

**SUMMARY OF RECOMMENDED CHANGES
TO THE
EXECUTIVE BUDGET
STATE FISCAL YEAR 2019-20**

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FINANCIAL PLAN

Financial Plan

On an All Funds basis, the SFY 2019-20 Enacted Budget is estimated to total \$175.4 billion, for an annual growth of 2.1 percent.

The SFY 2019-20 Enacted Budget projects State Operating Funds spending of \$102.2 billion, which is an increase of \$2.0 billion or 2.0 percent over SFY 2018-19. Total state spending (including Special Revenue Funds and Capital Projects) is projected to be \$113.8 billion for growth of \$2.6 billion or 2.4 percent over last fiscal year.

General Fund spending is projected at \$76.4 billion, a 3.9 percent increase over SFY 2018-19.

Settlements

Since SFY 2014-15 the state has received \$11.9 billion in monetary settlements related to violations of state laws and regulations. The SFY 2019-20 Enacted Budget allocates \$1.07 billion of previously unallocated funds.

Use of settlement funds remains unchanged from the Executive proposal, which included \$250 million for clean water infrastructure grants, \$336 million for SFY 2018-19 General Fund operating purposes, and a total of \$488 million in planned deposits into the Rainy Day Reserve in SFYs 2018-19 and 2019-20.

Contingency for Financial Plan Risk

The Enacted Budget includes language to authorize the Director of the Division of Budget to submit a plan to the Legislature to reduce certain Aid to Localities appropriations if the General Fund is anticipated to end SFY 2019-20 with an imbalance of \$500 million or more.

Upon receipt of the plan, the Legislature has would have 30 days to prepare its own corrective action plan to be adopted by concurrent resolution. If the Legislature does not act, the spending plan submitted by DOB would take effect automatically. This authorization expires on March 31, 2020.

Contingency for Federal Receipts

The Enacted Budget continues language to establish spending reduction plans related to a loss of federal aid. The plans are triggered by either an \$850 million reduction in Federal Medicaid participation and/or an \$850 million reduction in any other federal funding source, exclusive of Medicaid, in SFY 2019-20 or SFY 2020-21.

In the event that there is such a reduction, the Director of the Division of Budget shall submit a plan to the Legislature which specifies the amount reduced and itemizes the affected programs and appropriations to be reduced.

The Legislature would then have 90 days to prepare its own plan which must be adopted by a concurrent resolution. If the Legislature does not pass its own plan, the Division of Budget's plan will automatically go into effect.

**CASH FINANCIAL PLAN
GENERAL FUND
Estimated 30-Day Closeout 2018-19 vs Enacted Plan 2019-20
(millions of dollars)**

	<u>2018-19 Estimated Closeout</u>	<u>2019-20 Enacted Plan</u>	<u>% Change from 18-19 to 19-20</u>
Opening fund balance	9,445	6,545	(30.7%)
Receipts:			
Taxes			
Personal Income Tax	21,367	23,889	11.8%
User taxes and fees	7,709	8,176	6.1%
Business taxes	5,396	6,163	14.2%
Other taxes	1,074	1,093	1.8%
Miscellaneous Receipts	3,195	2,071	(35.2%)
Federal grants	0	0	0.0%
Transfers from other funds			
- PIT Revenue Bond	21,824	23,891	9.5%
- ECEP Revenue Bond	0	1	0.0%
- LGAC	3,132	3,496	11.6%
- Sales Tax	2,675	2,961	10.7%
- RETT	950	973	2.4%
- All other	3,336	2,664	(20.1%)
Total Receipts	70,658	75,378	6.7%
Disbursements:			
Grants to local governments	49,784	51,237	2.9%
State operations	11,544	11,813	2.3%
General State charges	7,383	7,672	3.9%
Transfers to other funds			
- Debt service	804	537	(33.2%)
- Capital projects	1,963	2,895	47.5%
- State Share Medicaid	0	0	0.0%
- SUNY Operations	1,020	1,174	15.1%
- Other purposes	1,060	1,097	3.5%
Total Disbursements	73,558	76,425	3.9%
Change in fund balance	(2,900)	(1,047)	
Closing fund balance	6,545	5,498	
Tax Stabilization Reserve Fund	1,258	1,258	
Rainy Day Fund	790	1,028	
Contingency Reserve Fund	21	21	
Community Projects Fund	33	7	
Reserved for Debt Management	500	500	
Reserved for Potential Labor Agreement	0	0	
Undesignated Fund Balance	0	0	
Settlement Funds	3,943	2,684	

**CASH FINANCIAL PLAN
STATE OPERATING FUNDS
Estimated 30-Day Closeout 2018-19 vs Enacted Plan 2019-20
(millions of dollars)**

