99").

Article VII

The Legislature accepts the Executive's proposed annual authorization for the Consolidated Highway Improvement Program (CHIPS) and Marchiselli programs, maintaining CHIPS and Marchiselli funding at \$363.1 million and \$39.7 million, respectively. The Legislature also concurs with the Executive's proposal to permit CHIPS funding to be used for four specific road-resurfacing options.

The Legislature accepts the Executive's proposal to make permanent provisions of law relating to the Department of Transportation's Single Audit Program.

URBAN DEVELOPMENT CORPORATION

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
AID TO LOCALITIES				
General Fund	45,896,000	55,239,000	79,098,000	23,859,000
Total for AID TO LOCALITIES	45,896,000	55,239,000	79,098,000	23,859,000
CAPITAL PROJECTS				
Capital Projects Fund - Authority Bonds	25,000,000	255,550,000	180,550,000	(75,000,000)
Total for CAPITAL PROJECTS	25,000,000	255,550,000	180,550,000	(75,000,000)

LEGISLATIVE ACTION

The Legislature appropriates \$259,648,000 on an All Funds basis, a decrease of \$51,141,000 from the Executive's budget submission.

Legislative Changes

The Legislature reduces the Executive proposal for capital funding for the Economic Transformation Program by \$50,000,000.

The Legislature denies the Executive proposal to provide an additional \$1,000,000 for administrative costs.

Article VII

The Legislature provides language which will allow the Empire State Development Corporation (ESDC) to create limited liability companies to take advantage of the Federal New Markets Tax Credit Program.

The Legislature amends the Executive proposal to permanently authorize the loan powers of ESDC to instead extend such authorization for one year.

The Legislature provides language to govern the interchange of ESDC's corporate funds.

Legislative Additions

The Legislature provides a two-year appropriation of \$62,360,000 for the Economic Development Fund.

The Legislature restores \$1,495,000 in funding for Community Development Financial Institutions.

The Legislature restores \$1,274,000 for additional services and expenses of the Entrepreneurial Assistance Program.

The Legislature provides an appropriation of \$635,000 for the Minority Women Owned Business Lending program.

The Legislature provides funding for the following:

PROGRAM	APPROPRIATION
ECONOMIC DEVELOPMENT FUND	\$56,180,000
CENTERSTATE CEO	\$2,000,000
WESTERN NY STAMP	\$2,000,000
COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS PROGRAM	\$1,495,000
ENTREPRENEURIAL ASSISTANCE PROGRAM (EAP)	\$1,274,000
MONROE COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT	\$290,000
GRIFFISS AIR FORCE BASE REDEVELOPMENT	\$125,000
SENECA ARMY DEPOT	\$125,000

MISCELLANEOUS: TRANSPORTATION, ECONOMIC DEVELOPMENT & ENVIRONMENTAL CONSERVATION

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
STATE OPERATIONS				
General Fund	3,218,000	3,182,000	3,182,000	0
Total for STATE OPERATIONS	3,218,000	3,182,000	3,182,000	0
G'way Heritage Conserv for the Hudson Riv Valley				
General Fund	184,000	166,000	166,000	0
Total for Program	184,000	166,000	166,000	0
Hudson River Valley G'way Comm. Council				
General Fund	203,000	185,000	185,000	0
Total for Program	203,000	185,000	185,000	0
Green Thumb				
General Fund	2,831,000	2,831,000	2,831,000	0
Total for Program	2,831,000	2,831,000	2,831,000	0
AID TO LOCALITIES				
General Fund	136,000	136,000	136,000	0
Special Revenue-Other	2,292,400,000	2,195,300,000	2,195,300,000	0
Total for AID TO LOCALITIES	2,292,536,000	2,195,436,000	2,195,436,000	0
Dedicated Mass Transportation Trust Fund				
Special Revenue-Other	621,300,000	630,000,000	630,000,000	0
Total for Program	621,300,000	630,000,000	630,000,000	0
Hudson River Valley G'way Comm. Council				
General Fund	136,000	136,000	136,000	0
Total for Program	136,000	136,000	136,000	0
Metropolitan Transportation Authority				
Special Revenue-Other	1,632,000,000	1,521,000,000	1,521,000,000	0
Total for Program	1,632,000,000	1,521,000,000	1,521,000,000	0
Tribal State Compact				
Special Revenue-Other	39,100,000	44,300,000	44,300,000	0
Total for Program	39,100,000	44,300,000	44,300,000	0

LEGISLATIVE ACTION

Metropolitan Transportation Authority

The Legislature concurs with the Executive's proposal to provide a maximum of \$2.15 billion in contingent appropriations for MTA operations during SFY 2012-13 if the SFY 2012-13 budget is not enacted.

Tribal State Revenue Compact

The Legislature concurs with the Executive's recommendation for the overall appropriation level of the Tribal State Revenue Compact.

