

Report of the Fiscal Committees on the Executive Budget

**Fiscal Year
April 1, 2012 to March 31, 2013
State of New York**



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New York State Legislature

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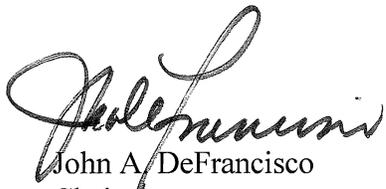
New York State Legislature

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 2012-13.

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 2012-13 fiscal year. These proposed disbursements are consistent with estimates of receipts for the 2012-13 State fiscal year. These legislative findings are being submitted to assist you in the administration of the State government.


John A. DeFrancisco
Chairman
Senate Finance Committee

Respectfully submitted,


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



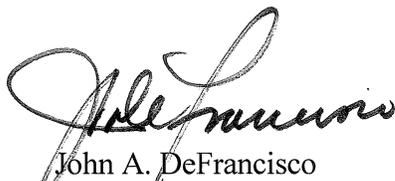
New York State Legislature

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

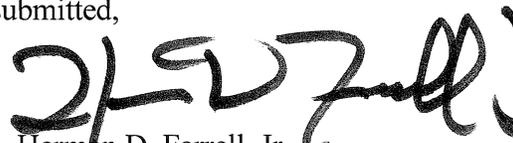
Dear Comptroller DiNapoli:

The Report of the Fiscal Committees on the Executive Budget for the fiscal year 2012-13 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 2012-13 fiscal year. These proposed disbursements are consistent with estimates of receipts for the 2012-13 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

Statement of Legislative Intent

General Legislative Findings

Overview

FISCAL OVERVIEW

All Funds disbursements for the enacted State Fiscal Year (SFY) 2012-13 Budget are projected to be approximately \$133.4 billion, a decrease of \$111 million or 0.1 percent from SFY 2011-12.

State Funds disbursements, which consist of the General Fund plus Debt Service Funds, Capital Funds and Other State Funds are projected to total \$95.0 billion, an increase of \$1.8 billion or two percent from SFY 2011-12. State Operating Funds, which are State Funds excluding Capital Funds, total \$88.9 billion, an increase of \$1.7 billion or two percent from SFY 2011-12.

General Fund disbursements are estimated to total \$58.9 billion, an increase of \$2.4 billion or 4.2 percent from SFY 2011-12. This increase is primarily due to the loss of federal assistance under the American Recovery and Reinvestment Act.

Highlights of the SFY 2012-13 Enacted Budget include the following:

Education. The Enacted Budget provides a two-year appropriation for school aid which includes an \$805 million increase in General Support for Public Schools (GSPS) for School Year (SY) 2012-13 and \$712 million for SY 2013-14, which is consistent with spending caps enacted in last year's budget.

This year's increase provides for a phase-in of the Foundation Aid formula in the amount of \$111.5 million, a restoration to the Gap Elimination Adjustment of nearly \$400 million, an allocation for Performance Grants within GSPS of \$50 million and the present law reimbursement of expense-based aids and other programs within GSPS in the amount of \$243.3 million, for a total increase of approximately four percent. The Legislature provides a total of \$20.3 billion for GSPS in the 2012-13 School Year.

Higher Education. The Enacted Budget includes \$22.1 million in additional support for State University of New York (SUNY) community colleges and \$9.1 million in additional support for City University of New York (CUNY) community colleges over the Executive recommendation. This represents a base operating aid increase of \$150 per full-time equivalent (FTE) student, and brings base operating aid to \$2,272 per FTE. The Enacted Budget restores \$29.8 million in additional operating support for SUNY Hospitals which will be divided equally between Stony Brook, Syracuse and Brooklyn. The Enacted Budget also restores a total of \$6.9 million in funding for opportunity programs administered by the State Education Department. Funding for childcare centers at SUNY and CUNY was restored in the amount of \$1.2 million.

Additionally, the Enacted Budget includes language directing SUNY and CUNY to jointly study and issue recommendations on the issues of student remediation and community college chargeback laws and policies, which would be completed by November 1, 2012 and September 1, 2012 respectively.

Medicaid/Public Health. The Enacted Budget provides appropriations to support \$54.4 billion in All Funds Medicaid spending, a year-to-year reduction of \$136 million. The budget appropriates funding for the Medicaid program on a two-year cycle, and will continue to limit the year-to-year increase in Medicaid spending to the ten-year rolling average of the medical component of the Consumer Price Index, or four percent.

The Enacted Budget includes a variety of proposals that were recommended by the Governor's Medicaid Redesign Team. The Enacted Budget provides \$40 million in state share restorations, including the rejection of a proposal to eliminate spousal refusal, a restoration of "physician prevails" provisions for anti-psychotic drugs delivered through Medicaid Managed Care, and a restoration of the definition of "estate" as it relates to Medicaid program eligibility. These restorations are fully supported by offsetting Medicaid program reductions.

The Enacted Budget includes a three-year, phased-in takeover of the growth in the local share of Medicaid expenditures which will begin in SFY 2013-14. Further, the Enacted Budget authorizes the State to take over the administration of the Medicaid program from localities over a multi-year period, with full takeover to be completed by March 31, 2018.

The Enacted Budget also provides a \$30.6 million restoration to the Elderly Pharmaceutical Insurance Coverage (EPIC) program to support EPIC coverage for Medicare Part D co-payments for low-income senior citizens, effective January 1, 2013. In addition, the Enacted Budget includes a \$5 million restoration for the Tobacco Use, Prevention and Control Program and \$19.1 million in support for various other public health programs. Also included in the Enacted Budget were reforms to the Early Intervention program that will provide fiscal and administrative relief to counties beginning in SFY 2013-14.

Human Services. The Enacted Budget provides \$16.7 million to restore various Temporary Assistance for Needy Families initiatives, including technology training, the Displaced Homemaker Program, and the Facilitated Enrollment program, to prior year levels. Additionally, the Enacted Budget provides \$16.3 million for other human services priorities, such as the Safe Harbour initiative and the community reinvestment program. The Enacted Budget also includes \$16 million to provide a public assistance grant increase of five percent on July 1, 2012, and an additional five percent on October 1, 2012, achieving full implementation of the ten percent grant increase in this fiscal year.

In addition, the Enacted Budget includes a “Close to Home” initiative to reform juvenile justice services. Under this initiative, New York City youth who are currently residing in non-secure and limited secure settings would be placed in New York City-administered facilities over the next two fiscal years.

Transportation. The Enacted Budget includes \$1.2 billion in Federal and State funds for the New York Works program in the transportation budget. These funds will go toward new projects and accelerating the completion of road and bridge projects across the state. In addition, a two-year Capital Plan for SFY 2013-14 and 2014-15 totaling \$6.4 billion will be enacted in SFY 2013-14. This includes an additional \$100 million for SFY 2013-14, and \$100 million for SFY 2014-15. A Memorandum of Understanding among the Executive, the Temporary President of the Senate, and the Speaker of the Assembly will guide spending under the Department of Transportation’s (DOT) capital plan in SFY 2012-13, SFY 2013-14, and SFY 2014-15. Additionally, the Budget includes \$770 million in State capital investment for the Metropolitan Transportation Authority.

The Budget also includes \$1 million for the New York Works Task Force whose mission is to coordinate transportation and various other infrastructure projects.

State Operations and Workforce. The Enacted Budget includes \$1.3 billion in State Operations and Workforce reductions, which is comprised of \$679 million in reductions related to a smaller state workforce, \$252 million in reductions based on updated financial plan projections for independently elected officials, \$130 million in reductions based on lower than assumed health insurance premium growth, and \$112 million in reductions for fringe benefits.

These State Operations and Workforce reductions also include the consolidation of enterprise services, as well as a continued consolidation of state employees into state-owned space, which together will generate \$109 million in savings in SFY 2012-13 and an estimated \$1 billion in savings over five years.

Additionally, the Enacted Budget includes language to authorize the transfer or interchange of State Operations appropriation authority between state agencies in order to achieve efficiencies. Specifically, this interchange and transfer language provides the Executive with the authority to consolidate administrative functions; reduce outdated and duplicative information technology infrastructure and processes; reduce the number of state call centers; and consolidate certain functions including background checks and workforce training.

STAR. The Legislature accepts the Executive recommended STAR funding of \$3.3 billion, which maintains a two-percent cap on growth in STAR benefits. The Legislature amends the Executive proposal to develop a STAR benefit Recovery Program which would suspend a taxpayers basic or enhanced STAR exemption if the taxpayer owed any past due state tax liability over \$4,500. The amount of the

STAR benefit suspension will be used to reduce the taxpayer's outstanding liability. This program will generate approximately \$6 million annually in financial plan savings, beginning in SFY 2013-14.

Receipts

General Fund receipts for the State Fiscal Year 2012-13 Enacted Budget are estimated at \$58.9 billion, an increase of \$2.0 billion or 3.5 percent from SFY 2011-12.

Receipts of the State, excluding Federal receipts, are estimated at \$90.5 billion, an increase of \$2.5 billion or 2.8 percent from SFY 2011-12. State receipts excluding Federal and Capital receipts are estimated at \$84.9 billion, an increase of \$2.4 billion or 2.9 percent from SFY 2011-12.

Receipts on an All Funds basis are projected to be approximately \$133.3 billion, a net increase of \$527 million or 0.4 percent from SFY 2011-12.

Closing Balance and Reserves

The Legislative Financial Plan anticipates a General Fund closing balance (including certain reserves) of \$1.8 billion.

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

Tax Stabilization Reserve Fund	\$1,131 million
Statutory Rainy Day Reserve	\$175 million
Community Projects	\$57 million
Contingency Reserve Fund	\$21 million

Unrestricted reserves of \$435 million and include:

Labor Agreements	\$422 million
Reserved for Uncertainties	\$13 million

CASH FINANCIAL PLAN
ALL FUNDS
Enacted 2012-13
(millions of dollars)

	2012-13 Enacted
Opening Fund Balance	3,360
Receipts:	
Taxes	66,370
Miscellaneous Receipts	24,269
Federal Grants	42,633
Total Receipts	133,272
Disbursements:	
Grants to Local Governments	95,530
State Operations	19,229
General State Charges	6,698
Debt Service	6,064
Capital Projects	5,872
Total Disbursements	133,393
Other Financing Sources (Uses)	
Bond and Note Proceeds	400
Transfers from Other Funds	27,629
Transfers to Other Funds	(27,636)
Net Other Financing Sources (Uses)	393
Change in Fund Balance	272
Closing Fund Balance	3,632

CASH FINANCIAL PLAN
STATE FUNDS
Enacted 2012-13
(millions of dollars)

	2012-13	Enacted
Opening Fund Balance		3,559
Receipts:		
Taxes		66,370
Miscellaneous Receipts		24,083
Federal Grants		145
Total Receipts		90,598
Disbursements:		
Grants to Local Governments		60,057
State Operations		17,655
General State Charges		6,422
Debt Service		6,064
Capital Projects		4,841
Total Disbursements		95,039
Other Financing Sources (Uses)		
Transfers from Other Funds		27,936
Transfers to Other Funds		(23,641)
Bond and Note Proceeds		400
Net Other Financing Sources (Uses)		4,695
Change in Fund Balance		254
Closing Fund Balance		3,813

**CASH FINANCIAL PLAN
GENERAL FUND
Enacted 2012-13
(millions of dollars)**

	2012-13 Enacted
Opening Fund Balance	1,787
Receipts:	
Taxes	
Personal Income Tax	26,916
User Taxes and Fees	9,271
Business Taxes	6,038
Other Taxes	1,144
Miscellaneous Receipts	3,229
Federal Grants	60
Transfers from Other Funds	
- PIT Revenue Bond	8,272
- LGAC	2,456
- RETT	444
- All Other	1,070
Total Receipts	58,900
Disbursements:	
Grants to Local Governments	39,645
State Operations	7,736
General State Charges	4,403
Transfers to Other Funds	
- Debt Service	1,580
- Capital Projects	1,055
- State Share Medicaid	2,978
- SUNY Operations	340
- Other Purposes	1,131
Total Disbursements	58,868
Change in Fund Balance	32
Closing Fund Balance	1,819
Tax Stabilization Reserve Fund	1,131
Statutory Rainy Day Reserve Fund	175
Contingency Reserve Fund	21
Community Projects Fund	57
Reserved for Prior-Year Labor Agreements (2007-2011)	422
Reserved for Uncertainties	13

**CASH FINANCIAL PLAN
STATE OPERATING FUNDS
Enacted 2012-13
(millions of dollars)**

	2012-13	Enacted
Opening Fund Balance		3,847
Receipts:		
Taxes		64,969
Miscellaneous Receipts		19,932
Federal Grants		140
Total Receipts		85,041
Disbursements:		
Grants to Local Governments		58,773
State Operations		17,655
General State Charges		6,422
Debt Service		6,064
Capital Projects		5
Total Disbursements		88,919
Other Financing Sources (Uses)		
Transfers from Other Funds		26,300
Transfers to Other Funds		(22,173)
Bond and Note Proceeds		0
Net Other Financing Sources (Uses)		4,127
Change in Fund Balance		249
Closing Fund Balance		4,096

SUMMARY OF LEGISLATIVE ACTIONS ON THE REVENUE PROVISIONS IN THE SFY 2012-13 EXECUTIVE BUDGET

Overview

The Enacted Budget contains a series of provisions that increase revenues by a net \$24 million in State Fiscal Year (SFY) 2012-13. In accordance with Section 52 Subdivision 4 of the Legislative Law, which requires the Legislature to report on any action to continue, modify or repeal any tax expenditure, see below.

Legislative Action on the Executive Budget Proposals

The Legislature denied the following Executive revenue proposals which would have increased revenue by a net \$23 million in SFY 2012-13:

- Tobacco Products Excise Tax Changes;
- Additional criteria for the Department of Taxation and Finance to deny a Certificate of Authority;
- Commercial Solar Installations Sales Tax Exemption and Solar Energy Systems Credit for Leased Property; and
- Prohibition of Bank Fees on Tax Levy Transfers.

The Legislature also modified the following Executive revenue proposals with no fiscal impact in SFY 2012-13:

- STAR Tax Offset for Unpaid Liabilities;
- Alternative Fuels Exemption Extension;
- Extend Tax Modernization Provisions;
- Commercial Production Credit;
- Low-Income Housing Credit;
- Earned Income Tax Credit for Non-Custodial Parents; and
- Utility Tax Allocation for Transportation.

The following proposals were accepted as submitted by the Executive:

- Oil and Gas Unit Production Values Fee Extender;
- Diesel Motor Fuel Amendment;
- Bio-Fuel Production Credit Extender;
- Payroll Mobility Tax Amendment for Professional Employer Organizations;
- Pari-Mutuel Tax Extender; and
- Hotel Room Remarketers Amendments.

Legislative Additions to the Executive Budget

- Language was enacted to extend Gramm-Leach-Bliley provisions;
- Language was enacted to eliminate the food percentage restrictions on Quick Draw;
and
- Language was enacted to extend sunsets on the Youth Jobs Tax Credit.

**LEGISLATIVE ACTIONS AND ADDITIONS TO THE EXECUTIVE BUDGET
ALL GOVERNMENTAL FUNDS
(millions of dollars)**

REVENUE PROPOSALS	FISCAL IMPACT	
	SFY 2012-13	SFY 2013-14
PERSONAL INCOME TAXES	\$0	\$0
Non-Custodial EITC extender		none
USER TAXES AND FEES	(\$2)	(\$3)
Alternative Fuels Exemption Extender	(\$2)	(\$3)
Diesel Motor Fuel Technical		none
Hotel Room Remarketers Amendments		none
BUSINESS TAXES	\$10	(\$20)
Commercial Production Credit Extender	\$0	(\$7)
Low Income Housing Credit	\$0	(\$8)
Bio-Fuel Production Extender		none
Utility Tax Allocation for Transportation		none
Gramm-Leach Bliley Extender		none
Extend Youth Jobs Tax Credit	\$10	(\$5)
OTHER	\$16	\$43
Oil and Gas Unit Production Fee Extender		none
STAR Benefit Offset	\$0	\$6
Extend Tax Modernization Provisions	\$5	\$15
MTA Payroll Mobility Tax Technical		none
Pari-Mutuel Tax Extender		none
Remove Quick Draw Restriction Related to Food	\$11	\$22
TOTAL	\$24	\$20

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SUMMARY OF THE REVENUE PROVISIONS CONTAINED IN THE ENACTED BUDGET REVENUE S.6259-D/A.9059-D

Part A – Oil and Gas Unit Production Values Fee Extender. The Legislature concurs with the Executive proposal to extend for three years, fees for the establishment of oil and gas unit of production values for purposes of calculating real property tax assessments.

Part B – STAR Tax Offset for Unpaid Liabilities. The Legislature amends the Executive proposal to allow the Commissioner of the Department of Taxation and Finance to develop a STAR benefit Recovery Program, which seeks to suspend a taxpayers basic or enhanced STAR exemption if the taxpayer owed any past due state tax liability over \$4,500. The amount of the STAR benefit suspension will be used to reduce the taxpayer’s liability. The liability must be fixed and final with no ability left for administrative or judicial review of such liability. The Tax Department must notify the taxpayer at least 45 days prior to notifying the local assessor that the exemption should be suspended.

Part C – Intentionally Omitted

Part D – Alternative Fuels Exemption Extension. The Legislature amends the Executive proposal to extend the alternative fuels tax exemptions for two years. The Legislature extends the sunset date of the exemption for alternative fuels from September 1, 2012 to September 1, 2014, and 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.

Part E – Diesel Motor Fuel Amendment. The Legislature concurs with the Executive proposal to make technical amendments to the tax classification of diesel motor fuel. The Legislative changes also address unintended consequences to amendments to the motor fuel definitions enacted as part of the SFY 2011-12 Enacted Budget, to give an upfront exemption for crude oil and biodiesel where no liability was intended to be triggered.

Part F – Intentionally Omitted

Part G – Extend Tax Modernization Provisions. The Legislature makes changes to the Executive’s proposal to extend the Tax Modernization provisions enacted in the SFY 2011-12 Enacted Budget. The Legislature:

- amends the e-file mandate on tax preparers to raise the threshold for mandatory e-filing to the federal standard of more than ten returns in the prior year; clarifies the language so that if a return contains a form that does not have the ability to be e-filed then the entire return will not have to be e-filed; and clarifies that the threshold of number of returns is counted per taxpayer and not per form;
- extends the requirement for e-filing and e-pay for all personal income taxpayers who use tax software to prepare their return but removes the \$25 penalty; and

- extends the Department of Taxation and Finance’s authority to require 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 deposit.

These provisions will sunset December 31, 2013.

Part H – Intentionally Omitted

Part I – Commercial Production Credit. The Legislature amends the Executive proposal to extend the Empire State Commercial Production Tax Credit for three years. The Legislature also amends the credit structure to create equal upstate and downstate regional pools, but allows the statewide pool to absorb unallocated credits for redistribution.

Part J – Low-Income Housing Credit. The Legislature amends the Executive proposal to authorize an additional \$8 million in low-income housing credits for the current fiscal year and an additional \$8 million next year. The credits can be claimed for a ten-year period. This action would allow the Commissioner of Housing and Community Renewal to allocate an annual total of \$48 million in credits in 2013.

Part K – Bio-Fuel Production Credit. The Legislature concurs with the Executive proposal to extend the bio-fuel production credit that is scheduled to expire at the end of 2012. The credit of 15 cents per gallon produced would be extended until the end of 2019. The maximum any facility could earn is capped at \$2.5 million annually.

Part L – Enhanced Earned Income Tax Credit for Non-Custodial Parents. The Legislature amends the Executive proposal extending the enhanced Earned Income Tax Credit for two years, until 2014. This credit was authorized in 2006 as an incentive for non-custodial parents to be responsible for the economic well-being of their children. The tax credit is equal to the greater of 20 percent of the Federal EITC for a taxpayer with one child or 2.5 times the Federal EITC for a taxpayer with no children. In order to qualify for this credit, the non-custodial parent must be older than 18 and current on child support payments.

Part M – Intentionally Omitted

Part N – Payroll Mobility Tax Payments by Professional Employer Organizations. The Legislature concurs with the Executive proposal to amend the calculation of the payroll mobility tax upon professional employer organizations. Professional employer organizations are companies that provide services to small businesses (e.g. payroll services), thereby reducing costs for small businesses. The payroll tax would be calculated separately upon the payroll expense of the organization itself and the payroll expenses of each of its member businesses. Currently, these organizations must calculate the tax on the aggregate amount of all the payroll expenses of their member businesses.

Part O – 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 P – Utility Tax Allocation for Transportation. The Legislature amends the Executive proposal to include an expiration date of March 31, 2013 related to re-allocating the current 80 percent of Section 183 and 184 receipts that are deposited into the Mass Transportation Operating Assistance Fund (MTOA) so that 26 percent of these receipts would be deposited into the Public Transportation Systems Operating Assistance Account (PTOA) and 54 percent would be deposited in the MTOA Account. The remaining 20 percent of receipts would continue to be deposited in the Dedicated Highway and Bridge Trust Fund. At present, only receipts from the Petroleum Business Tax are allocated to the PTOA Account. PTOA has had an annual shortfall requiring a recurring transfer from the MTOA account.

Part Q – Hotel Room Remarketers Amendments. The Legislature concurs with the Executive proposal to facilitate the compliance of room remarketers with the duty to collect sales tax and New York City hotel room occupancy tax on hotel occupancies. This part would provide the following relief to room remarketers:

- provides a computation method for transactions in which a customer obtains occupancy together with other items for one price, the amendments allow room remarketers to compute the portion of the bill taxable as rent; the room remarketers may compute such amount based on the consideration payable to the hotel for the occupancy relative to the consideration payable for the other items, or may use any other method authorized by the commissioner;
- permits room remarketers to not specify the amount of the sales tax due on occupancy at the time the customer makes the reservation and instead to provide the information on any invoice given to the customer prior to the completion of the occupancy;
- allows room remarketers to report occupancy transactions in the sales tax filing period in which the occupancy ended, rather than in the sales tax period during which they collected the consideration for the occupancy;
- amends Tax Law Section 1119(e) to relieve a room remarketer of the burden of obtaining the certificate of authority number of the hotel that sold the occupancy in order to qualify for a credit or refund of the sales tax the room remarketer paid to the hotel for the occupancy;
- allows room remarketers to supply certain identifying information about the hotel, including its address and telephone number, if the hotel refuses to supply its certificate of authority; and

- amends the New York City Administrative Code to make some similar changes to provisions regarding room remarketers' obligation to collect the City's hotel room occupancy tax and to change cross-references to other sections of the Administrative Code.

Part R – Gramm-Leach-Bliley Extender. The Legislature adds a two-year extension of Gramm-Leach-Bliley provisions and allows a corporation that is taxed as a bank due to the extension of the Gramm-Leach-Bliley transitional provisions, to make a one-time designation effective on January 1, 2012 to change their tax filing status.

Part S – Quick Draw. The Legislature adds provisions to eliminate Quick Draw food percentage restrictions. Under this action, establishments holding an alcohol beverage license for on-premise consumption, whose sales from food make up less than 25 percent of gross sales, will now be able to operate the game of Quick Draw on their premises.

Part T – Youth Jobs Tax Credit Extension. The Legislature adds an extension for application to the Youth Jobs Tax Credit program from June 1 to November 30, and an extension of the hiring period end date from July 1 to December 31.

Part U – Administration of Certain Funds and Accounts and Debt Management Provisions. The Legislature amends the authorizations for transfers from and deposits to various accounts, the extension of various provisions of law related to capital projects, and various debt provisions and bond authorizations necessary to implement the budget.