	2018-19 Estimated Closeout	2019-20 Enacted Plan	% Change from 18-19 to 19-20
Opening fund balance	13,607	11,129	(18.2%)
Receipts:			
Taxes	73,555	79,683	8.3%
Miscellaneous receipts	22,987	20,079	(12.7%)
Federal grants	75	74	(1.3%)
Total Receipts	96,617	99,836	3.3%
Disbursements:			
Grants to local governments	66,338	68,093	2.6%
State operations	19,403	19,660	1.3%
General State charges	8,428	8,743	3.7%
Debt service	5,975	5,694	(4.7%)
Capital projects	0	0	0.0%
Total Disbursements	100,144	102,190	2.0%
Other financing sources (uses)			
Transfers from other funds	37,629	39,692	5.5%
Transfers to other funds	(36,580)	(39,471)	7.9%
Bond and note proceeds	0	0	
Net other financing sources (uses)	1,049	220	(79.0%)
Change in fund balance	(2,478)	(2,134)	
Closing fund balance	11,129	8,995	

**CASH FINANCIAL PLAN
STATE FUNDS
Estimated 30-Day Closeout 2018-19 vs Enacted Plan 2019-20
(millions of dollars)**

	2018-19 Estimated Closeout	2019-20 Enacted Plan	% Change from 18-19 to 19-20
Opening fund balance	13,039	11,034	(15.4%)
Receipts:			
Taxes	74,976	81,100	8.2%
Miscellaneous receipts	31,143	27,595	(11.4%)
Federal grants	80	79	(1.3%)
Total Receipts	106,199	108,774	2.4%
Disbursements:			
Grants to local governments	70,689	72,647	2.8%
State operations	19,403	19,660	1.3%
General State charges	8,428	8,743	3.7%
Debt service	5,975	5,694	(4.7%)
Capital projects	6,712	7,086	5.6%
Total Disbursements	111,207	113,830	2.4%
Other financing sources (uses)			
Transfers from other funds	40,319	43,304	7.4%
Transfers to other funds	(37,925)	(41,045)	8.2%
Bond and note proceeds	609	604	(0.8%)
Net other financing sources (uses)	3,003	2,862	(4.7%)
Change in fund balance	(2,005)	(2,194)	
Closing fund balance	11,034	8,840	

**CASH FINANCIAL PLAN
ALL FUNDS
Estimated 30-Day Closeout 2018-19 vs Enacted Plan 2019-20
(millions of dollars)**

	2018-19 Estimated Closeout	2019-20 Enacted Plan	% Change from 18-19 to 19-20
Opening fund balance	12,749	10,678	(16.2%)
Receipts:			
Taxes	74,976	81,100	8.2%
Miscellaneous receipts	31,345	27,797	(11.3%)
Federal grants	62,879	63,772	1.4%
Total Receipts	169,200	172,669	2.1%
Disbursements:			
Grants to local governments	127,473	130,710	2.5%
State operations	21,475	21,718	1.1%
General State charges	8,781	9,087	3.5%
Debt service	5,975	5,694	(4.7%)
Capital projects	8,027	8,181	1.9%
Total Disbursements	171,731	175,390	2.1%
Other financing sources (uses)			
Transfers from other funds	39,951	42,921	7.4%
Transfers to other funds	(40,100)	(43,054)	7.4%
Bond and note proceeds	609	604	(0.8%)
Net other financing sources (uses)	460	470	2.2%
Change in fund balance	(2,071)	(2,251)	
Closing fund balance	10,678	8,427	

Revenue Actions

The Enacted Budget includes the following actions on revenue:

- **Part A - Extend Electronic Filing and Payment Mandate:** The Legislature modifies the Executive proposal to consolidate electronic filing and payment mandates into a uniform threshold filing requirement, to extend these provisions for five years instead of permanently.
- **Part B - Expand the Employee Training Incentive Program (ETIP) Credit:** The Legislature accepts the Executive proposal to extend the current ETIP credit for New York businesses by including in-house training, software development and renewable or clean energy internships as part of eligible training activities.
- **Part C - Sourcing Rule for Global Intangible Low Tax Income (GILTI) Apportionment:** The Legislature accepts the Executive proposal to codify a receipts factor rule for the net amount of GILTI included in business tax income. This action is related to recent federal tax law changes.
- **Part D - Decouple from Federal Definitions Related to the New York Manufacturing Test:** The Legislature accepts the Executive proposal to decouple New York State law from the federal standard for determining the basis of property a manufacturer has in the state. This calculation is used to determine if a manufacturer is eligible for the state's zero percent manufacturing tax rate.
- **Part E - Extend the Workers with Disabilities Tax Credit:** The Legislature accepts the Executive proposal to extend the expiration date for corporate and personal income tax credits for those employing individuals with developmental disabilities from January 1, 2020 until January 1, 2023.
- **Part F - Gift Addback Rule and Qualified Terminable Interest Property (QTIP) Trust:** The Legislature modifies the Executive proposal to subject gifts made within three years of death to state taxation, to modify the effective date, so these provisions are effective on and after January 16, 2019 (the first day following the introduction of the Executive Budget). The Legislature also accepts the proposal that would require a New York State QTIP election be made on state estate tax returns, to ensure these assets are included in the gross estate.
- **Part G - Sales Tax on Marketplace Providers:** The Legislature modifies the Executive proposal to require marketplace providers to collect sales tax on taxable sales of tangible personal property that they facilitate, to allow for relief from liability if a marketplace provider received incorrect or insufficient information from a seller, and to