Article VII

The Legislature modifies the Executive's proposal for the Niagara Falls Tribal State compact by increasing the distribution of Niagara Tourism and Convention Center from six to seven percent and modifies the distribution allocations to the City of Niagara from 75 percent/25 percent to 73.5 percent/26.5 percent.

BANKING DEPARTMENT

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
STATE OPERATIONS				
Special Revenue-Other	105,194,000	0	106,213,000	106,213,000
Special Revenue-Federal	1,000,000	0	0	0
Total for STATE OPERATIONS	106,194,000	0	106,213,000	106,213,000
AID TO LOCALITIES				
Special Revenue-Other	850,000	0	850,000	850,000
Total for AID TO LOCALITIES	850,000	0	850,000	850,000

LEGISLATIVE ACTION

The Legislature provides \$107,063,000 on an All Funds basis, an increase of \$107,063,000 from the Executive recommendation.

Legislative Changes

The Legislature amends the Executive Budget to delay the implementation of the merger of the Banking Department and the Insurance Department until October 3, 2011. In the interim, the Department of Banking will have full appropriation authority until October 3, 2011, at which point all appropriations, encumbrances, liabilities and obligations will be transferred to the new Department of Financial Services. The enacted budget provides an All Funds appropriation level of \$107,063,000 for the Banking Department, representing a \$19,000 increase over SFY 2010-11 appropriations.

Legislative Reductions

The All Funds increase of \$19,000 will support State Operations costs prior to the consolidation of the Banking and Insurance Departments.

The Legislature provides funding for the following:

PROGRAM	APPROPRIATION
REGULATION PROGRAM	\$84,545,000
ADMINISTRATION PROGRAM	\$21,668,000
ADMINISTRATION PROGRAM	\$850,000

INSURANCE DEPARTMENT

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
STATE OPERATIONS				
General Fund	150,000	0	0	0
Special Revenue-Other	225,624,555	0	223,217,823	223,217,823
Total for STATE OPERATIONS	225,774,555	0	223,217,823	223,217,823
AID TO LOCALITIES				
Special Revenue-Other	224,716,000	0	224,716,000	224,716,000
Total for AID TO LOCALITIES	224,716,000	0	224,716,000	224,716,000

LEGISLATIVE ACTION

The Legislature appropriates \$447,933,823 on an All Funds basis, an increase of \$447,933,823 from the Executive recommendation.

Legislative Changes

The Legislature amends the Executive Budget to delay the implementation of the merger of the Banking Department and Insurance Department until October 3, 2011. In the interim, the Department of Insurance will have full appropriation authority until October 3, 2011, at which point all appropriations, encumbrances, liabilities and obligations will be transferred to the new Department of Financial Services. The enacted budget provides an All Funds appropriation level of \$447,933,823 for the Insurance Department, representing a \$2,556,732 decrease from SFY 2010-11 appropriations.

Legislative Reductions

The All Funds reduction of \$2,556,732 represents actions taken in the Executive Proposal to reflect State Operations savings achieved from consolidating the Banking and Insurance Departments. The Legislature delayed this consolidation but did not modify appropriation levels.

Legislative Additions

The Legislature provides funding for the following:

PROGRAM	APPROPRIATION
INSURANCE DEPARTMENT REGULATION PROGRAM	\$224,716,000
INSURANCE DEPARTMENT REGULATION PROGRAM	\$206,388,677
INSURANCE DEPARTMENT ADMINISTRATION PROGRAM	\$16,829,146

SCIENCE, TECHNOLOGY AND INNOVATION, NYS FOUNDATION FOR

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
STATE OPERATIONS				
General Fund	2,851,000	0	150,000	150,000
Special Revenue-Other	500,000	0	0	0
Total for STATE OPERATIONS	3,351,000	0	150,000	150,000
AID TO LOCALITIES				
General Fund	65,361,000	0	0	0
Total for AID TO LOCALITIES	65,361,000	0	0	0

LEGISLATIVE ACTION

The Legislature provides \$150,000 in All Funds support for the Foundation for Science, Technology, and Innovation (NYSTAR), to facilitate its merge into the Department of Economic Development.

Legislative Changes

The Legislature provides \$150,000 for the payment of administrative costs that will accrue prior to NYSTAR's merger with the Department of Economic Development.

Article VII

The Legislature amends the Executive proposal to merge NYSTAR into the Urban Development Corporation, and instead merges NYSTAR into the Department of Economic Development.