THE FISCAL IMPACT OF THE SFY 2012-13 ENACTED BUDGET ON LOCAL GOVERNMENTS

The following charts detail the primary impacts on localities as a result of the State Fiscal Year (SFY) 2012-13 Enacted Budget for local fiscal years that end in 2012 and 2013.

Fiscal Impact of the SFY 2012-13 Enacted Budget on Local Governments in the Local Fiscal Year Ending in 2012

IMPACT OF SFY 2012-13 ENACTED BUDGET ON LOCAL GOVERNMENTS LOCAL FISCAL YEARS ENDING IN 2012 (millions of dollars)						
<u>ENACTED BUDGET</u>	Total	NYC	School Districts	Counties	Other Cities	Towns & Villages
REVENUE ACTIONS	0.7	0.3	0.0	0.4	0.0	0.0
Extend Tax Modernization Provisions	0.7	0.3	0.0	0.4	0.0	0.0
HUMAN SERVICES	(3.6)	(2.8)	0.0	(0.8)	0.0	0.0
Delay Scheduled Public Assistance Grant Increase	1.2	0.4	0.0	0.8	0.0	0.0
Increase Flexible Fund for Family Services Allocation to Districts	6.0	1.9	0.0	4.1	0.0	0.0
Implement Close To Home Initiative	0.3	0.0	0.0	0.3	0.0	0.0
Eliminate NYC Shelter Supplement Funding	(3.8)	(3.8)	0.0	0.0	0.0	0.0
Modify Child Support Funding: Eliminate State's Share of Administrative Costs	(7.3)	(1.3)	0.0	(6.0)	0.0	0.0
TRANSPORTATION	12.5	2.5	0.0	10.0	0.0	0.0
Increase Transit Assistance (NYC, Suffolk, Nassau, Rockland, Westchester)	12.5	2.5	0.0	10.0	0.0	0.0
ALL OTHER IMPACTS	21.7	0.0	5.4	6.8	8.5	1.0
Create New Pension Tier VI	9.9	TBD	5.4	2.9	0.6	1.0
Accelerate City of Albany 19-A Payment	7.9	0.0	0.0	0.0	7.9	0.0
Provide Indigent Legal Services Grants	3.0	0.0	0.0	3.0	0.0	0.0
Provide Reimbursement for DA Salaries Increases	0.9	0.0	0.0	0.9	0.0	0.0
TOTAL SFY 2012-13 ENACTED BUDGET ACTIONS	31.3	0.0	5.4	16.4	8.5	1.0

Local Government Impact Changes from the Executive Proposal in 2012

For local fiscal years ending in 2012, the Executive Budget proposed an impact of \$37.8 million on local governments. In the Enacted Budget the impact on local governments is \$31.3 million, representing a decrease of \$6.5 million. The primary changes relate to the rejection of the proposals to reform Pre-school Special Education; rejection of the expansion of sales tax registration clearance and; rejection of the expansion of the solar energy equipment exemption.

Fiscal Impact of the SFY 2012-13 Enacted Budget on Local Governments in the Local Fiscal Year Ending in 2013

IMPACT OF SFY 2012-13 ENACTED BUDGET ON LOCAL GOVERNMENTS LOCAL FISCAL YEARS ENDING IN 2013 (millions of dollars)						
<u>ENACTED BUDGET</u>	Total	NYC	School Districts	Counties	Other Cities	Towns & Villages
EDUCATION	755.0	293.0	462.0	0.0	0.0	0.0
Increase School Aid	755.0	293.0	462.0	0.0	0.0	0.0
REVENUE ACTIONS	36.7	1.3	0.0	35.2	0.1	0.1
Increase Red Light Cameras for Suffolk & Nassau	34.0	0.0	0.0	34.0	0.0	0.0
Extend Tax Modernization Provisions	2.7	1.3	0.0	1.2	0.1	0.1
HUMAN SERVICES	(11.3)	(10.9)	0.0	(0.4)	0.0	0.0
Delay Scheduled Public Assistance Grant Increase	1.4	1.1	0.0	0.3	0.0	0.0
Increase Flexible Fund for Family Services Allocation to Districts	13.0	7.5	0.0	5.5	0.0	0.0
Implement Close To Home Initiative	2.3	0.5	0.0	1.8	0.0	0.0
Modify Child Support Funding: Eliminate State's Share of Administrative Costs	(13.0)	(5.0)	0.0	(8.0)	0.0	0.0
Eliminate NYC Shelter Supplement Funding	(15.0)	(15.0)	0.0	0.0	0.0	0.0
HEALTH	26.0	11.5	0.0	14.5	0.0	0.0
Take Over of Medicaid Growth Factor	24.3	10.8	0.0	13.5	0.0	0.0
Modify Early Intervention (Fiscal Intermediary /Reduce Lag)	1.7	0.7	0.0	1.0	0.0	0.0
TRANSPORTATION	17.5	7.5	0.0	10.0	0.0	0.0
Increase Transit Assistance (NYC, Suffolk, Nassau, Rockland, Westchester)	17.5	7.5	0.0	10.0	0.0	0.0
ALL OTHER IMPACTS	109.7	0.0	27.8	11.5	66.3	4.1
Create New Pension Tier VI	44.2	TBD	27.8	9.7	2.6	4.1
Accelerate AIM Payments to Certain Cities	63.7	0.0	0.0	0.0	63.7	0.0
Provide Indigent Legal Services Grants	1.0	0.0	0.0	1.0	0.0	0.0
Provide Reimbursement for DA Salaries Increases	0.8	0.0	0.0	0.8	0.0	0.0
SUBTOTAL	933.6	302.4	489.8	70.8	66.4	4.2
School District Performance Grants	125.0	TBD	TBD	0.0	0.0	0.0
TOTAL SFY 2012-13 ENACTED BUDGET ACTIONS	1,058.6	302.4	489.8	70.8	66.4	4.2

Local Government Impact Changes from the Executive Proposal in 2013

For local fiscal years ending in 2013, the Executive Budget proposed an impact of \$941.9 million on local governments. In the Enacted Budget the impact on local governments is \$1.1 billion, representing an increase of \$116.7 million. The primary differences were reprogramming changes of \$200 million to school aid and \$63.7 million for the acceleration of Aid and Incentives for Municipalities (AIM) payments to eligible cities rather than solely to the City of Rochester, as had been proposed by the Executive. The Enacted Budget provided an additional \$302.4 million to the City of New York, \$489.8 million to school districts, \$70.8 million to counties, \$66.4 million to other cities and \$4.2 million to towns and villages, respectively.

The Enacted Budget provided for the state take-over of local Medicaid growth. This change provided an additional \$24.3 million statewide. Additionally, the Enacted Budget provided authorization to both Nassau and Suffolk Counties to increase the number of "Red Light Cameras" from 50 to 100 in each county and; a modification of the existing Tax Increment Financing (TIF) program to authorize school districts to redirect a portion of their real property taxes to pay TIF bonds issued under the Municipal Redevelopment Law for designated blighted areas.

General Legislative Findings

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PUBLIC PROTECTION & GENERAL GOVERNMENT

By Agency

DIVISION OF ALCOHOLIC BEVERAGE CONTROL

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
Special Revenue-Other	16,860,000	17,001,000	17,001,000	0
Total for STATE OPERATIONS	16,860,000	17,001,000	17,001,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive's recommendation.

DEPARTMENT OF AUDIT AND CONTROL

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
General Fund	125,801,000	125,345,000	125,345,000	0
Special Revenue-Other	18,508,000	18,628,000	18,628,000	0
Total for Agency	144,309,000	143,973,000	143,973,000	0
Total Contingency	107,999,000	128,286,000	128,286,000	0
Total for STATE OPERATIONS	252,308,000	272,259,000	272,259,000	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's recommendation.

DIVISION OF THE BUDGET

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
General Fund	29,054,000	28,562,000	29,041,000	479,000
Special Revenue-Other	22,931,000	21,431,000	21,431,000	0
Internal Service Fund	1,650,000	1,650,000	1,650,000	0
Total for STATE OPERATIONS	53,635,000	51,643,000	52,122,000	479,000

LEGISLATIVE ACTION

The Legislature provides an All Funds appropriation of \$52,122,000.

A General Fund appropriation for personal and non-personal service for the Division of Budget (DOB) contains four Interchange and Transfer Authority provisions which allow for the interchange, transfer and suballocation of state operations support between and within state agencies to more efficiently perform common administrative functions. Specifically:

- the Office of General Services interchange and transfer authority allows DOB to transfer funds in order to consolidate administrative functions such as procurement, human resources and facility, real estate and fleet management;
- the Information Technology (IT) interchange and transfer authority allows DOB to transfer funds to reduce outdated and duplicative IT infrastructure and processes;
- the Call Center interchange and transfer authority allows DOB to transfer funds to reduce the number of state call centers to no more than four; and
- the Alignment interchange and transfer authority allows DOB to transfer funds among the Office of Mental Health, the Office for People with Developmental Disabilities, the Office of Alcoholism and Substance Abuse Services, the Department of Health and the Office of Children and Family Services to consolidate functions including background checks and workforce training, auditing and certification, and the coordination of complaints and reports.

The Legislature provides \$479,000 in the Budget Division Program to support payment of fees to membership organizations.

Legislative Additions

The Legislature provides funding for the following:

PROGRAM	APPROPRIATION
ADDITIONAL FUNDING FOR CONTRACTUAL SERVICES	\$479,000

DEPARTMENT OF CIVIL SERVICE

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
General Fund	16,734,000	15,710,000	15,710,000	0
Special Revenue-Other	2,257,000	2,257,000	2,257,000	0
Internal Service Fund	40,704,000	38,704,000	38,704,000	0
Total for STATE OPERATIONS	59,695,000	56,671,000	56,671,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive's recommendation.

Article VII

The Legislature denies the Executive proposal to:

- merge the Governor's Office of Employee Relations and the Department of Civil Service; and
- enable the Department of Civil Service to authorize the appointment of highly-skilled information technology, professional, scientific, technical or other employees with specialized skills into the state workforce. A proposal to amend Civil Service Law to create new civil service lists to facilitate the interchange of agencies and job classifications is also rejected.

DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
General Fund	2,418,614,000	2,504,187,000	2,504,187,000	0
Special Revenue-Other	30,355,000	30,355,000	30,355,000	0
Special Revenue-Federal	39,400,000	39,300,000	39,300,000	0
Enterprise	43,013,000	43,013,000	43,013,000	0
Internal Service Fund	73,692,000	64,809,000	64,809,000	0
Total for STATE OPERATIONS	2,605,074,000	2,681,664,000	2,681,664,000	0
AID TO LOCALITIES				
General Fund	6,171,000	20,171,000	20,171,000	0
Internal Service Fund	11,000,000	11,000,000	11,000,000	0
Total for AID TO LOCALITIES	17,171,000	31,171,000	31,171,000	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's recommendation.

Article VII

The Legislature includes legislation that:

- provides employees that previously held the position of facility parole officer with the option of being transferred to an open parole officer or senior parole officer position, prior to that position being filled by a newly hired employee; and
- amends existing reporting requirements to require the Department of Corrections and Community Supervision (Department) to annually report on the total number of correctional facilities in operation which are maintained by the Department; the security level of each facility; the number of beds at each facility as of December 31 of the prior year, as classified by the Department; and the number of empty beds, if any, by classification as of such date. The Legislature also requires this information to be posted on the Department's website by February 1 of each year.

COMMISSION OF CORRECTION

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
General Fund	2,975,000	2,915,000	2,915,000	0
Total for STATE OPERATIONS	2,975,000	2,915,000	2,915,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive's recommendation.

DIVISION OF CRIMINAL JUSTICE SERVICES

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
General Fund	53,861,000	54,577,000	55,277,000	700,000
Special Revenue-Other	18,079,000	18,079,000	18,079,000	0
Special Revenue-Federal	24,200,000	21,850,000	21,850,000	0
Total for STATE OPERATIONS	96,140,000	94,506,000	95,206,000	700,000
AID TO LOCALITIES				
General Fund	110,908,000	109,652,000	117,852,000	8,200,000
Special Revenue-Other	33,181,000	28,363,000	33,481,000	5,118,000
Special Revenue-Federal	32,875,000	23,550,000	25,110,000	1,560,000
Total for AID TO LOCALITIES	176,964,000	161,565,000	176,443,000	14,878,000

LEGISLATIVE ACTION

The Legislature appropriates \$271,649,000 on an All Funds basis, an increase of \$15,578,000 from the Executive's budget submission.

Legislative Changes

The Legislature provides \$2,700,000 to support costs related to the expansion of the state's DNA databank, including \$700,000 to support a change in the effective date of the expansion from October 1, 2012 to August 1, 2012; and \$2,000,000 to support crime laboratories' costs associated with DNA evidence testing.

The Legislature provides General Fund support for the following:

- \$1,200,000 for Alternatives to Incarceration Programs;
- \$1,000,000 for the New York State Defenders Association;
- \$700,000 to fully support local costs for district attorney salary increases associated with an increase in judicial salaries;
- \$600,000 for Family Court Domestic Violence Services;
- \$500,000 to support domestic violence training for local law enforcement and judges;
- \$500,000 for statewide indigent legal services for persons reentering communities from state facilities;
- \$450,000 for law enforcement, anti-drug, anti-violence, crime control and prevention programs;
- \$250,000 for the purchase of stab resistant gloves for New York City correction officers;
- \$200,000 for the Vera Institute of Justice Common Justice program;
- \$150,000 for Greenpoint Outreach Domestic and Family Intervention Program;
- \$150,000 for Legal Services of New York City – DREAM Clinics;

- \$150,000 for the New York State Immigrant Action Fund;
- \$150,000 for Make the Road New York;
- \$100,000 for the Consortium of the Niagara Frontier; and
- \$100,000 for the John Jay College Prison to College Pipeline.

The Legislature restores \$2,650,000 in Special Revenue Funds in the Legal Services Assistance Account, to support an array of civil and criminal legal services programs.

The Legislature provides \$1,560,000 for the Federal Edward Byrne/Justice Assistance Grant (JAG) program, with a portion of such funds to be allocated pursuant to a resolution.

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

The Legislature provides \$650,000 in Special Revenue Fund support for civil or criminal legal services for domestic violence programs, to be distributed pursuant to a resolution.

The Legislature provides \$600,000 in Special Revenue Fund support for the Indigent Parolee Program.

The Legislature authorizes a transfer of \$4,000,000 from the Indigent Legal Services Fund to the General Fund to support: \$2,000,000 for crime laboratories' costs related to DNA evidence testing; \$1,000,000 for costs associated with the New York State Defenders Association; and \$1,000,000 for other General Fund costs.

The Legislature amends the existing distribution of funding for Re-entry Task Forces to provide greater flexibility in the use of funds for programs aimed at reducing the risk of re-offense.

Article VII

The Legislature approves the following Executive proposals to:

- require that the trial date for a traffic violation must be set for a date subsequent to the date of an initial appearance; and
- extend, for one year, the authorization for district attorneys in New York City to retain a portion of settlement recoveries they make before the filing of an accusatory instrument against a defendant.

The Legislature amends language to require all defendants convicted of any felony and any Penal Law misdemeanor to submit a sample to the DNA Databank, as this expansion was previously enacted by Chapter 19 of the Laws of 2012. The Legislature amends this Chapter to accelerate the effective date of the DNA Databank expansion from October 1, 2012 to August 1, 2012.

The Legislature denies Executive proposals to:

- provide flexibility in the options available to courts when sentencing an individual to a term of probation and the establishment of a probation detainer warrant program; and
- establish a new criminal forfeiture mechanism at the time of sentencing.

The Legislature provides legislation to:

- make the Public Defense Backup Center an allowable purpose under the Indigent Legal Services Fund. This provision would be effective for one year;
- reimburse counties for the statutory increase to district attorney salaries related to the increase in judicial salaries that takes effect April 1, 2012. This provision would be effective for one year; and
- make various technical changes to the Cyber-Crime Youth Rescue Act (Act) to clarify the availability of diversion programs.

Legislative Additions

The Legislature provides funding for the following:

PROGRAM	APPROPRIATION
CRIMINAL OR CIVIL LEGAL SERVICE PROVIDERS	\$2,650,000
DNA DATABANK EXPANSION - POST CONVICTION TESTING	\$2,000,000
ALTERNATIVES TO INCARCERATION DEMONSTRATION PROJECTS - SUPPLEMENTAL AID	\$1,200,000
NEW YORK STATE DEFENDERS ASSOCIATION	\$1,000,000
BYRNE/JUSTICE ASSISTANCE GRANT (JAG)	\$780,000
BYRNE/JUSTICE ASSISTANCE GRANT (JAG)	\$780,000
DNA DATABANK EXPANSION - STATE OPERATIONS SUPPORT	\$700,000
ADDITIONAL SUPPORT FOR DISTRICT ATTORNEY SALARIES	\$700,000
CIVIL OR CRIMINAL LEGAL SERVICES FOR DOMESTIC VIOLENCE PROGRAMS	\$650,000
DOMESTIC VIOLENCE SERVICES	\$609,000
DOMESTIC VIOLENCE SERVICES	\$609,000
FAMILY COURT DOMESTIC VIOLENCE SERVICES	\$600,000
INDIGENT PAROLEE REPRESENTATION PROGRAM	\$600,000
INDIGENT LEGAL SERVICES FOR PERSONS REENTERING COMMUNITIES FROM STATE FACILITIES	\$500,000
DOMESTIC VIOLENCE TRAINING FOR LAW ENFORCEMENT AND JUDGES	\$500,000
LAW ENFORCEMENT, ANTI-VIOLENCE, ANTI-DRUG, CRIME CONTROL, AND PREVENTION PROGRAMS	\$450,000
STAB RESISTANT GLOVES FOR NYC CORRECTIONAL OFFICERS	\$250,000
COMMON JUSTICE	\$200,000
GREENPOINT OUTREACH DOMESTIC AND FAMILY INTERVENTION PROGRAM	\$150,000
DREAM CLINIC - IMMIGRANT ASSISTANCE	\$150,000
MAKE THE ROAD NEW YORK	\$150,000
IMMIGRANT ACTION FUND	\$150,000
CONSORTIUM OF THE NIAGARA FRONTIER	\$100,000
JOHN JAY COLLEGE: PRISON TO COLLEGE PIPELINE	\$100,000

STATE BOARD OF ELECTIONS

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
General Fund	5,521,000	5,305,000	5,305,000	0
Special Revenue-Other	500,000	0	0	0
Special Revenue-Federal	6,500,000	0	0	0
Total for STATE OPERATIONS	12,521,000	5,305,000	5,305,000	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's recommendation.

OFFICE OF EMPLOYEE RELATIONS

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
General Fund	2,961,000	2,961,000	2,961,000	0
Special Revenue-Other	121,000	121,000	121,000	0
Internal Service Fund	3,710,000	4,810,000	4,810,000	0
Total for STATE OPERATIONS	6,792,000	7,892,000	7,892,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive's recommendation.

Article VII

The Legislature denies the Executive proposal to merge the Governor's Office of Employee Relations and the Department of Civil Service.

EXECUTIVE CHAMBER

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
General Fund	18,484,000	18,484,000	18,484,000	0
Special Revenue-Other	90,000	0	0	0
Total for STATE OPERATIONS	18,574,000	18,484,000	18,484,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive's recommendation.

DEPARTMENT OF FINANCIAL SERVICES

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
Special Revenue-Other	329,430,823	326,630,823	326,630,823	0
Total for STATE OPERATIONS	329,430,823	326,630,823	326,630,823	0
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 concurs with the Executive's recommendation.

OFFICE OF GENERAL SERVICES

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
General Fund	136,335,439	149,632,000	149,632,000	0
Special Revenue-Other	21,591,000	22,064,000	22,064,000	0
Special Revenue-Federal	8,230,000	8,230,000	8,230,000	0
Enterprise	2,009,000	1,266,000	1,266,000	0
Internal Service Fund	300,720,000	802,344,000	802,344,000	0
Fiduciary	750,000	750,000	750,000	0
Total for STATE OPERATIONS	469,635,439	984,286,000	984,286,000	0
CAPITAL PROJECTS				
Capital	0	0	65,000	65,000
Capital Projects Fund	50,900,000	56,000,000	56,000,000	0
Capital Projects Fund - Authority Bonds	33,100,000	26,000,000	26,000,000	0
Total for CAPITAL PROJECTS	84,000,000	82,000,000	82,065,000	65,000

LEGISLATIVE ACTION

The Legislature appropriates \$1,066,351,000 on an All Funds basis, an increase of \$65,000 from the Executive's recommendation.

Legislative Changes

The Legislature provides \$65,000 in capital support to fund the construction of a security portal on the State Street entrance of the third floor of the Legislative Office Building in Albany, New York.

Article VII

The Legislature amends the Executive proposal related to centralized procurement as follows:

- denies a proposal to purchase commodities using "best value" and to purchase services using lowest price;
- accepts modification of the definition of "best value" to permit agencies to add a quantitative factor for small businesses or certified minority- or women-owned businesses to be used in the evaluation of best value bids;
- expands the ability of non-profit organizations to purchase goods from state contracts;

- authorizes the Office of General Services (OGS) to initiate and enter into centralized contracts without a request by an agency and to mandate that agencies procure services from a centralized contract if one is available, except for certain entities including: the State Education Department, the Office of the Attorney General and the Office of the State Comptroller (OSC);
- exempts centralized contracts from OSC pre-audit prior to contract finalization;
- expands the Commissioner’s investigatory authority to acquire from a state agency under the control of the Governor information he or she deems necessary to exercise his or her powers and duties related to the purchasing of services and commodities;
- authorizes a three-year pilot program to permit agencies to require electronic bidding, including use of reverse auctions, for commodity and service contracts provided the agency first makes a determination that vendors will not be adversely impacted by use of electronic bidding;
- increases the dollar thresholds above which procurements must be advertised in the procurement newsletter from \$15,000 to \$50,000 for all state agencies and to \$85,000 for the printing of state documents and related purposes administered by OGS;
- expands the definition of “commodity” in the Education Law and State Finance Law to include electronic information resources;
- enacts public disclosure requirements for sole source contracts;
- repeals existing procurement laws relating to the printing of public documents and directs OGS to assume responsibility for centralized printing contracts and enables printing to be procured on the basis of lowest cost; and
- provides a four-year sunset on the Procurement Stewardship Act.

Legislative Additions

The Legislature provides funding for the following:

PROGRAM	APPROPRIATION
SECURITY PORTAL - LEGISLATIVE OFFICE BUILDING STATE STREET ACCESS	\$65,000

DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
General Fund	5,766,000	5,766,000	5,766,000	0
Special Revenue-Other	68,653,000	39,403,000	39,403,000	0
Special Revenue-Federal	9,111,000	17,111,000	17,111,000	0
Enterprise	50,000,000	0	0	0
Internal Service Fund	2,000,000	2,000,000	2,000,000	0
Total for STATE OPERATIONS	135,530,000	64,280,000	64,280,000	0
AID TO LOCALITIES				
General Fund	3,300,000	153,300,000	153,300,000	0
Special Revenue-Other	61,088,000	91,388,000	91,388,000	0
Special Revenue-Federal	618,363,000	1,218,363,000	1,218,363,000	0
Total for AID TO LOCALITIES	682,751,000	1,463,051,000	1,463,051,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive's recommendation.