clarify that the existing minimum sales and transaction limits continue to apply to out of state marketplace providers. The Legislature also includes language dedicating a portion of sales tax collections to support the Metropolitan Transportation Authority (MTA), including \$170 million on an annualized basis from New York City's local sales tax collections and \$150 million on an annualized basis from the state's sales tax collections. These dedicated amounts would increase annually by one percent in SFY 2020-21 and in each year thereafter.

- **Part H - Discontinue the Energy Services Sales Tax Exemption:** The Legislature accepts the Executive proposal to eliminate the sales tax exemption on the non-residential transmission and distribution of gas and electricity when purchased from an energy service company (ESCO).
- **Part I - Modify Equalization Rate Apportionment:** The Legislature accepts the Executive proposal to provide school districts the option to apportion school taxes using average property values over a three or five year period; allow the Department of Taxation and Finance to certify the local level of assessment as the final equalization rate; and clarify that an assessor must notify local officials when the tentative equalization rate differs from the level of assessment by five percent or more.
- **Part J - Modify Property Tax Administration:** The Legislature amends the Executive proposal to modify property tax administration, to:
 - remove the proposal that would have allowed local governments to provide real property tax assessment relief when a state disaster emergency is declared by the Governor without further legislative action;
 - accept the proposal to allow a county, upon agreement with an included municipality, to appoint the members of the municipality's board of assessment review;
 - accept the proposal to allow the Tax Department to approve assessor and county director training courses for credit without requiring the state to pay for the expenses of attendees;
 - accept the proposal to allow the Tax Department to send certain statutory notices to assessors by email and/or website posting;
 - accept the proposal to change the valuation date and taxable status dates for special franchise properties from July 1 to January 1; and
 - modify the proposal to require electric generating facilities to annually report inventory, revenue, and expense data to the Tax Department to allow for graduated penalties.

- **Part K - Technical Change to the Repeal of the Tax Freeze Credit Program:** The Legislature accepts the Executive proposal to repeal certain tax cap compliance reporting requirements that remained after the tax freeze credit statutes were repealed in 2018.
- **Part L - Create the New York State Employer-Provided Child Care Credit:** The Legislature makes technical changes to the Executive proposal to establish a new state tax credit equal to 100 percent of the federal credit for employers who provide child and dependent care facilities to their employees.
- **Part M - Include Certain Gambling Winnings in Nonresident Income:** The Legislature accepts the Executive proposal to impose the personal income tax on nonresidents' gambling winnings in excess of \$5,000 from New York casinos and racetracks, and require withholding on such winnings in instances when such winnings would otherwise be subject to federal tax withholding.
- **Part N - Modify the Farm Workforce Retention Credit:** The Legislature accepts the Executive proposal to expand the farm workforce retention credit to include the types of farming activities that are currently eligible for the farmer school tax credit, such as cider production and Christmas tree farming. The Legislature also accepts the Executive proposal to authorize the credit for farm cideries and farm wineries.
- **Part O - Tax Shelter and Tax Preparer Penalties:** The Legislature modifies the Executive proposal to make the current tax shelter reporting and penalty provisions permanent, to instead extend these provisions for five years. The Legislature accepts the Executive proposal to modify the penalties for tax preparers who do not sign returns or who take unreasonable positions on returns, and allow penalties to be imposed on unregistered tax preparers.
- **Part P - Extend Higher Income Personal Income Tax (PIT) Rates:** The Legislature accepts the Executive proposal to extend the current 8.82 percent PIT rate for individuals in the top tax bracket for an additional five years.
- **Part Q - Extend Personal Income Tax Limitation on Charitable Contributions:** The Legislature accepts the Executive proposal to extend the personal income tax limitation on charitable contribution deductions for taxpayers with incomes above \$10 million, for five years, through taxable year 2024.
- **Part R - Extend the Clean Heating Fuel Credit:** The Legislature accepts the Executive proposal to extend the current clean heating fuel credit until January 1, 2023, allowing taxpayers to claim a personal income tax credit for purchasing bioheating fuel for residential purposes.