The Legislature provides funding for the following:

PROGRAM	APPROPRIATION
ADMINISTRATION PROGRAM - PERSONAL SERVICE ADDITIONAL FUNDING	\$150,000

LEGISLATURE & JUDICIARY

By Agency

LEGISLATURE

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
STATE OPERATIONS				
General Fund	217,844,801	218,444,801	218,444,801	0
Special Revenue-Other	2,100,000	1,500,000	1,500,000	0
Total for STATE OPERATIONS	219,944,801	219,944,801	219,944,801	0

JUDICIARY

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
STATE OPERATIONS				
General Fund	2,380,401,718	2,431,343,088	2,280,331,988	(151,011,100)
Special Revenue-Other	138,246,638	135,856,711	134,367,811	(1,488,900)
Special Revenue-Federal	9,100,000	10,500,000	10,500,000	0
Total for STATE OPERATIONS	2,527,748,356	2,577,699,799	2,425,199,799	(152,500,000)
AID TO LOCALITIES				
General Fund	24,945,584	4,945,584	2,445,584	(2,500,000)
Special Revenue-Other	123,553,284	123,377,787	108,377,787	(15,000,000)
Total for AID TO LOCALITIES	148,498,868	128,323,371	110,823,371	(17,500,000)

LEGISLATIVE ACTION

The Legislature appropriates \$2,536,023,170, a decrease of \$170,000,000 from the Executive budget submission.

Legislative Reductions

The enacted budget includes a \$170,000,000 reduction to appropriations as recommended by the Office of Court Administration (OCA). Included among these reductions is a \$12,500,000 decrease in proposed support for civil legal services programs and a decrease of \$2,500,000 to the Justice Court Assistance Program.

DEBT SERVICE

By Agency

DEBT SERVICE

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
DEBT SERVICE				
General Fund	245,000,000	245,000,000	245,000,000	0
Fiduciary	30,500,000	30,500,000	30,500,000	0
Debt Service Fund	5,992,575,000	6,143,925,000	6,143,925,000	0
Capital Projects Fund - Other	920,200,000	960,250,000	960,250,000	0
Emergency	2,100,000,000	1,500,000,000	1,500,000,000	0
Total for DEBT SERVICE	9,288,275,000	8,879,675,000	8,879,675,000	0
General Fund				
State Purposes Account				
Rebates To Federal Government	20,000,000	20,000,000	20,000,000	0
Redemption of General Obligation Bonds	225,000,000	225,000,000	225,000,000	0
Fiduciary				
School Capital Facilities Financing Reserve Fund				
Trust & Agency Financing	30,500,000	30,500,000	30,500,000	0
Debt Service Fund				
Debt Reduction Reserve Fund				
Debt Reduction	250,000,000	250,000,000	250,000,000	0
Mental Health Services Fund				
Financing Agreements	375,000,000	353,000,000	353,000,000	0
General Debt Service Fund				
General Obligation Bonds	515,000,000	530,000,000	530,000,000	0
Financing Agreements	2,179,700,000	2,052,050,000	2,052,050,000	0
Revenue Bond Financing	2,093,800,000	2,408,350,000	2,408,350,000	0
Lease Purchase Payments	39,875,000	2,925,000	2,925,000	0
Housing Debt Fund				
General Obligation Bonds	16,500,000	15,500,000	15,500,000	0
Health Income Fund				
Financing Agreements	32,000,000	32,000,000	32,000,000	0
Financing Agreements	1,700,000	2,800,000	2,800,000	0

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
State University Dormitory Income Fund Financing Agreements	91,000,000	105,300,000	105,300,000	0
Local Government Assistance Tax Fund Financing Agreements	398,000,000	392,000,000	392,000,000	0
Capital Projects Fund - Other				
Dedicated Highway and Bridge Trust Fund Financing Agreements	920,200,000	960,250,000	960,250,000	0
Emergency				
All Funds Contingency Appropriation	2,100,000,000	1,500,000,000	1,500,000,000	0

LEGISLATIVE ACTION

Article VII

The Legislature amends an Executive proposal that would provide continued authorization for the Dormitory Authority and the Urban Development Corporation to issue personal income tax revenue bonds for any authorized purpose to only extend such authorization for two years.

The Legislature approves an Executive proposal that would permanently authorize the use of reasonably assumed interest rates for the purpose of calculating the present value savings of a refunding of variable rate bonds.

The Legislature accepts an Executive proposal in relation to arbitrage earnings on the Mental Health Services bonds and transfers from the Hazardous Waste Remedial Fund.

The Legislature approves an Executive proposal to extend the authorization for the Dormitory Authority to issue personal income tax revenue bonds for mental health services facilities for one additional year.

The Legislature enacts legislation to reduce the cap on the issuance of variable rate bonds and the utilization of interest rate exchange agreements from twenty percent to fifteen percent of state supported debt outstanding.

The Legislature amends an Executive proposal to provide for the reimbursement of capital spending with bond proceeds.

The Legislature amends an Executive proposal that would require the unanimous vote of all directors of the Local Government Assistance Corporation for the approval of bonds issuances to extend such requirement for two years.

The Legislature approves an Executive proposal to permanently amend the publication procedures in relation to bond sales by the Local Government Assistance Corporation.

The Legislature amends the legislation proposed by the Executive to amend the bond caps on various capital programs to reduce the bond cap for the regional economic development council initiative and to reinstate the bond caps for various economic development capital programs to their original levels.