Article VII

The Legislature amends the Executive proposal to:

- modify the state's response to disasters pursuant to the Intrastate Mutual Aid Program (IMAP), to clarify the state's and municipalities' responsibilities when they receive or offer aid. The Legislature also authorizes the Commissioner of the Division of Homeland Security and Emergency Services (Commissioner) to develop a plan or process to allow school districts and Board of Cooperative Educational Services to participate in IMAP; and
- authorize \$2,000,000 of the \$9,000,000 provided for Public Safety Answering Points (PSAP) to be used to support PSAP operating expenses in counties that are not eligible for grant awards. The Commissioner, in consultation with the New York State Interoperable and Emergency Communication Board, would develop a plan for the distribution of such funds.

The Legislature accepts the Executive proposal to eliminate the Statewide Wireless Network Advisory Council.

OFFICE OF INDIGENT LEGAL SERVICES

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
Special Revenue-Other	1,500,000	1,500,000	1,500,000	0
Total for STATE OPERATIONS	1,500,000	1,500,000	1,500,000	0
AID TO LOCALITIES				
Special Revenue-Other	77,000,000	77,000,000	81,000,000	4,000,000
Total for AID TO LOCALITIES	77,000,000	77,000,000	81,000,000	4,000,000

LEGISLATIVE ACTION

The Legislature appropriates \$82,500,000 on an All Funds basis, an increase of \$4,000,000 from the Executive's budget submission.

Legislative Changes

The Legislature includes \$4,000,000 in additional support for county indigent defense services, to be funded within existing Indigent Legal Services Fund resources.

Article VII

The Legislature provides language to make the Public Defense Backup Center an allowable purpose under the Indigent Legal Services Fund. This provision would be effective for one year.

The Legislature provides funding for the following:

PROGRAM	APPROPRIATION
ADDITIONAL GRANTS FOR COUNTY INDIGENT DEFENSE SERVICES	\$4,000,000

OFFICE OF THE INSPECTOR GENERAL

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
General Fund	5,524,000	6,660,000	6,660,000	0
Special Revenue-Other	100,000	100,000	100,000	0
Total for STATE OPERATIONS	5,624,000	6,760,000	6,760,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive's recommendation.

NEW YORK INTEREST ON LAWYERS ACCOUNT

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
Special Revenue-Other	1,889,000	1,841,000	1,841,000	0
Total for STATE OPERATIONS	1,889,000	1,841,000	1,841,000	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's recommendation.

JUDICIAL COMMISSIONS

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
General Fund	5,452,000	5,452,000	5,452,000	0
Total for STATE OPERATIONS	5,452,000	5,452,000	5,452,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive's recommendation.

DEPARTMENT OF LAW

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
General Fund	101,381,000	98,846,000	98,846,000	0
Special Revenue-Other	72,819,000	80,225,000	80,225,000	0
Special Revenue-Federal	34,820,000	36,207,000	36,207,000	0
Total for STATE OPERATIONS	209,020,000	215,278,000	215,278,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive's recommendation.

DIVISION OF MILITARY AND NAVAL AFFAIRS

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
General Fund	23,794,000	23,382,000	23,382,000	0
Special Revenue-Other	8,741,000	9,577,000	9,577,000	0
Special Revenue-Federal	42,780,000	42,780,000	42,780,000	0
Total for STATE OPERATIONS	75,315,000	75,739,000	75,739,000	0
AID TO LOCALITIES				
General Fund	650,000	900,000	900,000	0
Total for AID TO LOCALITIES	650,000	900,000	900,000	0
CAPITAL PROJECTS				
Capital Projects Fund	14,200,000	24,200,000	24,200,000	0
Federal Capital Projects Fund	25,000,000	78,200,000	78,200,000	0
Total for CAPITAL PROJECTS	39,200,000	102,400,000	102,400,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive's recommendation.

Article VII

The Legislature denies the Executive proposal to eliminate the Temporary Committee on the Restoration and Display of New York State's Military Battle Flags.

OFFICE FOR THE PREVENTION OF DOMESTIC VIOLENCE

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
General Fund	1,365,000	1,525,000	1,525,000	0
Special Revenue-Other	70,000	41,000	41,000	0
Special Revenue-Federal	1,100,000	1,100,000	1,100,000	0
Internal Service Fund	890,000	890,000	890,000	0
Total for STATE OPERATIONS	3,425,000	3,556,000	3,556,000	0
AID TO LOCALITIES				
General Fund	685,000	685,000	685,000	0
Special Revenue-Federal	500,000	500,000	500,000	0
Total for AID TO LOCALITIES	1,185,000	1,185,000	1,185,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive's recommendation.

Legislative Changes

The Legislature includes appropriation language to preserve the existing distribution of funding which supports services and expenses of the Capital District Domestic Violence Law Clinic and the Western New York Family Violence Clinic and Regional Resource Center.

PUBLIC EMPLOYMENT RELATIONS BOARD

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
General Fund	3,571,000	3,409,000	3,409,000	0
Special Revenue-Other	575,000	575,000	575,000	0
Total for STATE OPERATIONS	4,146,000	3,984,000	3,984,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive's recommendation.

JOINT COMMISSION ON PUBLIC ETHICS

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
General Fund	3,878,000	4,100,000	4,100,000	0
Total for STATE OPERATIONS	3,878,000	4,100,000	4,100,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive's recommendation.

DIVISION OF STATE POLICE

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
General Fund	560,442,000	557,932,000	557,932,000	0
Special Revenue-Other	120,550,000	120,831,400	120,831,400	0
Special Revenue-Federal	7,335,000	8,335,000	8,335,000	0
Total for STATE OPERATIONS	688,327,000	687,098,400	687,098,400	0
CAPITAL PROJECTS				
Capital Projects Fund	5,500,000	0	0	0
Capital Projects Fund - Authority Bonds	6,000,000	6,000,000	6,000,000	0
Total for CAPITAL PROJECTS	11,500,000	6,000,000	6,000,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive's recommendation.

Article VII

The Legislature approves the Executive proposal:

- to require that a trial date for traffic infractions must be set for a date that is subsequent to an initial appearance;
- to repeal the requirement that the state maintain an independent pistol and revolver ballistic identification database, known as the Combined Ballistic Identification System (CoBIS); and
- to eliminate the New York State Statewide Law Enforcement Telecommunications Committee.

STATEWIDE FINANCIAL SYSTEM

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
Special Revenue-Other	45,000,000	55,000,000	55,000,000	0
Total for STATE OPERATIONS	45,000,000	55,000,000	55,000,000	0

LEGISLATIVE ACTION

The Legislature modifies the Executive's recommendation and provides an All Funds appropriation of \$55,000,000. However, the Legislature denies \$2,000,000 in financial support from sweeps and transfers for the Statewide Financial System.

OFFICE FOR TECHNOLOGY

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
General Fund	27,502,000	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	434,112,000	434,112,000	434,112,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive's recommendation.

Article VII

The Legislature concurs with the Executive proposal to rename the Office for Technology as the Office of Information Technology Services effective June 2012.

DIVISION OF VETERANS' AFFAIRS

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
General Fund	6,306,000	5,806,000	5,806,000	0
Special Revenue-Federal	1,966,000	1,966,000	1,966,000	0
Total for STATE OPERATIONS	8,272,000	7,772,000	7,772,000	0
AID TO LOCALITIES				
General Fund	8,176,000	8,426,000	8,576,000	150,000
Special Revenue-Federal	500,000	500,000	500,000	0
Total for AID TO LOCALITIES	8,676,000	8,926,000	9,076,000	150,000

LEGISLATIVE ACTION

The Legislature appropriates \$16,848,000 on an All Funds basis, an increase of \$150,000 over the Executive's budget submission.

Article VII

The Legislature includes legislation to authorize the Division to pursue a federal grant for the construction of a state veterans' cemetery and to contract with the County of Putnam to maintain such cemetery.

Legislative Additions

The Legislature provides funding for the following:

PROGRAM	APPROPRIATION
THE NEW YORK VETERANS OF FOREIGN WARS - NEW YORK CITY SERVICE OFFICE	\$75,000
THE NEW YORK VETERANS OF FOREIGN WARS - BUFFALO SERVICE OFFICE	\$50,000
THE VIETNAM VETERANS OF AMERICA - NEW YORK STATE COUNCIL	\$25,000

OFFICE OF VICTIM SERVICES

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
Special Revenue-Other	7,163,000	7,163,000	7,163,000	0
Special Revenue-Federal	3,061,000	3,120,000	3,120,000	0
Total for STATE OPERATIONS	10,224,000	10,283,000	10,283,000	0
AID TO LOCALITIES				
Special Revenue-Other	30,627,000	30,627,000	30,627,000	0
Special Revenue-Federal	36,393,000	35,493,000	35,493,000	0
Total for AID TO LOCALITIES	67,020,000	66,120,000	66,120,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive's recommendation.

WORKERS' COMPENSATION BOARD

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
Special Revenue-Other	204,749,000	196,801,000	196,801,000	0
Total for STATE OPERATIONS	204,749,000	196,801,000	196,801,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive's recommendation.

Article VII

The Legislature amends the Executive proposal to defer repayment of certain assessments to the Uninsured Employers Fund to 2015, instead of 2016, as proposed by the Executive.

GENERAL STATE CHARGES

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
General Fund	2,891,510,000	2,572,936,000	2,572,936,000	0
Fiduciary	101,000,000	150,250,000	150,250,000	0
Total for STATE OPERATIONS	2,992,510,000	2,723,186,000	2,723,186,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive's recommendation.

Article VII

The Legislature modifies the Executive proposal to require employees and retirees of public authorities to contribute toward the cost of Medicare Part B premiums, as is the case with state employees and retirees. The Legislative proposal would clarify that all public authorities that are participants in the New York State Health Insurance Plan would be included under the proposal.

The Legislature accepts the Executive proposal to increase the Payment In Lieu Of Taxes (PILOT) made by the state to the City of Albany by \$7,850,000 for State Fiscal Year (SFY) 2012-13 and decrease the PILOT made by the state to the City of Albany by the same amount for SFY 2032-33.

The Legislature denies the Executive proposal to create a new Tier VI retirement benefit plan as similar legislation was enacted outside of the budget.

MISCELLANEOUS: PUBLIC PROTECTION & GENERAL GOVERNMENT

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
General Fund	2,458,049,000	2,450,962,000	2,450,962,000	0
Special Revenue-Other	10,317,000	1,031,000	1,031,000	0
Special Revenue-Federal	50,000,000	0	0	0
Fiduciary	192,400,000	192,400,000	192,400,000	0
Emergency	179,132,000	300,000,000	300,000,000	0
Total for STATE OPERATIONS	2,889,898,000	2,944,393,000	2,944,393,000	0
Homeland Security				
Special Revenue-Other	9,000,000	0	0	0
Special Revenue-Federal	50,000,000	0	0	0
Emergency	79,132,000	200,000,000	200,000,000	0
Total for Program	138,132,000	200,000,000	200,000,000	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	31,748,000	24,788,000	24,788,000	0
Special Revenue-Other	500,000	250,000	250,000	0
Total for Program	32,248,000	25,038,000	25,038,000	0
Deferred Compensation Board				
General Fund	114,000	111,000	111,000	0
Special Revenue-Other	817,000	781,000	781,000	0
Total for Program	931,000	892,000	892,000	0
Health Insurance Contingency Reserve				
General Fund	605,057,000	604,043,000	604,043,000	0
Total for Program	605,057,000	604,043,000	604,043,000	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 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
Worker's Compensation Reserve				
General Fund	16,130,000	17,020,000	17,020,000	0
Total for Program	16,130,000	17,020,000	17,020,000	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
AID TO LOCALITIES				
General Fund	992,044,300	992,044,300	992,084,300	40,000
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	2,022,044,300	2,022,044,300	2,022,084,300	40,000
Video Lottery Terminal Municipal Aid				
General Fund	25,867,000	25,867,000	25,867,000	0
Total for Program	25,867,000	25,867,000	25,867,000	0
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	1,960,000	1,960,000	1,960,000	0
Total for Program	1,960,000	1,960,000	1,960,000	0
Small Government Assistance				
General Fund	217,300	217,300	217,300	0
Total for Program	217,300	217,300	217,300	0
Aid to Municipalities				
General Fund	794,000,000	794,000,000	794,000,000	0
Total for Program	794,000,000	794,000,000	794,000,000	0

MISCELLANEOUS: PUBLIC PROTECTION & GENERAL GOVERNMENT 30-2

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
<hr/>				
Additional Municipal Aid				
General Fund	0	0	40,000	40,000
Total for Program	0	0	40,000	40,000
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

LEGISLATIVE ACTION

Local Government Assistance

The Legislature appropriates \$1,022,084,300 on an All Funds basis, an increase of \$40,000.

Miscellaneous Finance Assistance

The Legislature adds \$40,000 to provide additional Miscellaneous Financial Assistance to Madison and Oneida Counties.

Article VII

The Legislature modifies the Executive proposal to authorize up to \$118.9 million in accelerated payments (spin-up) of Aid and Incentives for Municipalities (AIM) to close a budget gap. This payment includes \$55.2 million previously authorized as well as a new authorized accelerated payment of \$63.7 million, in June 2013.

- \$30,000,000 (\$11,746,781) for the City of Buffalo;
 - \$30,000,000 (\$20,885,777) for the City of Syracuse;
 - \$28,000,000 (\$15,187,454) for the City of Rochester;
 - \$11,900,000 (\$1,438,537) for the City of Yonkers;
 - \$3,600,000 (\$2,616,181) for the City of Lackawanna;
 - \$3,400,000 (\$2,689,127) for the City of Auburn;
 - \$3,100,000 (\$2,419,172) for the City of Watertown;
 - \$2,200,000 (\$1,292,569) for the City of White Plains;
 - \$2,100,000 (\$1,667,846) for the City of Amsterdam;
 - \$1,900,000 (\$1,900,000) for the City of Olean;
 - \$1,400,000 (\$952,955) for the City of Long Beach;
 - \$900,000 (\$678,774) for the City of Corning; and
 - \$400,000 (\$218,663) for the City of Rensselaer.
- \$118,900,000 \$63,693,836

*Amounts in parentheses are the authorized minimum accelerated payment for each eligible city.

The Legislature provides the authority for both Nassau and Suffolk Counties to increase the number of “Red Light Cameras” from 50 to 100 in each county.

The Legislature modifies the existing municipal Tax Increment Financing (TIF) program to authorize school districts to redirect a portion of their real property taxes to pay TIF bonds issued under the Municipal Redevelopment Law for designated blighted areas.

Legislative Additions

The Legislature provides funding for the following:

PROGRAM	APPROPRIATION
ADDITIONAL MISCELLANEOUS FINANCIAL ASSISTANCE	\$40,000

EDUCATION, LABOR & FAMILY ASSISTANCE

By Agency

COUNCIL ON THE ARTS

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
General Fund	4,354,000	4,119,000	4,119,000	0
Special Revenue-Federal	100,000	100,000	100,000	0
Total for STATE OPERATIONS	4,454,000	4,219,000	4,219,000	0
AID TO LOCALITIES				
General Fund	31,855,000	31,855,000	35,855,000	4,000,000
Special Revenue-Other	196,000	196,000	196,000	0
Special Revenue-Federal	2,413,000	1,413,000	1,413,000	0
Total for AID TO LOCALITIES	34,464,000	33,464,000	37,464,000	4,000,000

LEGISLATIVE ACTION

The Legislature provides \$41,683,000, an increase of \$4,000,000 over the Executive's recommendation.

Legislative Changes

The Legislature provides an additional \$4,000,000 in support for local arts grants and awards for a total of \$35,635,000.

Legislative Additions

The Legislature provides funding for the following:

PROGRAM	APPROPRIATION
LOCAL ASSISTANCE ARTS GRANTS	\$4,000,000

CITY UNIVERSITY OF NEW YORK

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
Special Revenue-Other	175,400,000	175,400,000	175,400,000	0
Fiduciary	1,917,190,000	2,055,509,900	2,056,509,900	1,000,000
Total for STATE OPERATIONS	2,092,590,000	2,230,909,900	2,231,909,900	1,000,000
AID TO LOCALITIES				
General Fund	1,208,362,000	1,295,976,990	1,306,393,490	10,416,500
Total for AID TO LOCALITIES	1,208,362,000	1,295,976,990	1,306,393,490	10,416,500
CAPITAL PROJECTS				
Capital Projects Fund	21,000,000	36,983,000	36,983,000	0
Cap Proj Fund - CUNY - Direct Auth Bonds	315,461,000	310,926,000	310,926,000	0
Total for CAPITAL PROJECTS	336,461,000	347,909,000	347,909,000	0

LEGISLATIVE ACTION

The Legislature provides an All Funds appropriation of \$3,573,094,290 for the City University of New York (CUNY), an increase of \$11,416,500 from the Executive's recommendation.

Legislative Changes

The Legislature provides an additional \$9,112,500 to support an increase in base operating aid for CUNY community colleges in the upcoming academic year, or \$150 per full time equivalent (FTE) student. As a result, base aid stands at \$2,272 per FTE for State Fiscal Year (SFY) 2012-13.

The Legislature provides \$1,000,000 for the CUNY LEADS (Linking Employment, Academics and Disability Services) program.

The Legislature restores \$544,000 for CUNY Child Care Centers to provide a total of \$1,357,000.

Article VII

The Legislature adds language requiring CUNY and State University of New York (SUNY) to conduct a joint study to examine student remediation programs to be submitted by November 1, 2012.

The Legislature adds language to require CUNY and SUNY to conduct a joint study examining the laws, regulations and policies regarding community college chargeback fees, with recommendations to be submitted by September 1, 2012.

Legislative Additions

The Legislature provides funding for the following:

PROGRAM	APPROPRIATION
CUNY COMMUNITY COLLEGE BASE AID RESTORATION	\$9,122,500
CUNY LEADS	\$1,000,000
CUNY LEADS - STATE OPERATIONS	\$750,000
CHILD CARE - COMMUNITY COLLEGES	\$544,000

EDUCATION DEPARTMENT

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
General Fund	44,541,000	42,640,000	42,640,000	0
Special Revenue-Other	149,293,000	149,293,000	149,293,000	0
Special Revenue-Federal	345,703,000	356,849,000	356,849,000	0
Internal Service Fund	33,563,000	33,563,000	33,563,000	0
Total for STATE OPERATIONS	573,100,000	582,345,000	582,345,000	0
AID TO LOCALITIES				
General Fund	36,082,550,000	37,769,817,000	36,599,003,000	(1,170,814,000)
Special Revenue-Other	9,285,479,000	9,478,379,000	9,500,379,000	22,000,000
Special Revenue-Federal	4,084,088,000	4,242,231,000	4,242,231,000	0
Total for AID TO LOCALITIES	49,452,117,000	51,490,427,000	50,341,613,000	(1,148,814,000)
CAPITAL PROJECTS				
Capital Projects Fund	3,400,000	3,400,000	3,400,000	0
Library Aid (Auth Bonds)	14,000,000	14,000,000	14,000,000	0
Total for CAPITAL PROJECTS	17,400,000	17,400,000	17,400,000	0

LEGISLATIVE ACTION

The Legislature provides All Funds appropriations of \$50,941,358,000, a decrease of \$1,148,814,000 from the Executive proposal.

Legislative Changes

State Operations

The Legislature accepts the Executive proposal with minor modifications to an appropriation that supports funding for the tenured teacher hearings process.

Formula Based Aids

The Legislature funds General Support for Public Schools (GSPS) at \$20,346,680,102, an increase of \$284,988,782 over the Executive proposal and an increase of \$804,966,426 over School Year (SY) 2011-12.

The Legislature reallocates \$200,000,000 in additional funding for Performance Grants originally proposed in the Executive Budget and instead provides renewed support for the Foundation formula as well as an increased restoration of the Gap Elimination Adjustment.

The enacted budget provides for a two year school aid appropriation which includes an increase of \$751,800,000 in formula based aids for SY 2012-13. These funds will allow for an increase in Foundation Aid of \$111,540,195, a restoration of the Gap Elimination Adjustment of nearly \$400,000,000, and a full reimbursement of expense based aids as well as other GSPS programs for a total of \$243,300,000 over the 2011-12 SY. In addition, the Legislature accepts the Executive's provision of \$50,000,000 in Performance Grants; there is an additional \$75,000,000 for Management Efficiency and Performance Grants for the 2012-13 school year that is being funded in SFY 2013-14. Overall, there is a total increase in GSPS of nearly \$805,000,000 for the 2012-13 SY.

The increased funding for Foundation Aid of \$111,540,195 results in a total of \$15,005,164,626 for the 2012-13 SY.

The Legislature modifies the Executive proposal to fund Universal Pre-kindergarten (UPK) at its present law level of \$385,034,734, an increase of a \$743,781 above the Executive proposal and an increase of \$4,269,778 over SY 2011-12.

The Legislature modifies the Executive proposal and provides funding for Building Aid at its present law level of \$2,694,715,307, a decrease of \$497,944 from the Executive proposal and an increase of \$86,525,957 over SY 2011-12.

The Legislature modifies the Executive proposal and provides funding for Reorganization Building Aid at its present law level of \$26,286,352, an increase of \$14,116 over the Executive proposal and an increase of \$1,496,846 over SY 2011-12.

The Legislature modifies the Executive proposal and provides funding for Transportation Aid at its present law level of \$1,673,733,252, an increase of \$3,025,137 over the Executive proposal and an increase of \$63,111,965 over SY 2011-12.

The Legislature accepts the Executive proposal to fund Summer Transportation Aid at \$4,999,868, the same level as SY 2011-12.

The Legislature modifies the Executive proposal and provides funding for BOCES at its present law level of \$723,041,686, an increase of \$2,166,379 over the Executive proposal and \$19,295,561 over SY 2011-12.

The Legislature modifies the Executive proposal and provides funding for High Cost Excess Cost Aid for special needs students at its present law level of \$503,988,083, an increase of \$5,897,739 over the Executive proposal and \$5,126,515 over SY 2011-12.

The Legislature modifies the Executive proposal and provides funding for Private Excess Cost Aid for special need students at its present law level of \$365,732,148, an increase of \$2,977,348 over the Executive proposal and \$41,802,343 over SY 2011-12.

The Legislature modifies the Executive proposal and provides funding for Special Services Aid at its present law level of \$219,575,914, an increase of \$275,941 over the Executive proposal and an increase of \$7,218,622 over SY 2011-12.

The Legislature accepts the Executive proposal to fund High Tax Aid at its present law level of \$204,770,097, the same as level as in SY 2011-12.

The Legislature modifies the Executive proposal and provides funding for Textbook Aid at its present law level of \$181,693,249, a decrease of \$939,908 from the Executive proposal and an increase of \$2,743,740 over SY 2011-12.

The Legislature modifies the Executive proposal and provides funding for Computer Software at its present law level of \$46,761,905, a decrease of \$206,646 from the Executive proposal and an increase of \$1,259,035 over SY 2011-12.

The Legislature modifies the Executive proposal and provides funding for Library Materials at its present law level of \$19,510,025, a decrease of \$86,217 from the Executive proposal and an increase of \$347,365 over SY 2011-12.

The Legislature modifies the Executive proposal to fund Computer Hardware at its present law level of \$39,064,432, a decrease of \$203,728 from the Executive proposal and an increase of \$1,548,287 over SY 2011-12.

The Legislature accepts the Executive proposal to fund Charter Transitional Aid at its present law level of \$30,978,345, an increase of \$3,624,073 over SY 2011-12.

The Legislature modifies the Executive proposal to fund Full-Day Kindergarten at its present law level of \$6,641,742, a decrease of \$121,816 from the Executive proposal and an increase of \$1,651,314 over SY 2011-12.

The Legislature accepts the Executive proposal to fund the Supplemental Education Improvement Grant for Yonkers at \$17,500,000, the same level of funding as in SY 2011-12.