- **Part S - Extend Delinquent Sales Tax Vendors Management:** The Legislature modifies the Executive proposal to make certain provisions concerning the segregated sales tax account program permanent, to instead extend these provisions for five years.
- **Part T - License Fees on Certain Co-Ops:** The Legislature accepts the Executive proposal to eliminate a \$10 annual fee paid by cooperative corporations and rural electric cooperatives.
- **Part U - Expand the Historic Rehabilitation Credit:** The Legislature modifies the Executive proposal to expand the Historic Rehabilitation Credit, accepting the proposal to allow the credit for rehabilitation of historic properties to be claimed for qualified rehabilitation projects undertaken within a state park, state historic site, or other land owned by the state and including new language to further expand the credit to cities with poverty rates over 15 percent.
- **Part V - Extend Dodd-Frank Protection Act Related Sales Tax Exemptions:** The Legislature accepts the Executive proposal to extend for two years the sales tax exemption provided to financial institutions that are required under federal law to create subsidiaries and then transfer the property or services to those subsidiaries without the transfer being considered a taxable sale.
- **Part W - Employer Recovery Hiring Tax Credit:** The Legislature modifies the Executive proposal to create a new credit for employers for the hiring of persons in recovery from a substance abuse disorder, to ensure patient confidentiality, protect employees that relapse, and make other technical changes.
- **Part X - Exclude Government Grants from State Corporate Taxation:** The Legislature accepts the Executive proposal to decouple New York State from the federal requirement that contributions made by a governmental entity or civic group to the capital fund of a corporation be included in the state's definition of taxable net income.
- **Part Y - Intentionally omitted.**
- **Part Z - Technical Corrections:** The Legislature modifies the Executive proposal to make a variety of technical corrections to provisions of the Tax Law and the New York City Administrative Code, to remove certain provisions related to the New York City Administrative Code.

- **Part AA – Allow an Exemption for Qualified Energy Systems:** The Legislature modifies the Executive proposal to exempt specified energy systems from local taxation, special ad valorem levies, and special assessments if they are located on land owned or controlled by the state and the owner of such system has a contract to sell energy to the state to make such exemptions optional for localities instead of mandatory.
- **Part BB - Gaming Commission Employment Restrictions:** The Legislature modifies the Executive proposal to allow a waiver from the Gaming Commission hiring restrictions for individuals who have received an occupational license from the Commission in the three years prior to appointment, to limit these waivers to positions that are primarily located on racetrack grounds.
- **Part CC – Intentionally omitted.**
- **Part DD - Technical Changes to Gaming Provisions:** The Legislature modifies the Executive proposal to amend Racing and Wagering provisions by:
 - removing provisions that would clarify the role of the Gaming Inspector General to indicate jurisdiction over all gaming activity in the state and the Gaming Commission;
 - modifying provisions that would expand those eligible for appointment to the board of directors of the New York State Thoroughbred Breeding and Development Fund, to include New York State residents who have experience or knowledge of the thoroughbred breeding industry;
 - modifying provisions that would change the funding and board member structure of Cornell University’s Harry M. Zweig Memorial Fund for Equine Research, to remove provisions authorizing the state to provide for the defense and indemnification of board members and accepting provisions that would authorize the Fund to accept certain conditional gifts, grants, or bequests; and
 - modifying provisions that would modify lottery revenue distributions for education and administrative allowances, to codify payments to education from the proceeds of lottery games, increase the percentage of total sales which are directed to education for certain instant cash games, and establish a \$60 million annual cap on the use of the Lottery Lapsed Prize Account for supplemental prizes and promotions, with the balance of any excess funds being diverted to education.

- **Part EE - Simplify Video Lottery Gaming (VLG) Rates and Eliminate Additional Commission Provisions:** The Legislature modifies the Executive proposal to increase the vendor fee for VLG facilities and reconfigure capital awards distribution and the marketable allowance structure as part of the larger vendor fee, to modify the proposed rate and fee structure.
- **Part FF - Impose a Statutory Cap on Casino Free Play:** The Legislature modifies the Executive’s proposal to institute a cap on free play credits available for a commercial casino to offer to their patrons at 19 percent until SFY 2022-23, and 15 percent thereafter.
- **Part GG - Modify Off-Track Betting (OTB):** The Legislature modifies the Executive’s proposed OTB changes to:
 - accept the proposal requiring quarterly meetings of regional OTB facilities’ Boards of Directors, and provide the Boards with additional oversight and financial planning responsibilities;
 - remove language authorizing OTB facilities to enter into contractual agreements with other regions to combine racing operations; and
 - modify language allowing any OTB facility to offer demonstration projects at any commercial casino, to authorize a demonstration project solely in Schenectady County.
- **Part HH - Extend Certain Tax Rates and Simulcasting Provisions:** The Legislature modifies the Executive proposal to extend the current pari-mutuel tax rate structure and other racing-related provisions for one year, instead of the proposed five year extension.
- **Part II – Intentionally omitted.**
- **Part JJ - Equine Drug Testing:** The Legislature modifies the Executive proposal to accept the Executive’s proposal to extend the Advisory Committee on Equine Drug Testing until December 1st, 2019, and modify the Executive proposal to allow the equine testing lab to be located at any qualified state college or land grant university within the state, rather than at a specified state school.
- **Part KK – Intentionally omitted.**