The Legislature accepts the Executive proposal to fund Academic Enhancement Aid at \$8,324,033, the same level of funding as in SY 2011-12.

The Legislature accepts the Executive proposal to fund Supplemental Public Excess Cost Aid at \$4,313,167, the same level of funding as in SY 2011-12.

The Legislature accepts the Executive proposal to fund Reorganization Operating Aid at \$2,856,587, the same level of funding as in SY 2011-12.

The Legislature accepts the Executive proposal to fund the Academic Achievement Grant for New York City at \$1,200,000, the same level of funding as in SY 2011-12.

Other General Support for Public Schools Programs

The Legislature accepts the Executive proposal to fund the Urban-Suburban Transfer at \$2,730,000, the same level of funding as in SY 2011-12.

The Legislature accepts the Executive proposal to fund the Special Academic Improvement Grant for the Roosevelt Union Free School District at \$12,000,000, an increase of \$6,000,000 over SY 2011-12.

The Legislature accepts the Executive proposal to fund Teachers of Tomorrow at \$25,000,000, the same level of funding as in SY 2011-12.

The Legislature accepts the Executive proposal to support the Teacher Mentor Intern program at \$2,000,000, the same level of funding as in SY 2011-12.

The Legislature accepts the Executive proposal to support Employment Preparation Education Aid at \$96,000,000, the same level of funding as in SY 2011-12.

The Legislature accepts the Executive proposal to fund School Health Services at \$13,840,000, the same level of funding as in SY 2011-12.

The Legislature accepts the Executive proposal to fund Bilingual Education at \$12,500,000, the same level of funding as in SY 2011-12.

The Legislature accepts the Executive proposal to fund Special Act School Districts at \$2,700,000, the same level of funding as in SY 2011-12.

The Legislature accepts the Executive proposal to fund BOCES Aid for Special Act Districts at \$700,000, the same level of funding as in SY 2011-12.

The Legislature accepts the Executive proposal to fund Learning Technology Grants at \$3,285,000, the same level of funding as in SY 2011-12.

The Legislature accepts the Executive proposal to fund Bus Driver Safety at \$400,000, the same level of funding as in SY 2011-12.

The Legislature accepts the Executive proposal to fund Native American Building Aid at \$5,000,000, a \$1,000,000 increase over SY 2011-12.

The Legislature accepts the Executive proposal to fund Education of OMH/OPWDD pupils at \$80,000,000, a \$4,000,000 increase from SY 2011-12.

The Legislature accepts the Executive proposal to fund Incarcerated Youth at \$20,500,000, a \$1,000,000 increase from SY 2011-12.

The Legislature accepts the Executive proposal to fund Homeless Pupils at \$18,225,000, a \$1,000,000 increase from SY 2011-12.

The Legislature accepts the Executive proposal to fund Native American Education at \$32,000,000, a \$4,052,000 decrease from SY 2011-12.

Other Elementary and Secondary Education Programs

The Legislature restores \$10,220,000 to Teacher Resource and Computer Training Centers which was eliminated in the Executive budget.

The Legislature increases Nonpublic School Aid by \$7,000,000, for a total of \$123,620,000. Overall, this represents an increase of \$20,243,000 over SFY 2011-12. The Legislature also requires that a plan be developed by the Commissioner of Education to meet multi-year costs.

The Legislature increases Adult Literacy Education by \$1,000,000 in the 2012-13 SY for a total of \$5,293,000.

The Legislature accepts the Executive proposal to increase support for the School Lunch and Breakfast Program to \$33,700,000, an increase of \$600,000 over SY 2011-12.

The Legislature restores funding for the Consortium for Worker Education setaside within the Employment Preparation Education (EPE) program by \$1,500,000 for a total of \$13,000,000.

The Legislature accepts the Executive proposal to provide \$60,000,000 to reimburse school districts for costs associated with the payment of the Metropolitan Commuter Transportation Mobility Tax, a decrease of \$10,000,000 from SY 2011-12.

The Legislature accepts the Executive proposal to continue assistance for Targeted Pre-kindergarten at \$1,303,000, the same funding level as in SY 2011-12.

The Legislature accepts the Executive proposal to continue support for Education of Children of Migrant Workers at \$89,000, the same funding level as in SY 2011-12.

The Legislature accepts the Executive proposal to continue funding for Adult Basic Education at \$1,843,000, the same level as in SY 2011-12.

The Legislature accepts the Executive proposal to continue Academic Intervention Services for Nonpublic Schools at \$922,000, the same level as in SY 2011-12.

The Legislature accepts the Executive proposal to fund Schools for the Blind and Deaf (4201) at \$99,300,000.

The Legislature accepts the Executive proposal to fund Summer School Handicapped (4408) at \$321,700,000, an increase of \$30,400,000 over SY 2011-12.

The Legislature accepts the Executive proposal to increase Pre-school Special Education (4410) funding to \$936,700,000, an increase of \$66,800,000 over SY 2011-12.

The Legislature accepts the Executive proposal to continue funding Fiscal Stabilization Grants at \$30,022,000, the same level as in SY 2011-12.

The Legislature accepts the Executive proposal to continue funding Prior Year Claims at \$15,046,000, the same level as in SY 2011-12.

The Legislature accepts the Executive proposal to provide continued assistance to the Statewide Center for School Safety at \$466,000, the same funding level as in SY 2011-12.

The Legislature accepts the Executive proposal to fund the Health Education Program at \$691,000, the same funding level as in SY 2011-12.

The Legislature accepts the Executive proposal to maintain support for the Extended Day/School Violence Prevention program at \$24,344,000, the same funding level as in SY 2011-12.

The Legislature accepts the Executive proposal to continue support for County Vocational Education and Extension Boards at \$932,000, the same funding level as in SY 2011-12.

The Legislature accepts the Executive proposal to maintain the funding for the Primary Mental Health Project at \$894,000, the same funding level as in SY 2011-12.

The Legislature accepts the Executive proposal to maintain the funding for Math and Science High Schools at \$1,382,000, the same funding level as in SY 2011-12.

The Legislature accepts the Executive proposal to maintain funding for the Syracuse City School District's Say Yes to Education Program at \$350,000, the same funding level as in SY 2011-12.

The Legislature accepts the Executive proposal for the Center for Autism and Related Disabilities at the University at Albany at \$490,000, the same funding level as in SY 2011-12. In addition, the Legislature increases funding for the Center by an additional \$750,000 for a total of \$1,240,000, which includes \$500,000 in Federal IDEA funds.

The Legislature accepts the Executive proposal to maintain support for the Summer Food Program at \$3,049,000, the same funding level as in SY 2011-12.

The Legislature accepts the Executive proposal to continue Charter School Start-Up Grants at \$4,837,000, the same funding level as in SFY 2011-12.

The Legislature accepts the Executive proposal to continue funding for the Mentoring and Tutoring program at \$490,000, the same level as in SY 2011-12.

The Legislature provides for small government assistance in the amount of \$1,868,000 to certain school districts, the same level of funding as in SY 2011-12.

The Legislature provides \$3,000,000 for additional payments to the City of New York for costs relating to the transportation of students who remain at school until five o'clock in the afternoon or later for regularly scheduled academic programs.

The Legislature provides the following:

- \$450,000 for the Council for the Humanities;
- \$100,000 for the New York State Historical Association for National History Day;
- \$235,000 for the Just for Kids program;
- \$100,000 for the North Country Cultural Center for the Arts;
- \$350,000 for project community services;
- \$1,000,000 for the Missing Children program;
- \$750,000 for sports programs at the Yonkers City School District; and
- \$1,500,000 in after school programs for New York City.

Cultural Education

The Legislature increases Aid to Public Libraries by \$3,915,000, for a total of \$82,927,000 for SFY 2012-13.

The Legislature provides support for Educational Television and Radio at \$14,002,000, the same level as in SY 2011-12.

The Legislature accepts the Executive proposal to continue funding for the Local Government Records Management Improvement Fund at \$8,346,000, the same level as in SY 2011-12.

The Legislature accepts the Executive proposal for Documentary Heritage Grants at \$461,000, the same level of funding as in SY 2011-12.

Adult Career and Continuing Education Services Program

The Legislature accepts the following Executive proposals:

- Case Services at \$54,000,000, the same level of funding as in SY 2011-12;
- Supported Employment at \$15,160,000, the same level of funding as in SFY 2011-12;
- Independent Living Centers at \$12,361,000, the same level of funding as in SFY 2011-12; and
- College Readers Aid at \$294,000, the same level of funding as in SFY 2011-12.

Higher Education

The Legislature provides an increase of \$6,990,000 to Higher Education Opportunity Programs for a total of \$55,800,000, as follows:

- the Higher Education Opportunity Program (HEOP) is increased by \$3,500,000, for a total of \$24,300,000;
- the Liberty Partnerships program is increased by \$1,700,000, for a total appropriation of \$12,500,000;
- the Science and Technology Entry Program (STEP) is increased by \$1,000,000 for a total of \$10,800,000; and
- the Collegiate Science and Technology Entry Program (CSTEP) is increased by \$778,000, for a total of \$8,200,000.

The Legislature accepts the Executive proposal to fund the National Board for Professional Teaching Standards Certification program at \$368,000.

Capital Projects

The Legislature accepts the Executive proposal and recommends no changes.

Article VII

The Legislature modifies the Executive calculation of the Gap Elimination Adjustment Restoration and provides for the calculation of the continued phase-in of the Foundation Aid formula. In addition, the Legislature rejects the provision to freeze all school aid formulas for the 2011-12 and 2012-13 school years to the lesser of the Executive run or revised data.

The Legislature modifies the Executive proposal to provide that no school district is eligible to receive an increase in education funding for the 2012-13 SY unless the district has submitted documentation, approved by the Commissioner by January 17, 2013, that demonstrates full implementation of Annual Professional Performance Reviews (APPR) of teachers and principals consistent with the Education Law.

The Legislature accepts the Executive proposal to continue the Contract for Excellence (C4E) program for certain school districts in the 2012-13 SY.

The Legislature rejects the Executive proposal to require school districts to share in the growth above the county's share of 2011-12 SY pre-school special education program (4410) costs.

The Legislature rejects the Executive proposal which prohibits children from receiving services from a 4410 provider if there is a "less than arms length" relationship between the provider and the child's evaluator.

The Legislature rejects the Executive proposal to require justification when a more distant 4410 provider is chosen over a closer comparable provider.

The Legislature accepts the Executive proposal to extend the time period for awarding Management Efficiency Grants by 120 days and award bonus points for full compliance with APPR by September 1, 2012.

The Legislature rejects the Executive proposal to shift the costs of 3020-A hearings to the school district and the employee's collective bargaining unit or the employee.

The Legislature accepts the Executive proposal to authorize the Commissioner to remove 3020-A hearing officers from the list of potential arbitrators for failure to comply with statutory timeliness for conducting a hearing.

The Legislature accepts the Executive proposal to provide a statute of limitations for 3020-A hearing officers to submit claims for payment by the State Education Department.

The Legislature accepts the Executive proposal to authorize the Commissioner to limit the number of study hours that may be claimed by a hearing officer for a 3020-A hearing.

The Legislature accepts the Executive proposal to authorize the Commissioner to set maximum rates of compensation for 3020-A hearing officers to provide that the rates are based on customary and reasonable fees.

The Legislature provides that the school district and employee must notify the Commissioner with their selection of a hearing officer within 15 days from receiving the list of arbitrators from the Commissioner and that if the Commissioner is not notified, the Commissioner will choose a hearing officer from the list.

The Legislature provides that all evidence for a 3020-A hearing must be submitted by all parties within 125 days of the filing of charges.

The Legislature amends the Executive proposal relating to stenographers at 3020-A hearings by requiring an accurate record of the proceedings be kept and authorizing the Department to utilize new technology to transcribe or record the hearings in an accurate, reliable, efficient and cost-effective manner.

The Legislature accepts the Executive proposal for school districts to regain Building Aid eligibility in cases where those districts missed the final cost report filing deadline and provides for the payment of such aid through the prior year claims process and through traditional state aid reimbursement starting in 2013-14.

The Legislature expands a waiver provision which authorizes Building Aid payments only after a final cost report is filed in order to allow school districts with large building projects to receive Building Aid reimbursement in a more timely manner.

The Legislature rejects the Executive proposal to require school buses and equipment to be purchased from centralized state contracts in order to become eligible for state reimbursement.

The Legislature rejects the Executive proposal to require approval by the Commissioner for school bus equipment purchases.

The Legislature accepts the Executive proposal to extend for five years the authorization for school districts to award contracts for the transportation of pupils pursuant to a request for proposal process.

The Legislature accepts the Executive proposal to extend for five years a provision that mitigates the impact of federal military base closings on state aid.

The Legislature continues a set aside within Employment Preparation Education for students with high school diplomas that do not have basic skills.

The Legislature provides authorization for school districts to use excess Employee Benefit Accrued Liability Reserve (EBALR) funds to maintain educational programming in the 2012-13 school year.

The Legislature modifies the Executive proposal to continue the current teacher certification process for community-based organizations providing Universal Pre-kindergarten (UPK).

The Legislature provides clarification of the UPK maintenance of effort provision and corrects certain data errors.

The Legislature provides for the continuation of the UPK program through the 2013-14 school year.

The Legislature requires school districts to automatically enroll students in the free meals program when a student's parents or guardians receive government food assistance.

The Legislature provides that the school district of residence will pay student tuition to the schools for the blind and deaf beginning in the 2013-14 school year.

The Legislature requires the New York City School District to provide transportation after five P.M. for students in grades kindergarten through sixth grade that are enrolled for regularly scheduled academic classes from nine-thirty A.M. or earlier until at least five P.M. on weekdays and reside a certain distance from school.

The Legislature provides school districts that did not receive transportation aid because of an inadvertent or minor error an opportunity to receive such aid if the district submits certain information to the Commissioner by December 31, 2012.

The Legislature provides for APPR transition grants to pay for the cost of implementing the locally-developed components of a school district's approved plan under certain circumstances.

The Legislature continues the Roosevelt Lottery Advance and requires the Roosevelt School District to submit certain financial information on a periodic basis.

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

The Legislature accepts 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 accepts the Executive proposal to continue the existing Chapter 1 Advance language.

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

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

The Legislature accepts the Executive proposal to extend the provisions of law in regard to conditional appointment of school district, charter school, and Board of Cooperative Educational Services (BOCES) employees.

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

The Legislature accepts the Executive proposal to continue existing provisions for the Teachers of Tomorrow program in the New York City School District.

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

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

Legislative Additions

The Legislature provides funding for the following:

PROGRAM	APPROPRIATION
GENERAL SUPPORT FOR PUBLIC SCHOOLS (GSPS)	\$98,016,000
SRO - LOTTERY INCREASE	\$22,000,000
GRANTS IN AID TO SCHOOL DISTRICTS	\$20,605,000
GRANTS IN AID	\$9,121,000
TEACHER CENTERS	\$7,154,000
COMPREHENSIVE ATTENDANCE POLICY (CAP)	\$7,000,000
AID TO PUBLIC LIBRARIES	\$3,915,000
HIGHER ED - OPPORTUNITY PROGRAM (HEOP)	\$3,485,000
TRANSPORTATION COSTS FOR STUDENTS AT SCHOOL AFTER 5PM IN NYC	\$3,000,000
HIGHER ED - LIBERTY PARTNERSHIPS	\$1,700,000
CONSORTIUM FOR WORKFORCE EDUCATION (CWE)	\$1,500,000
AFTER SCHOOL PROGRAMS FOR NEW YORK CITY SCHOOL DISTRICT	\$1,500,000
SCIENCE AND TECHNOLOGY ENTRY PROGRAM (STEP)	\$1,027,000
BUFFALO CITY SCHOOL DISTRICT	\$1,000,000
MISSING CHILDREN PROGRAM	\$1,000,000
YONKERS CITY SCHOOL DISTRICT	\$1,000,000
ROCHESTER CITY SCHOOL DISTRICT	\$1,000,000
SYRACUSE CITY SCHOOL DISTRICT	\$1,000,000
HIGHER ED - CSTEP	\$778,000
SPORTS PROGRAMS FOR YONKERS CITY SCHOOL DISTRICT	\$750,000
ADULT LITERACY EDUCATION (ALE)	\$700,000
NEW YORK COUNCIL FOR THE HUMANITIES	\$450,000
MOUNT VERNON CITY SCHOOL DISTRICT	\$350,000
PROJECT COMMUNITY SERVICES	\$350,000
VESTAL SCHOOL DISTRICT	\$300,000
EAST RAMAPO CENTRAL SCHOOL DISTRICT	\$300,000
REGIONAL CENTER FOR AUTISM AT SUNY ALBANY	\$250,000
NEWBURGH CITY SCHOOL DISTRICT	\$250,000
BEACON CITY SCHOOL DISTRICT	\$250,000
UTICA CITY SCHOOL DISTRICT	\$250,000
JUST FOR KIDS	\$235,000
ROME CITY SCHOOL DISTRICT	\$200,000
POUGHKEEPSIE CITY SCHOOL DISTRICT	\$200,000
ITHACA CITY SCHOOL DISTRICT	\$150,000
ONEONTA CITY SCHOOL DISTRICT	\$100,000
LONG BEACH SCHOOL DISTRICT	\$100,000
SULLIVAN WEST CENTRAL SCHOOL DISTRICT	\$100,000
NEW YORK STATE HISTORICAL ASSOCIATION	\$100,000
GENERAL BROWN SCHOOL DISTRICT	\$100,000
NORTH COUNTRY CULTURAL CENTER FOR THE ARTS	\$100,000
JAMESVILLE-DEWITT SCHOOL DISTRICT	\$100,000
THREE VILLAGE SCHOOL DISTRICT	\$100,000
CENTRAL ISLIP UNION FREE SCHOOL DISTRICT	\$100,000
NYACK UNION FREE SCHOOL DISTRICT	\$100,000
ELDRED SCHOOL DISTRICT	\$100,000
RHINEBECK SCHOOL DISTRICT	\$100,000
BRIGHTON CENTRAL SCHOOL DISTRICT	\$75,000

GLEN COVE SCHOOL DISTRICT	\$75,000
GRAND ISLAND SCHOOL DISTRICT	\$75,000
ONTEORA CENTRAL SCHOOL DISTRICT	\$75,000
WHEATLAND-CHILI SCHOOL DISTRICT	\$75,000
NEW YORK MILLS SCHOOL DISTRICT	\$70,000
HAMILTON SCHOOL DISTRICT	\$60,000
FALLSBURG CENTRAL SCHOOL DISTRICT	\$50,000
OGDENSBURG CITY SCHOOL DISTRICT	\$50,000
WYANDANCH SCHOOL DISTRICT	\$50,000
COOPERSTOWN SCHOOL DISTRICT	\$50,000
LAFARGEVILLE SCHOOL DISTRICT	\$50,000
POTSDAM SCHOOL DISTRICT	\$50,000
CANTON SCHOOL DISTRICT	\$50,000
ALEXANDRIA CENTRAL SCHOOL DISTRICT	\$50,000
NANUET UNION FREE SCHOOL DISTRICT	\$50,000
LANSING SCHOOL DISTRICT	\$50,000
THOUSAND ISLANDS CENTRAL SCHOOL DISTRICT	\$50,000
CAZENOVIA CENTRAL SCHOOL DISTRICT	\$50,000
HEWLETT-WOODMERE SCHOOL DISTRICT	\$50,000
LAWRENCE SCHOOL DISTRICT	\$50,000
ISLAND PARK SCHOOL DISTRICT	\$50,000
MILFORD SCHOOL DISTRICT	\$40,000
ROSCOE SCHOOL DISTRICT	\$40,000
LAURENS CENTRAL SCHOOL	\$40,000
STOCKBRIDGE VALLEY CENTRAL SCHOOL DISTRICT	\$30,000
PEARL RIVER SCHOOL DISTRICT	\$30,000
HAMMOND SCHOOL DISTRICT	\$25,000
LIVINGSTON MANOR CENTRAL SCHOOL DISTRICT	\$10,000
MONTICELLO SCHOOL DISTRICT	\$10,000
NORWOOD-NORFOLK SCHOOL DISTRICT	\$10,000
TRI-VALLEY SCHOOL DISTRICT	\$10,000

OFFICE OF CHILDREN AND FAMILY SERVICES

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
General Fund	283,251,000	320,569,200	320,569,200	0
Special Revenue-Other	104,538,000	70,046,000	70,046,000	0
Special Revenue-Federal	140,836,000	137,938,000	137,938,000	0
Enterprise	475,000	475,000	475,000	0
Internal Service Fund	100,000	100,000	100,000	0
Total for STATE OPERATIONS	529,200,000	529,128,200	529,128,200	0
AID TO LOCALITIES				
General Fund	1,799,823,250	1,898,358,050	1,884,156,250	(14,201,800)
Special Revenue-Other	18,802,000	18,802,000	18,802,000	0
Special Revenue-Federal	1,406,865,000	1,346,865,000	1,346,865,000	0
Total for AID TO LOCALITIES	3,225,490,250	3,264,025,050	3,249,823,250	(14,201,800)
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 \$3,816,626,450 on an All Funds basis, a decrease of \$14,201,800 from the Executive's budget submission.

Legislative Reductions

The Legislature reduces General Fund support for child care subsidies within the Office of Children of Family Services (OCFS) by \$22,609,000. Instead, funding for child care subsidies is increased by \$24,609,000 with Federal Temporary Assistance for Needy Families (TANF) funding within the Office of Temporary and Disability Assistance, resulting in a net increase of \$2,000,000.

Legislative Changes

The Legislature restores \$757,200 in support for the Caseload Ratio program and \$450,000 for the Settlement House program.

The Legislature provides additional General Fund appropriations for the following:

- \$1,750,000 for the Community Reinvestment Program;
- \$1,500,000 for the Safe Harbour Program;
- \$1,285,544 for the Youth Development and Delinquency Prevention and Special Delinquency Prevention Programs;
- \$750,000 for Child Advocacy Centers;
- \$750,000 for 2-1-1 of Greater New York;
- \$750,000 for the New York State Alliance of Boys & Girls Clubs;
- \$214,456 for the Runaway and Homeless Youth Program; and
- \$200,000 for Center for Alternative Sentencing and Employment Services (CASES).

Article VII

The Legislature modifies the Executive proposal to extend the current reimbursement structure for child welfare financing for an additional five years by:

- rejecting the proposal to reduce state reimbursement for Child Welfare Services in statute from 65 percent to 62 percent;
- rejecting the proposal to include Subsidized Kinship Guardianship Assistance as an allowable expense of the Foster Care Block Grant;
- rejecting the proposal to reduce state reimbursement for Adoption Subsidies in statute from 65 percent to 62 percent; and
- continuing spending limitations by way of appropriation language for Child Welfare Services, Subsidized Kinship Guardianship, and Adoption Subsidies to reflect the current reimbursement structure and practice.

The Legislature modifies the Executive's "Close to Home" juvenile justice initiative to:

- prohibit approval of a plan to operate limited-secure facilities prior to April 1, 2013;
- require additional public hearings to examine the plan for New York City (NYC) to operate limited-secure facilities;
- require notice of any transfers to be provided to the attorney for both the respondent and the parent;
- retain judicial authority to order specific services upon placing a youth in NYC, and the authority to order specific placements in voluntary agencies outside of NYC;

- retain judicial authority to order minimum placements of up to six months for youth placed in non-secure facilities who have committed a felony offense;
- limit the time period under which a youth may be placed in a local detention facility pending his or her court proceeding;
- require consultation of independent experts in the validation of the risk assessment instrument as well as analysis of any disparate impact on certain populations; and
- require specific criteria be considered in determining the closure of facilities, and sunset the authorization to close facilities upon 60 days notice on April 1, 2014.

The Legislature modifies the Executive proposal to authorize OCFS to contract with Boards of Cooperative Educational Services (BOCES) to provide services in juvenile justice facilities by specifying that contracts may only provide for special education programs and related services, and by requiring a report detailing the cost effectiveness and programmatic output of such contracts.

The Legislature modifies the Executive proposal to authorize counties to share information related to the detention risk assessment instrument with OCFS by enhancing the confidentiality of such information, and by requiring consultation with experts on the effectiveness of the instrument and analysis of any disparate impact on certain populations.

The Legislature accepts an Executive proposal to repeal the requirement that OCFS issue an annual report on the Youth Center Facility program.

The Legislature accepts the Executive proposal to repeal the Child Welfare Research Advisory Panel.

The Legislature accepts, with modifications, the Executive proposal related to information provided by hospitals under the Abandoned Information Protection Act, so that OCFS would still be required to provide such information to hospitals.

The Legislature accepts the Executive proposal to repeal the Board of Visitors.

Legislative Additions

The Legislature provides funding for the following:

PROGRAM	APPROPRIATION
COMMUNITY REINVESTMENT	\$1,750,000
SAFE HARBOUR PROGRAM	\$1,500,000
YOUTH DEVELOPMENT DELINQUENCY PROGRAM (YDDP)	\$967,016
CHILD PROTECTIVE CASELOAD REDUCTION	\$757,200
CHILD ADVOCACY CENTERS	\$750,000
UNITED WAY STATEWIDE 2-1-1	\$750,000
NYS ALLIANCE OF BOYS AND GIRLS CLUBS	\$750,000
SETTLEMENT HOUSES	\$450,000
SPECIAL DELINQUENCY PREVENTION PROGRAM (SDPP)	\$318,528
RUNAWAY AND HOMELESS YOUTH	\$214,456
CENTER FOR ALTERNATIVE SENTENCING AND EMPLOYMENT SERVICES (CASES)	\$200,000

OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
General Fund	56,362,000	207,699,000	207,699,000	0
Special Revenue-Other	139,203,000	2,500,000	2,500,000	0
Special Revenue-Federal	275,086,000	257,981,000	257,981,000	0
Internal Service Fund	1,199,000	1,000,000	1,000,000	0
Total for STATE OPERATIONS	471,850,000	469,180,000	469,180,000	0
AID TO LOCALITIES				
General Fund	1,340,301,000	1,457,155,000	1,464,655,000	7,500,000
Special Revenue-Other	29,900,000	19,900,000	19,900,000	0
Special Revenue-Federal	3,725,967,000	3,734,167,000	3,785,457,000	51,290,000
Fiduciary	10,000,000	10,000,000	10,000,000	0
Total for AID TO LOCALITIES	5,106,168,000	5,221,222,000	5,280,012,000	58,790,000
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 \$5,779,192,000 on an All Funds basis, an increase of \$58,790,000 over the Executive's budget submission.

Legislative Changes

The Legislature provides an additional \$16,000,000 to deny the Executive proposal to further delay the final ten percent public assistance grant increase. Instead, public assistance recipients will receive a five percent increase on July 1, 2012 and the remaining five percent increase on October 1, 2012.

The Legislature provides an additional \$1,500,000 for the New York State Supportive Housing Program, and \$1,500,000 for the New York State Solutions to End Homelessness Program.

The Legislature further provides \$250,000 for the Disability Advocacy Program, \$250,000 for the English as a Second Language (ESL) and Adult Basic Education program, and \$102,000 for the Refugee Resettlement program.

The Legislature includes an additional \$16,681,000 in Temporary Assistance for Needy Families (TANF) funding for child care investments, employment and transportation initiatives, and various other programmatic initiatives, including:

<u>Flexible Fund for Family Services (FFFS)</u>	<u>\$964,000,000</u>
<u>Child Care Investments</u>	<u>\$325,875,000</u>
Child Care	\$324,276,000
Child Care Demonstration Projects	\$1,265,000
Child Care SUNY/CUNY	\$334,000
<u>Employment and Transportation Initiatives</u>	<u>\$2,425,000</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	\$1,210,000
BRIDGE	\$102,000
Career Pathways	\$750,000
<u>Legislative Initiatives</u>	<u>\$10,657,000</u>
Displaced Homemakers	\$546,000
Preventive Services	\$610,000
Advantage After School	\$500,000
Wage Subsidy Program	\$950,000
ACCESS- Welfare to Careers	\$800,000
Emergency Homeless Needs	\$500,000
Kinship Caretaker Relative	\$51,000
Strengthening Families through Stronger Fathers	\$200,000
Settlement Houses	\$1,000,000
ATTAIN	\$3,000,000
ESL/Adult Literacy	\$250,000
Food Pantries	\$250,000
Nurse Family Partnership	\$2,000,000
<u>Total TANF Initiatives</u>	<u>\$1,302,957,000</u>

Article VII

The Legislature accepts the Executive proposals to:

- authorize the state to administer the state component of the Supplemental Security Income (SSI) program;
- authorize a federal SSI cost of living adjustment pass-through; and
- eliminate the advisory committee on legal advocacy for individuals whose federal disability benefits have been denied or may be discontinued.

The Legislature modifies the Executive proposal to phase in the final 10 percent increase to the public assistance grant over two years by providing a five percent increase on July 1, 2012 and a second five percent increase on October 1, 2012, achieving full implementation of the grant increase in the current fiscal year.

Legislative Additions

The Legislature provides funding for the following:

PROGRAM	APPROPRIATION
CHILD CARE SUBSIDIES	\$22,609,000
REJECTION OF DELAY OF PUBLIC ASSISTANCE GRANT INCREASE	\$12,000,000
REJECTION OF DELAY OF PUBLIC ASSISTANCE GRANT INCREASE	\$4,000,000
ATTAIN PROGRAM	\$3,000,000
NURSE-FAMILY PARTNERSHIP	\$2,000,000
CHILD CARE SUBSIDIES	\$2,000,000
NEW YORK STATE SUPPORTIVE HOUSING PROGRAM	\$1,500,000
NEW YORK STATE SOLUTIONS TO END HOMELESSNESS PROGRAM	\$1,500,000
CHILD CARE FACILITATED ENROLLMENT DEMONSTRATION PROJECT	\$1,265,000
NON-RESIDENTIAL DOMESTIC VIOLENCE SERVICES	\$1,210,000
SETTLEMENT HOUSES	\$1,000,000
WAGE SUBSIDY	\$950,000
ACCESS - WELFARE TO CAREERS	\$800,000
CAREER PATHWAYS	\$750,000
PREVENTIVE SERVICES	\$610,000
DISPLACED HOMEMAKER PROGRAM	\$546,000
EMERGENCY HOMELESS NEEDS	\$500,000
ADVANTAGE SCHOOL PROGRAM	\$500,000
SUNY/CUNY CHILD CARE	\$334,000
ENGLISH AS A SECOND LANGUAGE/ADULT BASIC EDUCATION (ESL/ABE)	\$250,000
LEGAL ADVOCATES FOR THE DISABLED AKA DISABILITY ADVOCACY PROGRAM (DAP)	\$250,000
EDUCATIONAL RESOURCES	\$250,000
FOOD PANTRY INITIATIVE	\$250,000
STRENGTHENING FAMILIES THROUGH STRONGER FATHERS	\$200,000
WHEELS FOR WORK	\$144,000
COMMUNITY SOLUTIONS FOR TRANSPORTATION	\$112,000
BRIDGE	\$102,000
ROCHESTER-GENESEE REGIONAL TRANSPORTATION AUTHORITY	\$82,000
KINSHIP/CARETAKER RELATIVE	\$51,000
CENTRO OF ONEIDA	\$25,000

NEW YORK STATE HIGHER EDUCATION SERVICES CORPORATION

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
General Fund	2,500,000	0	0	0
Special Revenue-Other	88,292,000	84,699,000	84,699,000	0
Special Revenue-Federal	12,601,000	7,052,000	7,052,000	0
Total for STATE OPERATIONS	103,393,000	91,751,000	91,751,000	0
AID TO LOCALITIES				
General Fund	965,066,000	993,757,000	993,757,000	0
Special Revenue-Other	16,000,000	32,000,000	32,000,000	0
Total for AID TO LOCALITIES	981,066,000	1,025,757,000	1,025,757,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive's All Funds appropriation of \$1,117,508,000.

Legislative Changes

The Legislature denies the Executive proposal to transfer the debt collection functions of the Higher Education Services Corporation to the Department of Taxation and Finance.

DIVISION OF HOUSING AND COMMUNITY RENEWAL

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
General Fund	20,776,561	18,579,000	18,579,000	0
Special Revenue-Other	56,181,000	64,839,000	60,044,000	(4,795,000)
Special Revenue-Federal	14,269,000	14,269,000	14,269,000	0
Total for STATE OPERATIONS	91,226,561	97,687,000	92,892,000	(4,795,000)
AID TO LOCALITIES				
General Fund	38,039,000	29,100,000	55,118,000	26,018,000
Special Revenue-Other	8,227,000	8,227,000	8,227,000	0
Special Revenue-Federal	102,372,000	82,500,000	82,500,000	0
Total for AID TO LOCALITIES	148,638,000	119,827,000	145,845,000	26,018,000
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 \$312,937,000 on an All Funds basis, an increase of \$21,223,000 from the Executive's budget submission.

Legislative Reductions

The Legislature denies the Executive proposal to establish a new Tenant Protection Unit and reduces appropriations for the Office of Rent Administration Program by \$4,795,000.

Legislative Changes

The Legislature restores \$10,072,000 for the Neighborhood Preservation Program.

The Legislature restores \$4,204,000 for the Rural Preservation Program.

The Legislature further provides \$3,000,000 for the Main Street Program; \$4,000,000 for the Rural Area Revitalization Program; \$4,000,000 for the Urban Initiatives Program; and \$742,000 for the New York City Housing Authority Tenant Patrol Pilot Program.

Article VII

The Legislature enacts language to authorize the Housing Trust Fund to provide \$9,000,000 to continue mortgage foreclosure prevention services, currently provided by the state, through September 30, 2012, which would be reimbursed with settlement proceeds under the control of the Attorney General. The Office of the Attorney General will assume responsibility for the mortgage foreclosure prevention services program after September 30th. Language would also authorize the Attorney General to provide \$6,000,000 to the Housing Trust Fund for housing and community development purposes.

Legislative Additions

The Legislature provides funding for the following:

PROGRAM	APPROPRIATION
NEIGHBORHOOD PRESERVATION PROGRAM	\$10,072,000
RURAL PRESERVATION PROGRAM	\$4,204,000
ADDITIONAL RURAL AREA REVITALIZATION	\$4,000,000
ADDITIONAL URBAN INITIATIVES PROGRAM	\$4,000,000
ADDITIONAL MAIN STREET PROGRAM	\$3,000,000
NYCHA TENANT PILOT PROGRAM	\$742,000

DIVISION OF HUMAN RIGHTS

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
General Fund	13,070,000	12,744,000	12,744,000	0
Special Revenue-Federal	8,223,000	6,000,000	6,000,000	0
Total for STATE OPERATIONS	21,293,000	18,744,000	18,744,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive's recommendation.

DEPARTMENT OF LABOR

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
Special Revenue-Other	82,580,000	72,321,000	72,321,000	0
Special Revenue-Federal	574,015,000	503,264,000	503,264,000	0
Enterprise	8,400,000,000	175,000,000	175,000,000	0
Total for STATE OPERATIONS	9,056,595,000	750,585,000	750,585,000	0
AID TO LOCALITIES				
General Fund	29,650,000	0	4,450,000	4,450,000
Special Revenue-Other	430,000	419,000	419,000	0
Special Revenue-Federal	192,439,000	224,207,000	224,207,000	0
Enterprise	0	4,250,000,000	6,500,000,000	2,250,000,000
Total for AID TO LOCALITIES	222,519,000	4,474,626,000	6,729,076,000	2,254,450,000

LEGISLATIVE ACTION

The Legislature appropriates \$7,479,661,000, an increase of \$2,254,450,000 from the Executive's recommendation.

Legislative Changes

The Legislature provides \$4,450,000 in support of various labor programs.

The Legislature provides an additional \$2,250,000,000 for Unemployment Insurance benefits over the Executive's original submission due to the Federal extension of such benefits from March 2012 to December 2012.

Article VII

The Legislature denies the Executive's proposal to eliminate the Child Performer Advisory Board to Prevent Eating Disorders.

Legislative Additions

The Legislature provides funding for the following:

PROGRAM	APPROPRIATION
UNEMPLOYMENT INSURANCE BENEFIT PROGRAM	\$2,250,000,000
NYS AFL-CIO WORKFORCE DEVELOPMENT INSTITUTE (WDI)	\$2,295,000
ON-THE-JOB TRAINING	\$750,000
NEW YORK COMMITTEE FOR OCCUPATIONAL SAFETY AND HEALTH (NYCOSH)	\$350,000
PROJECT RISE - REFERRAL, INFORMATION, SERVICES, EMPLOYMENT	\$300,000
ROCHESTER SUMMER OF OPPORTUNITY YOUTH EMPLOYMENT PROGRAM	\$250,000
BUILDING TRADES PRE-APPRENTICESHIP PROGRAM	\$200,000
LONG ISLAND OFFICE NYCOSH	\$155,000
HILLSIDE WORKS	\$100,000
ROCHESTER TOOLING AND MACHINING INSTITUTE	\$50,000

STATE OF NEW YORK MORTGAGE AGENCY

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	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	96,372,000	91,665,000	91,665,000	0
Total for AID TO LOCALITIES	96,372,000	91,665,000	91,665,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive's recommendation.

STATE UNIVERSITY OF NEW YORK

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
General Fund	2,202,545,300	1,362,456,000	1,362,956,000	500,000
Special Revenue-Other	5,592,853,300	6,801,684,400	6,829,440,400	27,756,000
Special Revenue-Federal	363,608,000	428,600,000	428,600,000	0
Internal Service Fund	19,100,000	20,100,000	20,100,000	0
Total for STATE OPERATIONS	8,178,106,600	8,612,840,400	8,641,096,400	28,256,000
AID TO LOCALITIES				
General Fund	445,271,345	438,130,400	461,218,900	23,088,500
Total for AID TO LOCALITIES	445,271,345	438,130,400	461,218,900	23,088,500
CAPITAL PROJECTS				
Capital Projects Fund	0	25,098,000	25,098,000	0
Capital Projects Fund - Advances	550,000,000	765,000,000	765,000,000	0
State University Capital Projects Fund	0	184,000,000	184,000,000	0
Cap Proj Fund - SUNY CC - Direct Auth				
Bonds	32,370,750	86,969,000	86,969,000	0
SUNY Dorms - Direct Auth Bonds	331,000,000	0	0	0
State University Residence Hall				
Rehabilitation Fund	45,498,400	45,000,000	45,000,000	0
Total for CAPITAL PROJECTS	958,869,150	1,106,067,000	1,106,067,000	0

LEGISLATIVE ACTION

The Legislature provides an All Funds appropriation of \$10,208,382,300 for the State University of New York (SUNY), an increase of \$51,344,500 from the Executive's recommendation.

Legislative Changes

The Legislature provides an additional \$22,135,500 to support an increase in base operating aid for SUNY community colleges in the upcoming academic year, or \$150 per full time equivalent (FTE) student. Base aid stands at \$2,272 per FTE for State Fiscal Year (SFY) 2012-13.

The Legislature provides \$27,756,000 in additional funding for the three SUNY teaching hospitals at Stony Brook, Brooklyn and Syracuse, for a total of \$87,756,000.

The Legislature accepts the Executive proposal to provide \$60 million for the SUNY Challenge Grants Program comprised of \$30 million of capital funding through the Empire State Development Corporation and \$30 million through repurposed SUNY capital reappropriations.

The Legislature allocates \$2,000,000 to Advanced Technology Training and Information Networking (ATTAIN) labs from an appropriation made for Educational Opportunity Centers.

The Legislature denies a transfer of \$884,000 from the Long Island Veterans Home to the General Fund.

The Legislature restores \$653,000 for SUNY Child Care Centers for a total of \$1,654,000.

The Legislature provides \$500,000 for staffing and research faculty at the College of Technology at Utica/Rome.

The Legislature provides \$300,000 for a pilot program as part of the Cornell Cooperative Extension.

The Legislature allocates \$250,000 to the Cornell Veterinary School from SUNY University-wide appropriations.

The Legislature modifies prior year capital reappropriations to provide support for the Stony Brook Medical and Research Translation Center.

Article VII

The Legislature modifies Executive language to allow for the development of a master agreement, subject to the review and approval of the Comptroller, and the use of memoranda of understanding between state agencies and Cornell University to facilitate the provision of services and technical assistance to the state.

The Legislature adds language to require CUNY and SUNY to conduct a joint study regarding the issue of student remediation programs to be submitted by November 1, 2012.

The Legislature adds language to require CUNY and SUNY to conduct a joint study examining the laws, regulations and policies regarding community college chargeback fees, with recommendations to be submitted by September 1, 2012.

The Legislature includes language to define a new round of SUNY Challenge Grants that may be awarded to non-university center colleges.

The Legislature adds language to provide a technical amendment to NY-SUNY 2020 that will allow tuition rates for non-resident undergraduate students at the university centers to increase beginning with the semester following the approval of their master plan.

Legislative Additions

The Legislature provides funding for the following:

PROGRAM	APPROPRIATION
SUNY HOSPITALS SPECIAL REVENUE	\$27,756,000
SUNY COMMUNITY COLLEGE BASE AID RESTORATION	\$22,135,500
CHILD CARE CENTERS - ADDITIONAL AID-COMMUNITY COLLEGES	\$653,000
SUNY IT - STAFFING AND RESEARCH FACULTY	\$500,000
CORNELL COOPERATIVE EXTENSION - REGIONAL AGRICULTURE TEAM PILOT	\$300,000

OFFICE OF WELFARE INSPECTOR GENERAL

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
General Fund	378,000	349,000	349,000	0
Special Revenue-Other	1,177,000	1,167,000	1,167,000	0
Total for STATE OPERATIONS	1,555,000	1,516,000	1,516,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive's recommendation.

MISCELLANEOUS: EDUCATION, LABOR & FAMILY ASSISTANCE

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
General Fund	342,000	333,500	333,500	0
Special Revenue-Other	829,800	1,300,000	1,300,000	0
Special Revenue-Federal	30,000,000	30,000,000	30,000,000	0
Total for STATE OPERATIONS	31,171,800	31,633,500	31,633,500	0
National and Community Service				
General Fund	342,000	333,500	333,500	0
Special Revenue-Federal	30,000,000	30,000,000	30,000,000	0
Total for Program	30,342,000	30,333,500	30,333,500	0
Misc. Higher Ed.				
Special Revenue-Other	829,800	1,300,000	1,300,000	0
Total for Program	829,800	1,300,000	1,300,000	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's recommendation.

Article VII

The Legislature accepts the Executive proposal to extend the Higher Education Capital Matching Grant Program (HeCap) until March 31, 2013.

HEALTH & MENTAL HYGIENE

By Agency

OFFICE FOR THE AGING

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
General Fund	2,923,600	2,850,600	2,850,600	0
Special Revenue-Other	250,000	250,000	250,000	0
Special Revenue-Federal	10,987,000	10,987,000	10,987,000	0
Enterprise	100,000	100,000	100,000	0
Total for STATE OPERATIONS	14,260,600	14,187,600	14,187,600	0
AID TO LOCALITIES				
General Fund	112,883,500	112,311,500	113,904,500	1,593,000
Special Revenue-Other	980,000	980,000	980,000	0
Special Revenue-Federal	113,985,000	114,985,000	114,985,000	0
Total for AID TO LOCALITIES	227,848,500	228,276,500	229,869,500	1,593,000

LEGISLATIVE ACTION

The Legislature appropriates \$244,057,100 on an All Funds basis, an increase of \$1,593,000 over the Executive's budget submission.

Legislative Changes

The Legislature restores \$229,000 in support for the Naturally Occurring Retirement Communities (NORC) program and \$229,000 for the Neighborhood NORC program.

The Legislature provides an increase of \$809,850 for the Expanded In-home Services for the Elderly Program and \$325,150 for the Community Services to the Elderly program to offset reductions in county allocations related to the 2010 Census.

Legislative Additions

The Legislature provides funding for the following:

PROGRAM	APPROPRIATION
EXPANDED IN-HOME SERVICES FOR THE ELDERLY PROGRAM (EISEP)	\$809,850
COMMUNITY SERVICES FOR THE ELDERLY (CSE) PROGRAM	\$325,150
NATURALLY OCCURRING RETIREMENT COMMUNITIES	\$229,000
NEIGHBORHOOD NATURALLY OCCURRING RETIREMENT COMMUNITIES	\$229,000

DEVELOPMENTAL DISABILITIES PLANNING COUNCIL

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	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's recommendation.

DEPARTMENT OF HEALTH

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
General Fund	244,615,000	238,499,000	236,299,000	(2,200,000)
Special Revenue-Other	525,738,100	517,210,100	517,210,100	0
Special Revenue-Federal	1,480,570,000	1,475,010,000	1,475,010,000	0
Total for STATE OPERATIONS	2,250,923,100	2,230,719,100	2,228,519,100	(2,200,000)
AID TO LOCALITIES				
General Fund	30,209,049,815	31,944,589,915	31,963,646,915	19,057,000
Special Revenue-Other	12,623,573,800	12,492,989,800	12,532,089,800	39,100,000
Special Revenue-Federal	61,788,904,000	62,222,157,000	62,222,157,000	0
Total for AID TO LOCALITIES	104,621,527,615	106,659,736,715	106,717,893,715	58,157,000
CAPITAL PROJECTS				
Capital Projects Fund	15,600,000	15,600,000	15,600,000	0
Federal Capital Projects Fund	74,833,000	24,146,000	24,146,000	0
Total for CAPITAL PROJECTS	90,433,000	39,746,000	39,746,000	0

LEGISLATIVE ACTION

The Legislature appropriates \$108,986,158,815 on an All Funds basis, an increase of \$55,957,000 over the Executive's budget submission. The budget appropriates funding for the Medical Assistance (Medicaid) program in a two-year interval for State Fiscal Year (SFY) 2012-13 and SFY 2013-14 and continues to limit 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 includes \$40,025,000 in state share reductions to the Medicaid program which are used to support various other Medicaid program restorations. Specifically, the Legislature makes the following reductions:

- \$15,000,000 related to a one-year reduction in support for various affordable housing initiatives;
- \$12,500,000 related to federal upper payment limits (UPL) on outpatient reimbursement;
- \$6,775,000 related a one-year reduction in support for vital access provider rate increases;

- \$4,250,000 related to delaying the implementation of tobacco cessation reimbursement for dentists; and
- \$1,500,000 related to requiring a competitive process for selecting facilitated enrollment contracts for elderly, blind, and disabled populations.

The Legislature denies the creation of an Electronic Death Registration System (EDRS) and eliminates a \$2,200,000 appropriation for this purpose. The Legislature also denies \$2,180,000 in fee revenue that would have been generated by this proposal.

The Legislature reduces Child Health Plus (CHP) expenditures by \$1,207,000 related to denying an expansion of CHP coverage for Early Intervention (EI) program services.

Legislative Changes

Total state share Medicaid expenditures in the SFY 2012-13 Enacted Budget are unchanged from the Executive's budget submission. The Legislature provides a state share restoration of \$40,025,000 to the Medicaid program which is fully supported by the Medicaid program reductions detailed above. Specifically, the Legislature restores:

- \$34,300,000 to reject the elimination of spousal refusal provisions;
- \$3,125,000 to support "prescriber prevails" provisions for anti-psychotic drugs covered under the Medicaid Managed Care program; and
- \$2,600,000 to restore the definition of "estate" to exclude assets that normally bypass probate for the purposes of Medicaid recovery.