- **Part LL - Cap Annual Growth of STAR Exemption Benefits:** The Legislature accepts the Executive proposal to reduce the allowable annual growth of the STAR exemption, from the current cap of two percent to zero percent, thereby holding SFY 2019-20 and all future STAR exemption benefits at SFY 2018-19 levels. The benefit under the STAR credit program would continue to reflect an annual growth factor of up to two percent.
- **Part MM - Disclosure of Information on Cooperative Housing Corporation Information Returns:** The Legislature accepts the Executive proposal to allow the Department of Taxation and Finance to share certain information reported by cooperative housing corporations with local assessors for real property tax administration purposes.
- **Part NN - New York City Enhanced Real Property Tax Circuit Breaker Credit:** The Legislature accepts the Executive proposal to make a technical amendment to clarify the calculation of the Enhanced Real Property Tax Circuit Breaker Credit applicable to New York City.
- **Part OO - Require Mobile Home Park Reporting:** The Legislature modifies the Executive proposal to require manufactured home park owners to submit quarterly registration statements electronically to the Department of Taxation and Finance, to ensure that the Division of Housing and Community Renewal would continue to have oversight authority over such housing.
- **Part PP - STAR Oversight and Enforcement:** The Legislature modifies the Executive proposal to advance a variety of proposals to improve STAR program oversight and enforcement, including authorizing the Tax Department to review residency and age eligibility; extending current penalties for fraudulent activity to the STAR credit program; and allowing for recoupment if a recipient receives both a STAR exemption and a STAR credit. Specifically, the Legislature modifies the proposal to require that any penalties for fraudulent activities be implemented prospectively.
- **Part QQ - Disclosure of STAR-Related Information to Assessors:** The Legislature modifies the Executive proposal to allow the Commissioner of Taxation and Finance to disclose certain STAR-related information to local assessors to assist with eligibility determinations, to remove language allowing such information to be used to disqualify current STAR recipient.
- **Part RR - Lower Basic STAR Exemption Income Limit to \$250,000:** The Legislature accepts the Executive proposal to lower the income limit for the Basic STAR exemption from \$500,000 to \$250,000, beginning with the 2019-20 school year. For purposes of the STAR credit program, the current \$500,000 income limit would remain.

- **Part SS - Clarify STAR Check Tax Bill Notices:** The Legislature accepts the Executive proposal to modify the notice that appears on the school tax bills of recipients of the STAR credit program, to clarify the timing of payments under the program.
- **Part TT - Improve the STAR Administrative Process:** The Legislature accepts the Executive proposal to establish a good cause restoration process for late initial Enhanced STAR applications, and to eliminate the \$500 renunciation fee if the renunciation occurs before the levy of school taxes or a person voluntarily enrolls in the STAR credit program.
- **Part UU - Comprehensive Tobacco Policy:** The Legislature modifies the Executive proposal to establish a comprehensive tobacco control policy, and would instead advance similar provisions outside of the budget process. Specifically, the Legislature does not include legislation to provide for the following:
 - raise the minimum age to purchase tobacco products from 18 to 21;
 - prohibit the sale of tobacco products in all pharmacies;
 - prohibit the acceptance of price reduction instruments for both tobacco products and e-cigarettes;
 - prohibit the display of tobacco products or e-cigarettes in stores except under specific circumstances;
 - allow the Department of Health to prohibit or restrict the sale or distribution of e-cigarettes or vapor products that have a flavor intended to appeal to minors;
 - prohibit smoking inside and on the grounds of all hospitals licensed or operated by the Office of Mental Health;
 - require that e-cigarettes be sold only through licensed dealers; and

The Legislature accepts language to impose a 20 percent tax on the retail sale of vapor products.

- **Part VV – Intentionally omitted.**
- **Part WW Auto Rental Surcharge:** The Legislature modifies the Executive proposal to expand the current five percent special supplemental auto rental surcharge from the Metropolitan Commuter Transportation District (MCTD) to the remainder of the state, to accelerate the effective date from September 1, 2019, to June 1, 2019; increase the proposed supplemental upstate auto rental tax from 5 percent to 6 percent; and similarly increase the MCTD surcharge from 5 percent to 6 percent.

- **Part XX - Opioid Excise Tax:** The Legislature modifies the Executive proposal to establish a new excise tax on the sale of opioids in the State, to remove language that would require the tax to be passed on to consumers and to exclude hospice providers and providers authorized by the Office of Alcoholism and Substance Abuse Services from the tax.
- **Part YY - Employer Compensation Expense Program:** The Legislature includes language that makes technical corrections to the Employer Compensation Expense Program, which was enacted as part of the SFY 2018-19 budget.
- **Part ZZ - New York Jockey Injury Compensation Fund:** The Legislature includes language that would allow the New York Thoroughbred Horsemen's Association to utilize up to \$2 million from the unpaid purse cushion account through 2019 to help offset the premium increase for the New York Jockey Injury Compensation Fund.
- **Part AAA - Commercial Production Tax Credit:** The Legislature includes language to modify the Commercial Production Tax Credit, to increase the downstate allocation from \$3 million to \$4 million; increase the downstate credit percentage from 5 percent to 20 percent; increase the upstate percentage from 5 percent to 30 percent; and expand the length of the commercials that are eligible for the credit.
- **Part BBB - Decoupling of Trust Income Deductions from Federal Law Changes:** The Legislature includes language to decouple the state tax treatment of trust income from federal limitations enacted under the Tax Cuts and Jobs Act.
- **Part CCC - Vending Machine Sales Tax Exemption:** The Legislature includes language to exempt purchases of food or drink from a vending machine costing \$2 or less from sales tax when purchased from a machine that can perform cashless transactions; exempt bottled water sold from a vending machine from sales tax; and sunset the exemption on purchases from vending machines on May 31, 2021.
- **Part DDD – Merchant Sales Tax Payments:** The Legislature includes language to authorize merchants to pay sales tax on behalf of customers.
- **Part EEE - License Suspensions:** The Legislature includes language to establish a process for a taxpayer to challenge a license suspension that results from unpaid taxes, based upon a demonstration of financial hardship or that they are recipients of Public Assistance or Supplemental Security Income.
- **Part FFF - Monument Sales Tax Exemption:** The Legislature includes language to establish a sales tax exemption for certain materials used in the construction of monuments.

- **Part NNN – Real Property Tax Cap:** The Legislature accepts the Executive proposal to permanently extend the real property tax cap.
- **Part OOO – Supplemental Real Estate Transfer Tax (RETT):** The Legislature includes language to establish two additional RETT provisions on transfers occurring in New York City, with revenues dedicated to support the MTA, including an:
 - expansion of the existing transfer tax, to implement a progressive rate structure which would range from 1.25 percent on transfers valued at \$2 million to 3.9 percent on sales valued over \$25 million; and
 - additional 0.25 percent RETT on residential transaction valued over \$3 million and commercial transactions valued over \$2 million.
- **Part PPP - Aid and Incentives for Municipalities (AIM):** The Legislature includes language to restore the proposed reductions in AIM funding for certain towns and villages, which would be funded through an intercept of county sales tax distributions.
- **Part SSS - Empire State Film Production Credit:** The Legislature includes language to extend the Empire State Film Production Credit for two additional years to 2024.
- **PPGG Part J - Nassau County Residential Reassessment Exemption:** The Legislature accepts the Executive proposal to provide Nassau County with the local option to phase-in over a five-year period the effects of any assessment increases on class one properties that will be reflected on the upcoming 2020-21 assessment roll.

Executive Tax Revenue Proposals Not Included

- **Part Y - Carried Interest Loophole:** The Legislature does not include the Executive proposal to close the carried interest tax loophole and tax the carried interest income of hedge fund and private equity investors as ordinary income.
- **Part CC - Retired Racehorse Aftercare:** The Legislature does not include the Executive proposal to permit breeding funds to support and promote the ongoing aftercare of retired racehorses.
- **Part II - Mid-Atlantic Drug Compact:** The Legislature does not include the Executive proposal to authorize the Gaming Commission to enter into the Mid-Atlantic Drug Compact.

- **Part KK - Occupational Licensing for Casino Employees:** The Legislature does not include the Executive proposal to remove the automatic employment bar on felony convictions and reduce background investigations for non-key casino employees and vendors, unless a more in-depth investigation is warranted.
- **Part VV – Cannabis Regulation and Taxation Act:** The Legislature does not include the Executive proposal to provide for the regulation of hemp-derived cannabis products, expand the existing medical cannabis program, and provide for the regulation of cannabis and cannabis products for adult-use.