The Legislature provides \$30,600,000 in additional support for the Elderly Pharmaceutical Insurance Coverage (EPIC) program which reflects a partial restoration of the reductions included in the SFY 2011-12 enacted budget. Specifically, the Legislature restores EPIC coverage for Medicare Part D co-payments for low-income senior citizens, effective January 1, 2013.

The Legislature provides a restoration of \$5,000,000 for the Tobacco Use, Prevention and Control Program.

The Legislature provides \$19,057,000 in support for various other public health programs, including:

- \$10,000,000 for Home and Personal Care Worker Benefits;
- \$2,000,000 for Infertility Services;
- \$2,000,000 for hospitals operated by the State University of New York (SUNY);
- \$750,000 for Family Planning Services;
- \$557,000 for School Based Health Centers;
- \$525,000 for HIV/AIDS Community Service Programs (CSP);
- \$525,000 for HIV/AIDS Multi-Services Agencies (MSA);
- \$500,000 for the Nurse Family Partnership Program;

- \$500,000 for Women’s Health and Wellness Programs;
- \$452,000 for Public Education for Pain Management;
- \$372,000 for the Niagara Health Quality Coalition;
- \$300,000 for the Maternity and Early Childhood Foundation;
- \$250,000 for the Pluta Cancer Center;
- \$226,000 for Pain Management Continuing Education;
- \$50,000 for the Breast Cancer Network; and
- \$50,000 for a Telehealth Study.

The Legislature provides a \$25,000,000 allocation for the Roswell Park Cancer Institute within prior year Health Care Efficiency and Affordability Law of New Yorkers (HEAL-NY) appropriations.

Article VII

PART A – Modify the Early Intervention (EI) Program

The Legislature accepts proposed Article VII legislation to:

- require EI service coordinators to notify the Office of Persons with Developmental Disabilities (OPWDD) if a child may be eligible for OPWDD services;
- require EI service coordinators to implement the Individualized Family Service Plans (IFSP) in a timely manner;
- remove the State Education Department’s (SED) authority to approve EI providers for the Pre-school Special Education Program;
- authorize an increase in the percentage of state aid reimbursement to municipalities for EI services;
- authorize the Department of Health (DOH) to contract with a Fiscal Agent through a mini-bid process; and
- require providers to submit claims through a fiscal agent.

The Legislature amends proposed Article VII legislation to:

- remove the authorization for municipalities to contract with EI providers, require service coordinators to assume various responsibilities from the municipality, and require service coordinators to provide performance reports to the municipality by providing for municipal oversight of providers; and
- allow DOH to approve EI providers and enter into agreements as necessary by requiring DOH to use best efforts to ensure adequate provider capacity in the EI program.

The Legislature denies proposed Article VII legislation to:

- require EI program evaluators to belong to the provider network of the parents' HMO or other insurer;
- authorize representatives of third party payors to attend IFSP meetings;
- require children enrolled in EI that are covered under a third party payor plan that provides coverage for EI services to receive such services from a provider within such plan's network except under certain circumstances;
- require an arms-length relationship between an evaluator, service coordinator, and EI provider;
- require all approved evaluators and EI providers to maintain contracts with a sufficient number of insurers;
- require the Child Health Plus program to cover EI services;
- require third party payors to make available an adequate number of EI service providers consistent with EI program enrollment and require third party payors to make the list of EI providers publicly available;
- require insurers to pay in-network provider rates negotiated between the provider and the insurer and require out-of-network providers to be reimbursed at rates set by DOH;
- prohibit third party payors from denying EI service claims;
- provide that covered EI services do not count toward an established maximum annual or lifetime monetary limit but be subject to an insurer's policy or visit limitations; and
- require insurance providers to provide municipalities and service coordinators with information on the extent of benefits within 15 days.

Part B –Roswell Park Cancer Institute (RPCI)

The Legislature amends legislation to require RPCI to become financially and operationally independent from DOH by March 31, 2014 as a condition of receiving state funding authorized under HCRA and HEAL-NY. The Legislature requires RPCI to develop a plan by January 1, 2014 that specifies how the Institute will promote the health of patients, conduct innovative research, secure financial viability, and achieve operational and fiscal independence, however does not require effectuation of the plan by a certain date.

Part C – Implement an Electronic Death Registration System (EDRS)

The Legislature denies the Executive proposal to authorize DOH to design, implement, and maintain an EDRS for counties outside of the City of New York.

Part D – Implement Medicaid Redesign Team Recommendations

The Legislature accepts proposed Article VII legislation to:

- authorize assisted living programs (ALPs) to contract with multiple long-term home health care programs, certified home health agencies and/or other qualified providers;
- expand Medicaid program coverage to podiatry visits for adults with diabetes mellitus, services provided by certified lactation consultants to pregnant and postpartum women, harm reduction counseling and services, and services to promote care coordination and integration for individuals with hepatitis C;

- authorize enhanced Medicaid payments for dually enrolled (Medicaid/Medicare) patients receiving treatment in chemical dependence outpatient clinic and opioid treatment programs licensed by the Office of Alcoholism and Substance Abuse Services;
- authorize the Commissioner of Health (Commissioner) to provide grants for coordination of services by community based organizations among providers and plans using health information technology and uniform screening criteria for prenatal risk;
- establish the Primary Care Service Corps Loan Repayment Program for non-physician practitioners who agree to practice full-time in an underserved area of the state;
- allow monies of the Medical Indemnity Fund that are not required for immediate use to be invested in obligations of or guaranteed by the United States, with the proceeds of any such investments to be retained by the Fund;
- eliminate the requirement that providers issue written notice to DOH for repair or maintenance projects under \$6,000,000;
- clarify that allocations for home care workforce recruitment and retention funds shall be made “up to” the amounts specified in existing language;
- expand the entities with which the state will share a savings realized as a result of the use of certified public expenditures in relation to school supportive health services to local school districts and social services districts beyond New York City;
- reinstate mandatory generic substitution for drugs dispensed to Medicaid enrollees, except for brand name drugs that the Commissioner may choose to exempt;
- limit the Medicaid co-insurance for Medicare covered Part B services when the total co-insurance amount would exceed the amount Medicaid would have paid using a Medicaid rate for all qualified individuals, not just persons who are dually eligible for Medicaid and Medicare;
- clarify the existing six-year statute of limitations on audits under the Health Care Reform Act (HCRA) and limit the time for providers to make amendments to their cost reports to the same six-year period;
- require electronic reporting and certification of reports by providers for the health facility cash assessment program and hospital quality contributions;
- permit licensed home care service agencies to contract with Medicaid managed care or managed long-term care plans and to bill Medicaid directly in order to temporarily serve Medicaid recipients who transition to fee-for-service;
- clarify provisions requiring managed care plans and managed long-term care plans to offer the consumer directed personal care program to their enrollees;
- extend for an additional year the authorization for the Commissioner to implement a Medicaid Savings Allocation Plan to maintain spending within the Medicaid Spending Cap and allow the Director of the Budget to modify the cap to reflect reductions in local district claiming for Medicaid administration, consistent with the phased takeover by the state of local government Medicaid administration;
- eliminate an across-the-board reduction in the EI program payments, avoiding a duplicative rate reduction on such payments;

- modify the time frames for the effective date of third party payor revocation of payments on surcharges and assessments on an aggregated basis to be effective on a monthly rather than a quarterly basis; and
- prohibit local governments from claiming for expenses incurred prior to January 1, 2006, when the “local cap” statute that limited local contributions to Medicaid expenditures took effect.

The Legislature amends proposed Article VII legislation to:

- allow for the re-investment of Medicaid savings from hospital and nursing home closures or bed decertifications in order to expand supportive housing and related services by rejecting language notwithstanding procurement provisions in State Finance and Economic Development Law and establishing a grant process for distributing funds;
- eliminate the requirement that Assisted Living Program (ALP) bed establishment be linked to nursing home bed decertifications by maintaining the Commissioner’s authorization to establish up to 6,000 ALP beds;
- allow assisted living programs to conduct initial assessments instead of requiring such assessments;
- require the Commissioner to establish regulations to ensure access to enteral formula for HIV-related illnesses and other conditions;
- specify that HIV Special Needs Plans (SNPs) may enroll related children (up to 21 years old) of an enrollee, the homeless, and other high-need/high-cost users as determined by the Commissioner;
- authorize the Commissioner to promote education, outreach and enrollment assistance for aged, blind and disabled Medicaid applicants by rejecting the proposal to pursue contracts through a mini-bid process;
- extend for three years the authority of the Dormitory Authority of the State of New York to establish one or more subsidiaries for the purpose of limiting the potential liability of the Authority when exercising its powers and duties in pursuit of remedies against a borrower that has defaulted, by extending the provision for two years and limiting the authority to Article 28 facilities only;
- authorize the Commissioner to promulgate regulations to establish new rates for bed reservation payments for hospitals, in order to preserve financial plan savings following a rejection of a proposal to grant the Commissioner authority to eliminate bed holds if such savings are not realized;
- extend the Commissioner’s regulatory authority to limit reimbursement for potentially preventable conditions and complications to outpatient settings by prohibiting measures that are not identified for Medicare nonpayment or limited payment; and
- authorize the Commissioner to promulgate regulations relating to grants awarded through DOH’s Empire Center for Research and Investigation Program for periods on and after April 1, 2013 by maintaining the program in statute.

The Legislature denies proposed Article VII legislation to:

- authorize the Commissioner to temporarily suspend or limit an operating certificate of a not-for-profit corporation participating in the Medicaid program and to make certain changes to the board of directors if there are repeated violations of certain provisions of Public Health Law or a member of the board is indicted or convicted of a felony;

- require not-for-profit corporations that are hospital operators to notify DOH of a change of directors at least 120 days prior to the effective date of the change and authorize the DOH to bar such change;
- allow the Commissioner to establish a temporary operator of an adult care facility, a general hospital or a diagnostic and treatment center when a statement of deficiencies has been issued by DOH and upon a determination by the Commissioner that significant management failures exist in the facility;
- eliminate the requirement that hospitals submit information for audit by DOH related to certain hospital medical staff, which is then audited by the federal government;
- eliminate the “prescriber prevails” provisions in fee for service, when the existing limit of four opioid prescribed within 30 days is exceeded;
- reduce the information that must be made available on DOH’s website regarding the meetings of the Pharmacy and Therapeutics Committee;
- allow diagnostic and treatment centers access to funds under the HEAL-NY program for the purpose of facilitating closures, mergers or restructuring of such facilities;
- require counties operating a mandatory Medicaid managed care program to use the enrollment broker;
- eliminate the requirement that an applicant to operate managed long-term care plans be a hospital, licensed or certified home care agency, health maintenance organization or not-for-profit organization with a history of providing or coordinating health care and long-term care services to elderly and disabled persons; and
- eliminate spousal refusal by prohibiting a spouse or parent from refusing to contribute any available income or assets towards the costs of health care services being provided to a spouse or family member.

The Legislature provides Article VII legislation to:

- repeal provisions of the SFY 2011-12 budget that expanded the definition of “estate” to include assets that normally bypass probate for the purposes of Medicaid recovery;
- restore prescriber prevails in Medicaid managed care for anti-psychotic drugs;
- require the Commissioner to track and report on consumer experiences in the transition to managed long-term care;
- require the Commissioner to develop transition and continuity of care policies for participants in home and community based long-term care;
- allow certain Article 28 facilities currently operating a long-term home health care program to transition to providing certified home health care services;
- require DOH to consult with stakeholders to address concerns regarding nursing home capital financing in managed long-term care;
- require the Office of the Medicaid Inspector General to post administrative law judge decisions on its website;
- codify existing Enhances Quality of Adult Living (EQUAL) program regulations in statute;
- limit the use of specialty drug lists that require Medicaid managed care recipients to use mail order for certain prescriptions;

- establish a workgroup on Medicaid payment for services for medically fragile children to make recommendations on the adequacy of Medicaid payment rates to certain pediatric providers;
- require the Commissioner to develop a program to facilitate the use of a triage system of care in Article 28 hospital emergency rooms;
- create a workgroup to streamline the Doctors Across New York application and funding process;
- require, to the extent practicable, an equitable distribution of HEAL-NY funds among health planning regions of the state;
- require administrative decisions regarding certificate of need for certain capital projects of Article 28 clinic to be determined within 90 days;
- create a Prescription Pain Medication Awareness Program to educate health care workers and the public about the dangers of addiction to prescription drugs; and
- create a Telemedicine Demonstration Program in certain counties to study the cost effectiveness of telemedicine in regards to heart disease and diabetes.

Part E – Establish a New York State Health Benefit Exchange

The Legislature denies proposed Article VII legislation to establish the New York Health Benefit Exchange.

Part F –Phased-In Takeover of Administration of the Medicaid Program

The Legislature accepts proposed Article VII legislation to:

- provide for a phased-in state assumption of the three percent growth in the local share of Medicaid expenditures for all counties and New York City, at a rate of one percent per year, and modify the DOH Medicaid state funds spending cap to allow for increased state spending associated with providing local government Medicaid relief beginning on April 1, 2013;
- allow Monroe County to opt into the Local Medicaid Cap in lieu of a sales tax intercept by January 1, 2013;
- authorize DOH to assume sole responsibility for commencing Medicaid recovery actions and proceedings; and
- eliminate the annual reconciliation of local government Medicaid expenditures effective April 1, 2015.

The Legislature amends proposed Article VII legislation to:

- cap state reimbursement of local government Medicaid administration by authorizing the Commissioner to distribute additional financial plan savings related to the state takeover of Medicaid administration to districts where administrative costs are projected to exceed the cap; and
- authorize the Commissioner to take actions necessary to transfer administration of the Medicaid program from local social service districts to DOH by requiring the Commissioner to elicit a statement of interest from districts to perform administrative functions, and requiring the Commissioner to report annually to the Legislature on progress until full implementation in 2018.

Part G – Medicaid Extenders

The Legislature accepts proposed Article VII legislation to extend certain hospital rate adjustments for potentially preventable re-admissions and negative outcomes until March 31, 2013.

The Legislature modifies proposed Article VII legislation to extend certain provisions of the preferred Drug Program temporarily by instead providing for a permanent extension.

Part S - Excess Medical Malpractice Coverage Pool

The Legislature amends proposed Article VII legislation to:

- limit access to the pool to physicians or dentists who had a full or partial policy for coverage period ending June 30, 2010, June 30, 2011 and June 30, 2012;
- authorize hospitals to certify physicians and dentists on a proportional basis if the number of physicians or dentists eligible under this methodology is less than the number of physicians or dentists who had coverage on June 30, 2010; and
- require the Superintendent of the Department of Financial Services and the Commissioner of Health to review and issue a report to the Legislature by November 1, 2012 on the coverage pool.

Part T - Elderly Pharmaceutical Insurance Coverage (EPIC) Program

The Legislature provides new language to restore EPIC coverage for drugs on a participant's Part D formulary during the initial coverage and catastrophic phases of Medicare Part D, effective January 1, 2013. Under this benefit, instead of paying the Part D co-payment which is a percentage of a drug's cost, EPIC participants will only be responsible for the EPIC co-payment that will be no higher than \$20.

Merge State Entities

The Legislature accepts proposed Article VII legislation to merge the Breast and Cervical Cancer Detection and Education Program Advisory Committee and the Ovarian Cancer Information Advisory Committee to create the new Breast, Cervical, and Ovarian Cancer Detection and Education Program Advisory Council.

The Legislature denies proposed Article VII legislation that would merge the four related emergency medical services boards: the State Emergency Medical Services Council, the State Trauma Advisory Committee, the Emergency Medical Services for Children Advisory Committee, and the State Emergency Medical Advisory Committee, to create the NYS Emergency Medical Services Advisory Board.

Legislative Additions

The Legislature provides funding for the following:

PROGRAM	APPROPRIATION
REJECT THE ELIMINATION OF SPOUSAL REFUSAL	\$102,800,000
ELDERLY PHARMACEUTICAL INSURANCE COVERAGE PROGRAM - CO-PAYMENT COVERAGE	\$34,100,000
PRESCRIBER PREVAILS PROVISION	\$15,625,000
HOME CARE WORKER BENEFITS	\$10,000,000
RESTORE THE DEFINITION OF ESTATE	\$5,300,000
TOBACCO USE PREVENTION AND CONTROL PROGRAM	\$5,000,000

ADDITIONAL FUNDING FOR SUNY HOSPITALS	\$2,000,000
FUNDING FOR IMPROVED ACCESS TO INFERTILITY SERVICES	\$1,000,000
FUNDING FOR IMPROVED ACCESS TO INFERTILITY SERVICES	\$1,000,000
FAMILY PLANNING SERVICES	\$750,000
SCHOOL BASED HEALTH CLINICS	\$557,000
AIDS: HIV/AIDS-COMMUNITY SERVICE PROGRAM (CSP)	\$525,000
AIDS: HIV/AIDS-MULTI SERVICE AGENCIES (MSA)	\$525,000
NURSE FAMILY PARTNERSHIP	\$500,000
WOMEN'S HEALTH AND WELLNESS PROGRAM	\$500,000
PUBLIC EDUCATION FOR PAIN MANAGEMENT	\$452,000
NIAGARA HEALTH QUALITY COALITION	\$372,000
MATERNITY AND EARLY CHILDHOOD FOUNDATION	\$300,000
PLUTA CANCER CENTER	\$250,000
PAIN MANAGEMENT AND CONTINUING EDUCATION	\$226,000
BREAST CANCER - SUPPORT AND EDUCATION SERVICES	\$50,000
TELEHEALTH STUDY	\$50,000

OFFICE OF THE MEDICAID INSPECTOR GENERAL

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
General Fund	29,577,000	28,461,000	28,461,000	0
Special Revenue-Other	3,700,000	3,700,000	3,700,000	0
Special Revenue-Federal	47,076,000	43,726,000	43,726,000	0
Total for STATE OPERATIONS	80,353,000	75,887,000	75,887,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive's recommendation.

Article VII

The Legislature provides language to require the Office of the Medicaid Inspector General (Office) to post on its internet website all final determinations issued by administrative law judges in connection with any actions taken by the Office.

DEPARTMENT OF MENTAL HYGIENE

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	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's recommendation.

OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
Special Revenue-Other	112,483,400	110,421,000	110,421,000	0
Special Revenue-Federal	6,530,000	6,530,000	6,530,000	0
Total for STATE OPERATIONS	119,013,400	116,951,000	116,951,000	0
AID TO LOCALITIES				
General Fund	36,878,000	36,878,000	36,878,000	0
Special Revenue-Other	284,118,000	285,618,000	285,618,000	0
Special Revenue-Federal	135,000,000	135,000,000	135,000,000	0
Total for AID TO LOCALITIES	455,996,000	457,496,000	457,496,000	0
CAPITAL PROJECTS				
Capital Projects Fund	9,560,000	9,560,000	9,560,000	0
Mental Hygiene Capital Improvement Fund-389	88,046,000	88,046,000	88,046,000	0
Total for CAPITAL PROJECTS	97,606,000	97,606,000	97,606,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive's recommendation.

Legislative Changes

The Legislature includes appropriation language to specify that \$14,859,531 of the \$42,553,000 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.

The Legislature denies appropriation language that would have transferred the Alcohol and Drug Rehabilitation Program from the Department of Motor Vehicles to the Office of Alcoholism and Substance Abuse Services (OASAS).

Article VII

The Legislature accepts the Executive proposal to facilitate the integration of physical and behavioral health services by enabling two or more of the Commissioners of the Department of Health, the Office of Mental Health (OMH), OASAS, and the Office for People with Developmental Disabilities to waive duplicative regulatory requirements.

The Legislature amends the Executive proposals that would:

- eliminate the Human Services Cost of Living Adjustment (COLA), by suspending the COLA for State Fiscal Year 2012-13 and extending the COLA for an additional year, through March 31, 2016; and
- create a Behavioral Health Services Advisory Council to consolidate the comprehensive planning authority of OMH and OASAS, and require reporting to the Legislature.

The Legislature denies Executive proposals that would:

- create a new system of performance related rate adjustments for human services programs; and
- include statutory language that would have established limits on administrative reimbursement and executive compensation for organizations that receive state funding.

OFFICE OF MENTAL HEALTH

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
General Fund	800,000	796,000	796,000	0
Special Revenue-Other	2,037,172,000	2,027,030,000	2,032,030,000	5,000,000
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	2,610,000	2,597,000	2,597,000	0
Total for STATE OPERATIONS	2,051,226,000	2,041,067,000	2,046,067,000	5,000,000
AID TO LOCALITIES				
General Fund	420,982,000	420,982,000	420,982,000	0
Special Revenue-Other	826,038,000	826,038,000	828,238,000	2,200,000
Special Revenue-Federal	51,414,000	51,414,000	51,414,000	0
Total for AID TO LOCALITIES	1,298,434,000	1,298,434,000	1,300,634,000	2,200,000
CAPITAL PROJECTS				
Capital Projects Fund	37,600,000	42,750,000	42,750,000	0
Mental Hygiene Capital Improvement Fund-389	183,274,000	146,915,000	146,915,000	0
Total for CAPITAL PROJECTS	220,874,000	189,665,000	189,665,000	0

LEGISLATIVE ACTION

The Legislature appropriates \$3,536,366,000 on an All Funds basis, an increase of \$7,200,000 over the Executive's budget submission.

Legislative Changes

The Legislature provides \$3,900,000 to support the rejection or modification of several proposals pertaining to the Sex Offender Management Treatment Act (SOMTA). In addition to various language changes, the Legislature provides:

- \$1,900,000 to reject a proposed increase in the criminal penalty for a civilly confined sex offender who intentionally causes physical injury;
- \$1,300,000 to amend a proposal to allow offenders who have not yet reached their maximum expiration date of sentence to be returned to prison from a secure treatment facility only upon a finding that the person has been significantly disruptive of the treatment program at a secure facility;

- \$250,000 to amend a proposal to expand teleconferencing to allow only psychiatric examiners to testify by video teleconferencing in probable cause hearings under certain circumstances;
- \$250,000 to reject a proposal to provide that a sex offender under strict and intensive supervision and treatment who violates a condition of such supervision be guilty of a class E felony if such a violation was intentional; and
- \$200,000 to reject a proposal to establish biennial reviews. Instead, the Legislature allows the time period for annual reviews to be calculated from the date on which the court last ordered or confirmed the need for continued confinement or the date on which the person waived the right to petition for discharge, whichever is later.

The Legislature provides \$1,100,000 to reject a proposal to allow incapacitated individuals awaiting trial to be referred to local correctional facilities for restoration services.

The Legislature provides \$800,000 for veteran peer-to-peer pilot programs.

The Legislature provides \$800,000 for demonstration programs for counties impacted by facility closures in State Fiscal Year (SFY) 2011-12.

The Legislature provides \$500,000 for the Veterans Mental Health Training Initiative.

The Legislature provides \$100,000 for the North Country Behavioral Healthcare Network.

Article VII

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

- rejects the proposal to permanently repeal the requirement that the Office of Mental Health (OMH) provide notification 12-months prior to any closure, consolidation or service reduction at facilities and programs operated by OMH. Instead, the Legislature authorizes a suspension of the 12-month notification requirement for SFY 2012-13 only;
- requires OMH to provide 45 days notification prior to facility restructuring or downsizing and 75 days notification prior to facility closures;
- limits consolidations and service reductions to a total of 400 beds in SFY 2012-13;
- rejects the proposal to remove Kingsboro Psychiatric Center from the statutory list of OMH hospitals; and
- amends the proposal related to the consolidation of Bronx, Queens and Brooklyn Children's Psychiatric Centers to ensure the continuation of services as each site.