Fiscal Impact - Enacted Revenue Proposals
(\$ in Millions)

Part	Proposal	FY 2020	FY 2021	FY 2022	FY 2023
Admin	Increase Tax Return Audit Staff (110 FTE - \$8.2 million)	12	120	120	120
A	Extend e-File Mandates	-	-	-	-
B	Expand the Employee Training Incentive Program (ETIP) Credit	-	-	-	-
C	Implement Sourcing Rule for GILTI	-	-	-	-
D	Decouple from Federal Basis for New York State Manufacturing Test	-	-	-	-
E	Extend Workers with Disability Credit for Three Years	-	(4)	(4)	(4)
F	Extend Three-Year Gift Addback Rule & Require Binding QTIP Election	-	-	-	-
G	Apply Sales Tax to Marketplace Providers	177	261	261	261
H	Discontinue the Energy Services (ESCO) Sales Tax Exemption	96	128	128	128
I	Equalization Rates - Allow School Tax Apportionment over 3 or 5 years	-	-	-	-
J	Improve Real Property Tax Administration	-	-	-	-
K	Eliminate Unnecessary Property Tax Freeze Program Language	-	-	-	-
L	Create the New York State Employer-Provided Child Care Credit	-	-	(1)	(1)
M	Include Certain Gambling Winnings in Nonresident NYS Income	-	1	1	1
N	Expand the Farm Workforce Retention Credit	-	-	-	-
O	Tax Shelter Reporting and Preparer Penalties	14	18	18	18
P	Extend Personal Income Tax Rates for Five Years	771	3,560	4,707	5,057
Q	Extend Personal Income Tax Limitation on Charitable Contributions	-	86	175	180
R	Extend Clean Heating Fuel Credit for Three Years	-	-	(6)	(6)
S	Extend Authorization to Manage Delinquent Sales Tax Vendors	-	-	-	-
T	Repeal License Fees on Certain Electric Co-Ops	-	-	-	-
U	Expand the Historic Rehabilitation Credit	-	(1)	(1)	(1)
V	Extend Sales Tax Exemption Related to the Dodd-Frank Protection Act	-	-	-	-
W	Create the Employer Recovery Hiring Tax Credit	-	-	(2)	(2)
X	Decouple the Taxability of State Grants from Federal Law	-	-	-	-
Z	Make Various Technical Corrections to the Tax Law	-	-	-	-
AA	RPT Exemption for Qualified Energy Systems on State Land	-	-	-	-
BB	Modify Gaming Commission Employment Restrictions	-	-	-	-
DD	Make Technical Changes to Gaming Provisions	30	30	30	30
EE	Modify Video Lottery Gaming (VLG) Rate and Additional Commission	5	5	5	5
FF	Impose a Statutory Cap on Casino Free Play	-	-	6	-
GG	Off Track Betting (OTB) Proposals	-	-	-	-
HH	Extend Certain Tax Rates and Certain Simulcast Provisions	-	-	-	-
JJ	Modify Equine Drug Testing Provisions	-	-	-	-
LL	Cap Annual Growth in STAR Exemption Benefits at Zero Percent	(60)	(119)	(175)	(238)
MM	Allow Disclosure of Certain Information on Co-Op Returns	-	-	-	-
NN	Align New York City Enhanced Circuit Breaker Expiration Dates	-	-	-	-
OO	Modify Mobile Home Park Reporting	-	-	-	-
QQ	Disclosure of STAR-related Information to Assessors	-	-	-	-
RR	Lower Basic STAR Exemption Income Eligibility (\$500k to \$250k)	(125)	(122)	(119)	(116)
SS	Clarify STAR Check Tax Bill Notices	-	-	-	-
TT	Improve STAR Administrative Process	-	-	-	-
UU	Vapor Products Surcharge	2	19	19	19
WW	Expand the Supplemental Auto Rental Tax Surcharge	27	36	36	36
XX	Establish an Opioid Excise Tax	66	100	100	100
YY	Employer Compensation Expense Tax	-	-	-	-
ZZ	New York Jockey Injury Compensation Fund	-	-	-	-
AAA	Commercial Production Tax Credit	-	-	-	-
BBB	Federal Estate/Trust Decoupling	-	-	-	-
CCC	Vending Machine Sales Tax Exemption	-	-	2	3
DDD	Merchant Promotional Sales Tax Payments	-	-	-	-
EEE	Drivers License Suspension Exception	-	-	-	-
FFF	Monument Sales Tax Exemption	-	-	-	-
NNN	Permanent Real Property Tax Cap	-	-	-	-
OOO	Additional Real Estate Transfer Tax	243	378	387	401
PPP	AIM/Sales Tax Intercept	-	-	-	-
SSS	Film Credit Extender	-	-	-	-
ZZZ	Congestion Pricing Credit	-	-	-	(20)
Total Fiscal Impact		1,258	4,496	5,687	5,971

PUBLIC PROTECTION & GENERAL GOVERNMENT

By Agency

Recommended Changes to the Executive Budget Division of Alcoholic Beverage Control

The Legislature provides an All Funds appropriation of \$13.31 million.