The Legislature amends the Executive proposal to modify the Sex Offender Management Treatment Act (SOMTA). Specifically, the Legislature:

- rejects the proposal to allow OMH to contract with non-agency personnel for the care, treatment and provision of appropriate security services of persons civilly confined under SOMTA;
- amends the proposal to allow offenders who have not yet reached their maximum expiration date of sentence to remain in prison despite their lawful release, but pending outcome of the civil commitment proceeding, to

instead allow such offenders to be returned to prison from a secure treatment facility for up to six months upon a finding that the person has been significantly disruptive of the treatment program at a secure facility;

- amends the proposal to allow all witnesses to testify by video teleconferencing in all SOMTA proceedings except trials to instead only allow psychiatric examiners to testify by video teleconferencing in probable cause hearings under certain circumstances;
- rejects the proposal to provide that a sex offender under strict and intensive supervision and treatment who violates a condition of such supervision would be guilty of a class E felony if such a violation was intentional;
- rejects the proposal to increase the criminal penalty for a civilly confined sex offender who intentionally causes physical injury to any other person by defining such behavior as assault in the second degree rather than assault in the third degree as in existing law; and
- amends a proposal to perform biennial reviews of civilly confined individuals to instead calculate annual reviews from the date on which the court last ordered or confirmed the need for continued confinement or the date on which the person waived the right to petition for discharge, whichever is later.

The Legislature amends the Executive proposal related to restoration services for individuals who are deemed not competent to stand trial. Specifically, the Legislature:

- accepts the proposal to allow for restoration services to be provided on an outpatient basis;
- amends the proposal to allow for restoration services to be provided by an OMH licensed hospital to specify that a hospital's participation in this program is voluntary; and
- rejects the proposal to allow such restoration services to occur at local correctional facilities.

The Legislature accepts the Executive proposals that would:

- facilitate the integration of physical and behavioral health services by enabling two or more of the Commissioners of the Department of Health, the OMH, the Office of Alcoholism and Substance Abuse Services, or the Office for People With Developmental Disabilities to waive duplicative regulatory requirements;
- provide a four-year extension of the Comprehensive Psychiatric Emergency Program (CPEP); and
- extend the time period that OMH can recover exempt income with performance and audit activities.

The Legislature amends the Executive proposals to:

- eliminate the Human Services Cost of Living Adjustment (COLA), by suspending the COLA for SFY 2012-13 and extending the COLA for an additional year, through March 31, 2016;
- create a Behavioral Health Services Advisory Council to consolidate the comprehensive planning authority of OMH and the Office for Alcoholism and Substance Abuse Services, and require reporting to the Legislature; and
- authorize school districts and Board of Cooperative Educational Services (BOCES) to enter into contracts for the provision of certain educational services to children in OMH-operated psychiatric centers. The enacted language ensures that no additional costs are passed on to local school districts or BOCES, and ensures that school district and BOCES participation is optional. The Commissioner of OMH, in consultation with the Commissioner of the State Education Department, is required to report on these contracts, including the

number of children receiving educational services, the type of services provided, the costs associated with such services and any additional actions that may be necessary to comply with federal or state law.

The Legislature denies Executive proposals to:

- create a new system of performance related rate adjustments for human services programs; and
- include statutory language that would have established limits on administrative reimbursement and executive compensation for organizations that receive state funding.

Legislative Additions

The Legislature provides funding for the following:

PROGRAM	APPROPRIATION
SEX OFFENDER MANAGEMENT AND TREATMENT ACT (SOMTA) PROPOSALS	\$3,900,000
APPROPRIATE INSTITUTIONS FOR INCAPACITATED PERSONS	\$1,100,000
VETERAN PEER-TO-PEER PILOT PROGRAMS	\$800,000
PILOT PROGRAMS FOR COUNTIES IMPACTED BY FACILITY CLOSURES	\$800,000
VETERANS' MENTAL HEALTH TRAINING INITIATIVE	\$500,000
NORTH COUNTRY BEHAVIORAL HEALTH NETWORK	\$100,000

OFFICE FOR PEOPLE WITH DEVELOPMENTAL DISABILITIES

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
Special Revenue-Other	2,147,051,700	2,136,962,000	2,136,962,000	0
Special Revenue-Federal	751,000	751,000	751,000	0
Enterprise	2,668,000	2,657,000	2,657,000	0
Internal Service Fund	350,000	348,000	348,000	0
Total for STATE OPERATIONS	2,150,820,700	2,140,718,000	2,140,718,000	0
AID TO LOCALITIES				
General Fund	1,430,607,700	1,662,830,000	1,662,830,000	0
Special Revenue-Other	866,293,800	816,011,000	816,311,000	300,000
Total for AID TO LOCALITIES	2,296,901,500	2,478,841,000	2,479,141,000	300,000
CAPITAL PROJECTS				
Capital Projects Fund	62,140,000	63,930,000	63,930,000	0
Mental Hygiene Capital Improvement Fund-389	89,855,000	99,610,000	99,610,000	0
Total for CAPITAL PROJECTS	151,995,000	163,540,000	163,540,000	0

LEGISLATIVE ACTION

The Legislature appropriates \$4,783,399,000 on an All Funds basis, an increase of \$300,000 over the Executive's budget submission.

Legislative Changes

The Legislature provides \$250,000 for Statewide Regional Centers for Autism Spectrum Disorders.

The Legislature provides \$50,000 for the Epilepsy Foundation of Northeastern New York.

Article VII

The Legislature accepts the Executive proposal to facilitate the integration of physical and behavioral health services by enabling two or more of the Commissioners of the Department of Health, the Office of Mental Health, the Office of Alcoholism and Substance Abuse Services, and the Office for People With Developmental Disabilities (OPWDD) to waive duplicative regulatory requirements.

The Legislature amends the Executive proposals that would:

- eliminate the Human Services Cost of Living Adjustment (COLA), by suspending the COLA for State Fiscal Year (SFY) 2012-13 and extending the COLA for an additional year, through March 31, 2016; and
- restructure OPWDD, to ensure the continuation of Developmental Disabilities Services Offices and to provide for improved transparency and reporting.

The Legislature denies Executive proposals that would:

- create a new system of performance related rate adjustments for human services programs;
- allow OPWDD to establish Medicaid waiver pilot programs without a competitive process; and
- include statutory language that would have established limits on administrative reimbursement and executive compensation for organizations that receive state funding.

The Legislature provides language to require the Commissioner of OPWDD to provide 60 days of notice to the Legislature before the closure or reduction in capacity of 20 or more beds at a developmental center or other institutional setting.

Legislative Additions

The Legislature provides funding for the following:

PROGRAM	APPROPRIATION
STATEWIDE REGIONAL CENTERS FOR AUTISM SPECTRUM DISORDERS	\$250,000
EPILEPSY FOUNDATION OF NORTHEASTERN NEW YORK	\$50,000

COMMISSION ON QUALITY OF CARE AND ADVOCACY FOR PERSONS WITH DISABILITIES

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
General Fund	4,922,000	6,366,000	6,366,000	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	17,497,000	18,941,000	18,941,000	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's recommendation.

**TRANSPORTATION,
ECONOMIC
DEVELOPMENT &
ENVIRONMENTAL
CONSERVATION**

By Agency

ADIRONDACK PARK AGENCY

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
General Fund	4,607,000	4,502,000	4,502,000	0
Special Revenue-Federal	700,000	700,000	700,000	0
Total for STATE OPERATIONS	5,307,000	5,202,000	5,202,000	0
CAPITAL PROJECTS				
Miscellaneous Special Revenue-Other	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's recommendation.

DEPARTMENT OF AGRICULTURE AND MARKETS

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
General Fund	26,768,000	32,213,000	32,213,000	0
Special Revenue-Other	46,600,000	34,591,000	34,591,000	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	126,209,000	119,645,000	119,645,000	0
AID TO LOCALITIES				
General Fund	17,329,000	16,630,000	21,601,000	4,971,000
Special Revenue-Federal	20,000,000	20,000,000	20,000,000	0
Total for AID TO LOCALITIES	37,329,000	36,630,000	41,601,000	4,971,000
CAPITAL PROJECTS				
Misc. Capital Projects	2,000,000	2,000,000	2,000,000	0
Capital Projects Fund	1,000,000	1,000,000	1,000,000	0
Total for CAPITAL PROJECTS	3,000,000	3,000,000	3,000,000	0

LEGISLATIVE ACTION

The Legislature appropriates \$164,246,000 on an All Funds basis, an increase of \$4,971,000 over the Executive's budget submission.

Legislative Changes

The Legislature provides \$3,000,000 to fund agricultural economic development.

In addition, the Legislature restores support for the following programs:

- \$821,000 to the Farm Viability Institute for total funding of \$1,221,000.
- \$100,000 to the Cornell Rabies Program for total funding of \$150,000.
- \$100,000 to the Cornell Long Island Rabies Program.
- \$100,000 to the Maple Producers Association.
- \$100,000 to the Tractor Rollover Program.

Article VII

The Legislature accepts the Executive proposal to eliminate the requirement that the New York State Agricultural Experiment Station at Cornell be the state's exclusive seed testing entity.

The Legislature modifies the Executive proposal to extend the Commissioner of Agriculture and Markets' ability to enter into certain contracts and charge for services; the modification would limit the billing authority to federal and out-of-state entities only.

The Legislature accepts the Executive proposal to eliminate Special Revenue Fund support for the Consumer Food and the Commercial Feed Licensing Account, shifting these appropriations instead to the General Fund.

The Legislature denies the Executive proposal to authorize the Commissioner of Agriculture and Markets to authorize dairy market orders to fund activities for assisting dairy farmers through an assessment on milk production.

The Legislature accepts the Executive proposal eliminating the following boards and commissions: the Agricultural Transportation Review Panel, the Hudson Valley Agricultural Advisory Council, the Organic Food Advisory Committee, and the Animal Health Issues Committee.

Legislative Additions

The Legislature provides funding for the following:

PROGRAM	APPROPRIATION
AGRICULTURE ECONOMIC DEVELOPMENT	\$3,000,000
FARM VIABILITY INSTITUTE	\$821,000
NORTHERN NEW YORK AGRICULTURAL DEVELOPMENT	\$500,000
EASTERN EQUINE ENCEPHALITIS PROGRAM	\$150,000
CORNELL WILDLIFE RABIES VACCINATION PROGRAM	\$100,000
NEW YORK STATE MAPLE PRODUCERS' ASSOCIATION	\$100,000
TRACTOR ROLLOVER PROGRAM	\$100,000
CORNELL RABIES - LONG ISLAND RABIES	\$100,000
CORNELL FARM FAMILY ASSISTANCE	\$100,000

DEPARTMENT OF ECONOMIC DEVELOPMENT

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
General Fund	20,597,000	22,040,000	22,370,000	330,000
Special Revenue-Other	3,765,000	3,458,000	3,458,000	0
Special Revenue-Federal	2,000,000	2,000,000	2,000,000	0
Total for STATE OPERATIONS	26,362,000	27,498,000	27,828,000	330,000
AID TO LOCALITIES				
General Fund	40,067,998	36,614,000	42,222,000	5,608,000
Special Revenue-Federal	9,100,000	6,000,000	6,000,000	0
Total for AID TO LOCALITIES	49,167,998	42,614,000	48,222,000	5,608,000

LEGISLATIVE ACTION

The Legislature appropriated \$76,050,000 on an All Funds basis, a net increase of \$5,938,000 over the Executive's budget submission.

Legislative Changes

The Legislature provides:

- \$3,000,000 for local tourism marketing efforts;
- \$775,000 to restore funding for the Institute for Nanoelectronics Discovery and Exploration (INDEX) at the College of Nanoscale Science and Engineering (CNSE), as independently established by a resolution of the State University of New York (SUNY) Board of Trustees on November 18, 2008;
- \$713,000 to restore funding for the Center for Advanced Interconnect Systems Technologies (CAIST) at CNSE, as independently established by a resolution of the SUNY Board of Trustees on November 18, 2008;
- \$500,000 for a second Center of Excellence at SUNY Stony Brook for the study of advanced energy research;
- \$330,000 for the "I Love NY" program;
- \$250,000 for a second Center of Excellence at Rochester Institute of Technology (RIT) for the study of sustainable manufacturing;

- \$200,000 for a second Center of Excellence at University at Buffalo for the study of materials informatics; and
- \$170,000 for Local Tourism Matching Grants.

Article VII

The Legislature approves the Executive proposal to extend the three percentage point interest rate reduction for agricultural businesses under the Linked Deposit Program.

Legislative Additions

The Legislature provides funding for the following:

PROGRAM	APPROPRIATION
I LOVE NEW YORK TOURISM MARKETING PROGRAM	\$3,000,000
CNSE INSTITUTE FOR NANOELECTRONICS DISCOVERY AND EXPLORATION (INDEX)	\$775,000
CNSE CAIST	\$713,000
CENTER OF EXCELLENCE - SUNY STONY BROOK	\$500,000
I LOVE NY PROGRAM	\$330,000
CENTER OF EXCELLENCE - RIT	\$250,000
CENTER OF EXCELLENCE - UNIVERSITY AT BUFFALO	\$200,000
LOCAL TOURISM MATCHING GRANTS PROGRAM	\$170,000

NYS ENERGY RESEARCH AND DEVELOPMENT AUTHORITY

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
Special Revenue-Other	8,090,000	8,090,000	8,090,000	0
Total for STATE OPERATIONS	8,090,000	8,090,000	8,090,000	0
AID TO LOCALITIES				
Special Revenue-Other	8,140,000	8,140,000	8,140,000	0
Total for AID TO LOCALITIES	8,140,000	8,140,000	8,140,000	0
CAPITAL PROJECTS				
Capital Projects Fund	15,310,000	14,000,000	14,000,000	0
Total for CAPITAL PROJECTS	15,310,000	14,000,000	14,000,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive's recommendation.

Article VII

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

The Legislature accepts the Executive proposal to continue the utility assessment pursuant to Section 18-a of the Public Service Law used to fund NYSEDA's Research, Development and Demonstration Program, as well as its Policy and Planning Program.

The Legislature accepts the Executive proposal to authorize the Department of Health to continue financing public service education activities with revenues generated from an assessment on cable companies.

The Legislature accepts the Executive proposal to require NYSEDA to file a declaration of charges with local recording officers for each Green Jobs-Green New York loan repaid through an On-Bill Recovery charge.

The Legislature establishes the Western New York Power Proceeds Allocation Board to assist qualifying businesses and non-profits within a 30-mile radius of the Niagara Power Project by awarding New York Power Authority proceeds for infrastructure, transportation, and tourism marketing projects.

DEPARTMENT OF ENVIRONMENTAL CONSERVATION

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
General Fund	103,864,000	103,688,000	103,688,000	0
Special Revenue-Other	254,077,000	252,685,000	253,960,000	1,275,000
Special Revenue-Federal	76,012,000	77,198,000	77,198,000	0
Internal Service Fund	60,000	95,000	95,000	0
Total for STATE OPERATIONS	434,013,000	433,666,000	434,941,000	1,275,000
AID TO LOCALITIES				
General Fund	1,875,000	1,676,000	2,576,000	900,000
Total for AID TO LOCALITIES	1,875,000	1,676,000	2,576,000	900,000
CAPITAL PROJECTS				
Capital Projects Fund	16,834,000	20,900,000	20,900,000	0
Capital Projects Fund - Advances	0	500,000	500,000	0
Federal Capital Projects Fund	184,000,000	175,000,000	175,000,000	0
Environmental Protection Fund	134,000,000	134,000,000	134,000,000	0
Cap Proj Fund - DEC Regular Auth Bonds	12,000,000	113,743,000	113,743,000	0
Cap Proj Fund - State Revolving Fund Auth Bonds	35,000,000	35,000,000	35,000,000	0
Hazardous Waste Remedial Fund - Oversight and Assesment	10,000,000	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	511,834,000	609,143,000	609,143,000	0

LEGISLATIVE ACTION

The Legislature appropriates \$1,046,660,000 on an All Funds Basis, a \$2,175,000 increase over the Executive's budget submission.

Legislative Changes

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

- Waterfront Revitalization projects; including \$60,000 for projects in Jefferson and St. Lawrence counties and \$400,000 for Niagara/Erie Waterfront Revitalization;

- municipal parks projects; including \$425,000 for Buffalo Area Parks and \$300,000 for Niagara/Erie Historic Preservation; and
- \$300,000 for a Maximum Daily Load Study for the Western Bays in the South Shore Estuary.

In addition, the Legislature decreases funding for the Pesticide Database by \$190,000 and instead increases support to Municipal Recycling by the same amount.

The Legislature rejects the Executive appropriation language that would allow the Commissioner of Agriculture and Markets to set aside up to 25 percent of Non-Point Source Abatement appropriations for significant regional or statewide projects.

The Legislature modifies Urban Forestry Land Acquisition requirements to allow towns with populations of 65,000 or more to access such funding.

The Legislature provides \$1,275,000 in additional funding for the Invasive Species program.

The Legislature provides \$500,000 in additional funding for Fish Stocking and Game Farms.

The Legislature provides \$400,000 in additional funding for Cornell Integrated Pest Management.

The Legislature amends the Executive proposal to authorize the Department of Environmental Conservation to transfer the operation and management of the Belleayre Mountain Ski Center to the Olympic Regional Development Authority to include increased local representation and workforce protections.

Article VII

The Legislature accepts the Executive proposal to modify the exemption for fees related to recycled hazardous waste.

The Legislature amends the Executive proposal to modify various fishing and hunting provisions to increase disclosure and to remove the authorization for an extension of the surf clam and quahog fee.

The Legislature authorizes the Department of Environmental Conservation to offer gift cards for hunting and fishing licenses and stamps.

The Legislature extends the New York State Diesel Emissions Reduction Act compliance deadline until December 31, 2013.

The Legislature accepts the Executive proposal to repeal the following boards and commissions: Solid Waste Management Board; Environmental Facilities Corporation Technical Advisory Committee; the Long Island Sound Coastal Advisory Commission; the Freshwater Wetlands Appeals Board; the State Environmental Board; the State Forest Practices Board; and the Regional Forest Practices Board and the Surf Clam/Ocean Quahog Management Advisory Board.

Legislative Additions

The Legislature provides funding for the following:

PROGRAM	APPROPRIATION
CONSERVATION FUND: INVASIVE SPECIES	\$775,000
INVASIVE SPECIES ERADICATION	\$500,000
CONSERVATION FUND: FISH STOCKING AND GAME FARMS	\$500,000
CORNELL COMMUNITY INTEGRATED PEST MANAGEMENT	\$400,000
EPF - MUNICIPAL RECYCLING ACCOUNT	\$190,000

ENVIRONMENTAL FACILITIES CORPORATION

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
Special Revenue-Other	12,310,000	0	0	0
Total for STATE OPERATIONS	12,310,000	0	0	0
CAPITAL PROJECTS				
Clean Water-Clean Air Implementation Fund	343,000	0	0	0
Total for CAPITAL PROJECTS	343,000	0	0	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive's recommendation.

HUDSON RIVER PARK TRUST

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
CAPITAL PROJECTS				
Capital Projects Fund - Advances	0	0	0	0
Total for CAPITAL PROJECTS	0	0	0	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive's recommendation.

DIVISION OF THE LOTTERY

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
Special Revenue-Other	89,704,000	102,673,000	102,673,000	0
Total for STATE OPERATIONS	89,704,000	102,673,000	102,673,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive's recommendation.

Legislative Changes

The Legislature amends the Executive budget to delay the implementation of the merger of the Division of Lottery with the Racing and Wagering Board until October 1, 2012. The Division of Lottery will have full appropriation authority until October 1, 2012, at which point all appropriations, encumbrances, liabilities and obligations will be transferred to the New York State Gaming Commission.

Article VII

The Legislature modifies the Executive's recommendation to merge the Division of Lottery with the New York State Racing and Wagering Board and changes the effective date, from May 1, 2012 to October 1, 2012.

The Legislature adds provisions to eliminate Quick Draw food percentage restrictions. Establishments holding an alcohol beverage license for on-premise consumption, whose sales from food make up less than 25 percent of gross sales will now be able to operate the game of Quick Draw.

NEW YORK STATE GAMING COMMISSION

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
Special Revenue-Other	0	0	125,357,700	125,357,700
Total for STATE OPERATIONS	0	0	125,357,700	125,357,700

LEGISLATIVE ACTION

The Legislature amends the Executive's budget submission to delay the implementation of the merger of the Racing and Wagering Board (Board) and the Division of the Lottery into the New York State Gaming Commission (Commission) until October 1, 2012. The Commission will have full appropriation authority beginning October 1, 2012, and a series of technical additions have been advanced in order to create that authority.

The Legislature appropriates \$125,357,000 reflecting the combined prior year funding for the Board and the Division of Lottery and an additional \$1,000,000 in appropriation authority for unforeseen administrative expenses associated with the merger.

Article VII

The Legislature modifies the Executive's Article VII Legislation to merge the Division of Lottery and the Board into a newly created Gaming Commission. The Commission will be governed by a seven member board, with five members appointed by the Governor, and one member appointed each by the Senate Majority Leader and the Speaker of the Assembly. The Governor will select the chair of the board and appoint an executive director to run the day to day operations of the commission. The executive director will oversee the four divisions, which include The Lottery, Charitable Gaming, Gaming; and Horse Racing and Pari-Mutuel Wagering Division. The appointment of the seven board members and the executive director will be subject to Senate confirmation. Lottery revenues will continue to fund education. The merger will take place on October 1, 2012.

Legislative Additions

The Legislature provides funding for the following:

PROGRAM	APPROPRIATION
ADMINISTRATION OF THE LOTTERY PROGRAM - NON-PERSONAL SERVICE	\$57,257,000
ADMINISTRATION OF THE LOTTERY PROGRAM - PERSONAL SERVICE	\$21,189,000
VIDEO LOTTERY TERMINAL ADMINISTRATION - NON-PERSONAL SERVICE	\$15,600,000
HORSE RACING AND PARI-MUTUEL WAGERING PROGRAM - NON-PERSONAL SERVICE	\$8,423,297

GAMING PROGRAM - NON-PERSONAL SERVICE	\$5,314,000
REGULATION OF INDIAN GAMING - PERSONAL SERVICE	\$4,738,300
REGULATION OF INDIAN GAMING - NON-PERSONAL SERVICE	\$3,365,200
GAMING PROGRAM - PERSONAL SERVICE	\$3,313,000
HORSE RACING AND PARI-MUTUEL WAGERING PROGRAM - PERSONAL SERVICE	\$3,281,703
CHARITABLE GAMING PROGRAM - PERSONAL SERVICE	\$948,700
CHARITABLE GAMING PROGRAM - NON-PERSONAL SERVICE	\$927,500
ADMINISTRATION OF GAMING COMMISSION PROGRAM - NON-PERSONAL SERVICE	\$650,000
ADMINISTRATION OF GAMING COMMISSION PROGRAM - PERSONAL SERVICE	\$350,000

DEPARTMENT OF MOTOR VEHICLES

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
Special Revenue-Other	90,431,000	86,827,000	86,827,000	0
Special Revenue-Federal	17,381,000	17,687,000	17,687,000	0
Internal Service Fund	13,500,000	15,000,000	15,000,000	0
Total for STATE OPERATIONS	121,312,000	119,514,000	119,514,000	0
AID TO LOCALITIES				
Special Revenue-Federal	20,620,000	20,800,000	20,800,000	0
Total for AID TO LOCALITIES	20,620,000	20,800,000	20,800,000	0
CAPITAL PROJECTS				
Dedicated Highway and Bridge Trust Fund	201,137,000	194,171,000	194,171,000	0
Total for CAPITAL PROJECTS	201,137,000	194,171,000	194,171,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive's recommendation.

Article VII

The Legislature amends the Executive proposal modifying provisions of law relating to the physical qualifications of commercial vehicle operators. The legislative modifications relate to the cancellation of commercial learners' permits and the downgrade of commercial drivers' licenses, medical certification for operating commercial motor vehicles, and notification to permit and license holders of status changes.

The Legislature approves the Executive proposal to authorize county clerk retention fees for Department of Motor Vehicles internet transactions.

OLYMPIC REGIONAL DEVELOPMENT AUTHORITY

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
General Fund	4,700,000	4,583,000	4,583,000	0
Special Revenue-Other	354,000	150,000	150,000	0
Total for STATE OPERATIONS	5,054,000	4,733,000	4,733,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive's recommendation.

Article VII

The Legislature amends the Executive proposal to authorize the Department of Environmental Conservation to transfer the operation and management of the Belleayre Mountain Ski Center to the Olympic Regional Development Authority to include increased local representation and workforce protections.

OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
General Fund	119,461,200	116,493,700	116,493,700	0
Special Revenue-Other	88,153,900	88,153,900	88,153,900	0
Special Revenue-Federal	6,650,900	6,650,900	6,850,900	200,000
Total for STATE OPERATIONS	214,266,000	211,298,500	211,498,500	200,000
AID TO LOCALITIES				
General Fund	3,020,000	2,920,000	6,020,000	3,100,000
Special Revenue-Other	5,635,000	5,635,000	5,635,000	0
Special Revenue-Federal	3,170,000	3,170,000	3,170,000	0
Total for AID TO LOCALITIES	11,825,000	11,725,000	14,825,000	3,100,000
CAPITAL PROJECTS				
Misc. Capital Projects	3,800,000	3,800,000	3,800,000	0
State Parks Infrastructure Fund	29,001,000	123,271,000	123,271,000	0
Federal Capital Projects Fund	4,000,000	4,000,000	4,000,000	0
Fiduciary Funds - Misc Combined				
Expendable Trust Fund	10,000,000	25,000,000	25,000,000	0
Total for CAPITAL PROJECTS	46,801,000	156,071,000	156,071,000	0

LEGISLATIVE ACTION

The Legislature appropriates \$382,394,500 on an All Funds basis, a \$3,300,000 increase over the Executive's budget submission.

Legislative Changes

The Legislature provides an additional \$3,000,000 for various parks, recreation and historic preservation projects.

The Legislature provides a \$200,000 appropriation for federal park lands and forest grants.

The Legislature provides an additional \$100,000 to support the continued operations of Historic Homes.

Article VII

The Legislature accepts the elimination of the New York State Conservation Corps Advisory Council.

Legislative Additions

The Legislature provides funding for the following:

PROGRAM

NATURAL HERITAGE TRUST
FEDERAL USDA: FOREST SERVICE GRANTS
HISTORIC HOMES

APPROPRIATION

\$3,000,000
\$200,000
\$100,000

DEPARTMENT OF PUBLIC SERVICE

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
Special Revenue-Other	75,392,000	75,392,000	75,392,000	0
Special Revenue-Federal	3,500,000	3,500,000	3,500,000	0
Total for STATE OPERATIONS	78,892,000	78,892,000	78,892,000	0
AID TO LOCALITIES				
Special Revenue-Other	1,500,000	3,500,000	3,500,000	0
Total for AID TO LOCALITIES	1,500,000	3,500,000	3,500,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive's recommendation.

Article VII

The Legislature rejects the Executive proposal to prohibit the Public Service Commission and other state agencies from regulating rates or other terms of service related to Voice over Internet Protocol service.

STATE RACING AND WAGERING BOARD

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
Special Revenue-Other	22,250,000	21,684,700	21,684,700	0
Total for STATE OPERATIONS	22,250,000	21,684,700	21,684,700	0

LEGISLATIVE ACTION

The Legislature amends the Executive proposal to delay the implementation of the merger of the Racing and Wagering Board (Board) with the Division of the Lottery until October 1, 2012. The Board will have full appropriation authority until October 1, 2012, at which point all appropriations, encumbrances, liabilities and obligations will be transferred to the New York State Gaming Commission.

Article VII

The Legislature modifies the Executive's recommendation to merge the Division of Lottery with the Board and changes the effective date from May 1, 2012 to October 1, 2012.

The Legislature denies the Executive proposal to make uncashed pari-mutuel vouchers subject to escheatment to the Regulation of Racing Account.

The Legislature modifies the Executive proposal to transfer the responsibility of providing one starter and one judge from the Board to each licensed harness track by requiring each licensed facility to reimburse the Board for the costs associated with providing one starter and one judge at each track.

The Legislature authorizes all municipal Off Track Betting (OTB) facilities to enter into bankruptcy if the Board determines a municipal OTB is financially insolvent and the county or majority of participating counties in a municipal OTB region provides a resolution authorizing the municipal OTB to enter into bankruptcy.

The Legislature authorizes municipal OTB facilities to access its capital acquisition funds for general operating purposes if the fund balance is \$2,500,000 or less. A municipal OTB that chooses to use its capital acquisition funds for general operating purposes will have the one percent surcharge on bets used to fund capital acquisition temporarily suspended.

The Legislature also provides for the Board to conduct a study on out-of-state advanced deposit wagering and its impact on New York State horse racing and pari-mutuel handle and to report its recommendations to the Governor and Legislature by September 15, 2012.

DEPARTMENT OF STATE

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
General Fund	21,595,700	21,070,233	21,070,233	0
Special Revenue-Other	39,555,839	40,635,189	40,635,189	0
Special Revenue-Federal	7,950,000	7,995,406	7,995,406	0
Total for STATE OPERATIONS	69,101,539	69,700,828	69,700,828	0
AID TO LOCALITIES				
General Fund	3,338,000	3,338,000	7,945,000	4,607,000
Special Revenue-Other	539,000	539,000	539,000	0
Special Revenue-Federal	66,706,000	61,400,000	61,400,000	0
Total for AID TO LOCALITIES	70,583,000	65,277,000	69,884,000	4,607,000

LEGISLATIVE ACTION

The Legislature appropriates \$139,584,828 on an All Funds basis, an increase of \$4,607,000 over the Executive proposal.

Legislative Changes

The Legislature provides:

- \$4,000,000 for the Local Waterfront Revitalization program;
- \$505,000 to restore support for the Public Utilities Law Project (PULP); and
- \$102,000 for refugee services within the new Office of New Americans, whose operations and funding were transferred from the Office of Temporary and Disability Assistance, in conformance with the Executive request.

Article VII

The Legislature rejects the Executive proposal to:

- extend the licensing period for real estate brokers and security guards from two years to four years and to double the associated fee; and
- to eliminate the classification system for not-for-profit corporations and reform the Department of State's role in executing service of process.

Legislative Additions

The Legislature provides funding for the following:

PROGRAM	APPROPRIATION
LOCAL WATERFRONT REVITALIZATION PROGRAM	\$4,000,000
PUBLIC UTILITY LAW PROJECT (PULP)	\$505,000
OFFICE OF NEW AMERICANS (TANF) REFUGEE SERVICES	\$102,000

DEPARTMENT OF TAXATION AND FINANCE

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
General Fund	310,682,000	330,536,000	330,536,000	0
Special Revenue-Other	108,042,000	108,671,000	108,671,000	0
Special Revenue-Federal	2,500,000	2,500,000	2,500,000	0
Internal Service Fund	31,131,000	25,380,000	25,380,000	0
Total for STATE OPERATIONS	452,355,000	467,087,000	467,087,000	0
AID TO LOCALITIES				
General Fund	926,000	926,000	926,000	0
Total for AID TO LOCALITIES	926,000	926,000	926,000	0

LEGISLATIVE ACTION

The Legislature provides \$468,013,000 on an All Funds basis, representing no net change from the Executive.

Legislative Reductions

The Legislature reduces the Executive appropriation for Centralized Operations Support by \$50,000, Audit Collection and Enforcement by \$100,000, Revenue Processing and Reconciliation by \$50,000, and Technology and Information Services by \$50,000, and instead reprograms these funds to a new "New York State is Open for Business" program.

Legislative Changes

The Legislature includes the new Office of New York State is Open for Business to assist New York's businesses in tax matters, with an appropriation of \$250,000.

Legislative Additions

The Legislature provides funding for the following:

PROGRAM	APPROPRIATION
NEW YORK STATE IS OPEN FOR BUSINESS PROGRAM	\$250,000

DIVISION OF TAX APPEALS

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
General Fund	3,021,000	3,121,000	3,121,000	0
Total for STATE OPERATIONS	3,021,000	3,121,000	3,121,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive's recommendation.

NEW YORK STATE THRUWAY AUTHORITY

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	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's recommendation.

DEPARTMENT OF TRANSPORTATION

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
Special Revenue-Other	31,089,000	19,459,000	19,459,000	0
Special Revenue-Federal	16,315,000	16,315,000	16,315,000	0
Total for STATE OPERATIONS	47,404,000	35,774,000	35,774,000	0
AID TO LOCALITIES				
General Fund	97,550,900	97,550,900	97,550,900	0
Special Revenue-Other	4,081,984,000	4,331,332,800	4,331,332,800	0
Special Revenue-Federal	53,062,000	53,536,000	53,536,000	0
Total for AID TO LOCALITIES	4,232,596,900	4,482,419,700	4,482,419,700	0
CAPITAL PROJECTS				
Federal Capital Projects Fund	2,006,000,000	2,922,751,000	2,922,751,000	0
Dedicated Mass Transportation Trust Fund	66,471,000	37,000,000	37,000,000	0
Dedicated Highway and Bridge Trust Fund	1,845,958,000	2,052,458,000	2,053,458,000	1,000,000
NY Metro Transportation Account	18,148,000	17,896,000	17,896,000	0
Capital Projects Fund - Authority Bonds	0	15,000,000	15,000,000	0
Miscellaneous New York State Agency Fund	50,000,000	50,000,000	50,000,000	0
Regional Aviation Fund	0	3,000,000	3,000,000	0
Total for CAPITAL PROJECTS	3,986,577,000	5,098,105,000	5,099,105,000	1,000,000

LEGISLATIVE ACTION

The Legislature appropriates \$9,617,298,700 on an All Funds basis, an increase of \$1,000,000 from the Executive's budget submission.

Legislative Changes

- The Legislature develops a Memorandum of Understanding (MOU) for the State Fiscal Year (SFY) 2012-13 Department of Transportation (DOT) State Highway and Bridge Program, including reporting requirements. Additionally a two-year DOT capital program and financing plan will reflect increases of \$100,000,000 in 2013-14 and \$100,000,000 in 2014-15 above the level proposed for those years in the 2012-13 executive financial plan.
- The Legislature provides an additional \$1,000,000 to maintain the current schedule of bus inspections and to establish a risk-based bus inspection program.

- The Legislature denies appropriation language to authorize the Department of Transportation to incur costs on behalf of the Thruway Authority and its subsidiaries for activities undertaken pursuant to shared services agreements. This action has no fiscal impact.

Article VII

- The Legislature amends the Executive proposal that provides \$39,700,000 in Marchiselli funding and \$363,097,000 for the Consolidated Local Street and Highway Improvement Program (CHIPs) by making permanent the language to authorize the use of CHIPs funds on specified pavement resurfacing work types.
- The Legislature approves the Executive proposal that consolidates the Accident Damage Recovery Account into the Dedicated Highway and Bridge Trust Fund.
- The Legislature amends the Executive proposal relating to Department of Transportation bus inspections by continuing to require inspections every six months and by authorizing the Department to establish an additional risk-based inspection program.
- The Legislature amends the Executive proposal regarding the distribution of transmission tax revenue by approving the proposed distribution for one year.
- The Legislature amends the Executive proposal relating to safety, hours of service and hazardous material transportation requirements for commercial motor vehicles and carriers by preserving state exemptions for farm vehicles, utility service vehicles and tow trucks.

Legislative Additions

The Legislature provides funding for the following:

PROGRAM	APPROPRIATION
BUS INSPECTIONS	\$1,000,000

URBAN DEVELOPMENT CORPORATION

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
AID TO LOCALITIES				
General Fund	79,098,000	76,838,000	89,615,000	12,777,000
Total for AID TO LOCALITIES	79,098,000	76,838,000	89,615,000	12,777,000
CAPITAL PROJECTS				
Misc. Capital Projects	0	25,000,000	25,000,000	0
Capital Projects Fund - Authority Bonds	180,550,000	640,000,000	680,000,000	40,000,000
Total for CAPITAL PROJECTS	180,550,000	665,000,000	705,000,000	40,000,000

LEGISLATIVE ACTION

The Legislature appropriated \$794,615,000 on an All Funds basis, an increase of \$52,777,000 over the Executive's budget submission.

Legislative Changes

The Legislature provides \$150,000,000 for Regional Economic Development projects, a net increase of \$20,000,000.

The Legislature provides \$7,404,000 for the Urban and Community Development Program, an increase of \$4,000,000.

The Legislature provides:

- \$20,000,000 for the Economic Development Fund (EDF);
- \$5,000,000 for military base retention efforts;
- \$1,012,000 in restorations for the Institute for Nanoelectronics Discovery and Exploration (INDEX) at the College of Nanoscale Science and Engineering (CNSE) as independently established by a resolution of State University of New York (SUNY) Board of Trustees on November 18, 2008;
- \$1,000,000 in funding for the Center State Corporation for Economic Opportunity;
- \$600,000 for military base redevelopment efforts;
- \$365,000 in additional funding for the Minority and Women-Owned Business Lending Program for a total appropriation of \$1,000,000;

- \$350,000 for the Brooklyn Chamber of Commerce;
- \$200,000 for the Rochester Technology and Manufacturing Association;
- \$100,000 for the Adirondack North Country Association;
- \$100,000 for the Canisius Women’s Business Center; and
- \$50,000 for a redevelopment study at Belmont Park.

Article VII

The Legislature rejects the Executive proposal to deposit the proceeds from the sale of any property of the New York Convention Center Corporation (Javits Center) to the General Fund.

The Legislature amends the Executive proposal to permanently authorize the loan powers of the Empire State Development Corporation (ESDC) to instead extend such authorization for 15 months.

The Legislature amends the Executive proposal to make the EDF permanent, instead extending it for one year.

The Legislature rejects the Executive proposal to provide ESDC with general grant making powers.

Legislative Additions

The Legislature provides funding for the following:

PROGRAM	APPROPRIATION
EMPIRE STATE ECONOMIC DEVELOPMENT FUND	\$20,000,000
REGIONAL ECONOMIC DEVELOPMENT COUNCIL INITIATIVE	\$20,000,000
MILITARY BASE FUNDING	\$5,000,000
URBAN AND COMMUNITY DEVELOPMENT PROGRAM	\$4,000,000
CNSE INSTITUTE FOR NANOELECTRONICS DISCOVERY AND EXPLORATION (INDEX)	\$1,012,000
CENTER STATE CEO	\$1,000,000
MILITARY BASE REDEVELOPMENT	\$600,000
ADDITIONAL FUNDING FOR MINORITY- WOMEN-OWNED BUSINESS DEVELOPMENT AND LENDING PROGRAM	\$365,000
BROOKLYN CHAMBER OF COMMERCE	\$350,000
ROCHESTER TECHNOLOGY AND MANUFACTURING ASSOCIATION	\$200,000
ADIRONDACK NORTH COUNTRY ASSOCIATION	\$100,000
WOMEN'S BUSINESS CENTER AT CANISIUS COLLEGE	\$100,000
COMPREHENSIVE STUDY FOR THE REDEVELOPMENT OF BELMONT PARK	\$50,000

MISCELLANEOUS: TRANSPORTATION, ECONOMIC DEVELOPMENT & ENVIRONMENTAL CONSERVATION

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
General Fund	3,182,000	3,182,000	4,182,000	1,000,000
Total for STATE OPERATIONS	3,182,000	3,182,000	4,182,000	1,000,000
G'way Heritage Conserv for the Hudson Riv Valley				
General Fund	166,000	166,000	166,000	0
Total for Program	166,000	166,000	166,000	0
Hudson River Valley G'way Comm. Council				
General Fund	185,000	185,000	185,000	0
Total for Program	185,000	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
New York Works Task Force				
General Fund	0	0	1,000,000	1,000,000
Total for Program	0	0	1,000,000	1,000,000
AID TO LOCALITIES				
General Fund	136,000	136,000	136,000	0
Special Revenue-Other	2,195,300,000	2,240,000,000	2,240,000,000	0
Total for AID TO LOCALITIES	2,195,436,000	2,240,136,000	2,240,136,000	0
Dedicated Mass Transportation Trust Fund				
Special Revenue-Other	630,000,000	634,000,000	634,000,000	0
Total for Program	630,000,000	634,000,000	634,000,000	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	1,521,000,000	1,552,000,000	1,552,000,000	0
Total for Program	1,521,000,000	1,552,000,000	1,552,000,000	0
Tribal State Compact				
Special Revenue-Other	44,300,000	54,000,000	54,000,000	0
Total for Program	44,300,000	54,000,000	54,000,000	0

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
CAPITAL PROJECTS				
Capital Projects Fund - Authority Bonds	0	770,000,000	770,000,000	0
Total for CAPITAL PROJECTS	0	770,000,000	770,000,000	0
Metropolitan Transportation Authority				
Capital Projects Fund - Authority Bonds	0	770,000,000	770,000,000	0
Total for Program	0	770,000,000	770,000,000	0

LEGISLATIVE ACTION

Metropolitan Transportation Authority (MTA)

The Legislature concurs with the Executive proposal that provides a maximum of \$2,186,000,000 in contingent appropriations for MTA operations during State Fiscal Year (SFY) 2013-14, in the event that the SFY 2013-14 budget is not enacted in a timely manner.

Tribal State Revenue Compact

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

New York Works Task Force

The Legislature creates the New York Works Task Force to coordinate capital infrastructure plans across State agencies and authorities. The Task Force will be made up of fifteen members including two each from the majority Legislative leaders and one each from the minority Legislative leaders. The remaining nine members will be appointed by the Executive.

Article VII

The Legislature amends the Executive proposal that would increase the bond cap of MTA by \$7,000,000,000. The Legislature divides this bond cap increase equally over three years.

The Legislature approves the Executive proposal that directs the state to reimburse the MTA for costs associated with an E-ZPass toll rebate program for the Cross Bay Veterans Memorial Bridge.

The Legislature authorizes the establishment of the New York Works Task Force for the purpose of coordinating the capital plans of New York State agencies and authorities.

Legislative Additions

The Legislature provides funding for the following:

PROGRAM	APPROPRIATION
NEW YORK WORKS TASK FORCE	\$1,000,000

LEGISLATURE & JUDICIARY

By Agency

LEGISLATURE

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
General Fund	217,844,801	217,844,801	217,844,801	0
Special Revenue-Other	2,100,000	2,100,000	2,100,000	0
Total for STATE OPERATIONS	219,944,801	219,944,801	219,944,801	0

JUDICIARY

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
STATE OPERATIONS				
General Fund	2,280,331,988	2,299,023,539	2,299,023,539	0
Special Revenue-Other	134,367,811	128,465,758	128,465,758	0
Special Revenue-Federal	10,500,000	10,500,000	10,500,000	0
Total for STATE OPERATIONS	2,425,199,799	2,437,989,297	2,437,989,297	0
AID TO LOCALITIES				
General Fund	17,445,584	17,445,584	17,445,584	0
Special Revenue-Other	108,377,787	99,198,456	99,198,456	0
Total for AID TO LOCALITIES	125,823,371	116,644,040	116,644,040	0

LEGISLATIVE ACTION

The Legislature concurs with the Judiciary's recommendation.

DEBT SERVICE

By Agency

DEBT SERVICE

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	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	6,143,925,000	6,665,660,000	6,665,660,000	0
Capital Projects Fund - Other	960,250,000	960,300,000	960,300,000	0
Emergency	1,500,000,000	1,400,000,000	1,400,000,000	0
Total for DEBT SERVICE	8,879,675,000	9,301,460,000	9,301,460,000	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	500,000,000	500,000,000	0
Mental Health Services Fund				
Financing Agreements	353,000,000	348,000,000	348,000,000	0
General Debt Service Fund				
General Obligation Bonds	530,000,000	502,500,000	502,500,000	0
Financing Agreements	2,052,050,000	2,083,960,000	2,083,960,000	0
Revenue Bond Financing	2,408,350,000	2,661,900,000	2,661,900,000	0
Lease Purchase Payments	2,925,000	0	0	0
Housing Debt Fund				
General Obligation Bonds	15,500,000	12,500,000	12,500,000	0
Health Income Fund				
Financing Agreements	32,000,000	31,200,000	31,200,000	0
Financing Agreements	2,800,000	2,000,000	2,000,000	0

	Adjusted Appropriation 2011-12	Executive Request 2012-13	Legislative Appropriation 2012-13	Change
State University Dormitory Income Fund Financing Agreements	105,300,000	117,100,000	117,100,000	0
Local Government Assistance Tax Fund Financing Agreements	392,000,000	406,500,000	406,500,000	0
Capital Projects Fund - Other				
Dedicated Highway and Bridge Trust Fund Financing Agreements	960,250,000	960,300,000	960,300,000	0
Emergency				
All Funds Contingency Appropriation	1,500,000,000	1,400,000,000	1,400,000,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive's recommendation.

Article VII

The Legislature approves legislation proposed by the Executive relating to arbitrage earnings on the Mental Health Services bonds and transfers from the Hazardous Waste Remedial Fund. This legislation enables the state to reimburse the federal government any investment earnings in order to maintain an exemption from the federal income taxation on improvement revenue bonds.

The Legislature approves the legislation proposed by the Executive that would extend the authorization for the Dormitory Authority to issue personal income tax revenue bonds for mental health services facilities for one year.

The Legislature amends the Executive proposal that provides for the reimbursement of capital spending with bond proceeds.

The Legislature approves the legislation to authorize the deposit of interest subsidy payments received from the federal government in relation to Qualified School Construction Bonds (QSCBs) to the appropriate debt service fund.

The Legislature amends legislation proposed by the Executive from permanently authorizing the quarterly set aside of debt service payments to extending this authorization for two years only.

The Legislature has approved the following bond cap changes:

Bond Cap Changes			
<i>(thousands)</i>			
Program Name	Current Law	Increase / (Decrease)	12-13 Bond Cap
SUNY Educational Facilities	\$10,089,000	\$215,000	\$10,304,000
SUNY Upstate Community Colleges	\$536,000	\$87,000	\$623,000
Library Facilities	\$84,000	\$14,000	\$98,000
NY-SUNY 2020	\$80,000	\$30,000	\$110,000
Environmental Infrastructure Projects	\$915,747	\$203,013	\$1,118,760
Water Pollution Control (SRF)	\$665,000	\$35,000	\$700,000
Division of Military and Naval Affairs	\$21,000	\$3,000	\$24,000
Courthouse Improvements	\$85,900	(\$9,800)	\$76,100
Prison Facilities	\$6,490,469	\$326,400	\$6,816,869
Housing	\$2,636,499	\$104,200	\$2,740,699
2011-12 Economic Development Initiatives	\$180,550	\$530,000	\$710,550
MTA Transportation Facilities	\$0	\$770,000	\$770,000
Peace Bridge	\$0	\$15,000	\$15,000
Consolidated Highway Improvement Program (CHIPs)	\$6,695,169	\$410,853	\$7,106,022