State Operations

- The Legislature denies a new \$35.36 million for the Office of Cannabis Management as legislation to legalize and regulate the adult use of marijuana was not included in the enacted budget.

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

Recommended Changes to the Executive Budget Department of Audit and Control

The Legislature provides an All Funds appropriation of \$366.7 million, an increase of \$4 million over the Executive proposal.

State Operations

- The Legislature includes a \$4 million increase in fiduciary fund support for the Retirement Services Program.
- The Legislature does not include the appropriation language related to the pre-audit of contracts entered into by State University of New York (SUNY) or City University of New York (CUNY), the SUNY or CUNY Construction Fund, or the Office of General Services.

Aid to Localities

- The Legislature accepts the Executive proposal and recommends no changes.

Capital Projects

- The Legislature accepts the Executive proposal and recommends no changes.

Article VII

- Not applicable.

Recommended Changes to the Executive Budget Division of the Budget

The Legislature provides an All Funds appropriation of \$49.72 million, an increase of \$537,000 over the Executive proposal.

State Operations

- The Legislature restores \$537,000 for the following programs, which were eliminated in the Executive proposal:
 - \$479,000 for the Council of State Governments;
 - \$48,000 for the National Conference of State Legislators; and
 - \$10,000 for the National Conference of Insurance Legislators.

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

Recommended Changes to the Executive Budget Department of Civil Service

The Legislature provides an All Funds appropriation of \$58.7 million.

State Operations

- The Legislature accepts the Executive proposal and recommends no changes.

Aid to Localities

- The Legislature accepts the Executive proposal and recommends no changes.

Capital Projects

- The Legislature accepts the Executive proposal and recommends no changes.

Article VII

- The Legislature accepts an Executive proposal to prohibit the disclosure of the personal information of a public employee unless it relates to union enrollment and employee organization representation, or if compelled by court order or subpoena.
- The Legislature accepts an Executive proposal to extend the Civil Service provisions related to binding arbitration and fiscally eligible municipalities for five years.
- The Legislature accepts an Executive proposal to extend provisions relating to binding arbitration for labor disputes between the Metropolitan Transportation Authority (MTA) and its recognized labor representatives for two years.
- The Legislature provides a complete defense for public employers, employee organizations, and any of their employees or agents to claims relating to agency shop fee deductions.
- The Legislature does not include an Executive proposal that would authorize the New York State Department of Civil Service or a local municipal commission to establish continuous eligible lists for competitive examinations.

- **The Legislature does not include an Executive proposal that would have eliminated the requirement that promotional examinations for employees in the non-competitive and labor class be held in conjunction with open-competitive examinations.**
- **The Legislature does not include an Executive proposal that would have prohibited reductions in an existing public employee's salary when such employee is transferred to another position.**

Recommended Changes to the Executive Budget Department of Corrections and Community Supervision

The Legislature provides an All Funds appropriation of \$3.38 billion, an increase of \$180,000 over the Executive proposal.

State Operations

- The Legislature accepts the Executive proposal and recommends no changes.

Aid to Localities

- The Legislature provides \$180,000 for the Osborne Association's **Buffalo Family Works Program**.

Capital Projects

- The Legislature accepts the Executive proposal and recommends no changes.

Article VII

- The Legislature modifies an Executive proposal to expand eligibility for shock incarceration to persons convicted of robbery in the 2nd degree and burglary in the 2nd degree to authorize the Department of Corrections and Community Supervision (DOCCS), in addition to the court, to enroll persons convicted of such crimes in the shock incarceration program.
- The Legislature includes various re-entry proposals including:
 - removal of certain mandatory bars to employment and licensing;
 - repeal of the mandatory suspension of a driver's license for a drug offense conviction;
 - limitation of disclosure of booking photographs;
 - removal of inaccurate information from criminal history reports; and
 - expansion of protections against discrimination for cases adjourned in contemplation of dismissal.
- The Legislature modifies an Executive proposal to provide for the closure of up to three prisons by extending the public notice period from 60 days to 90 days.

Recommended Changes to the Executive Budget State Commission of Correction

The Legislature provides an All Funds appropriation of \$2.955 million.

State Operations

- **The Legislature accepts the Executive proposal and recommends no changes.**

Aid to Localities

- **Not applicable.**

Capital Projects

- **Not applicable.**

Article VII

- **Not applicable.**

Recommended Changes to the Executive Budget Division of Criminal Justice Services (DCJS)

The Legislature provides an All Funds appropriation of \$295.37 million, an increase of \$19.72 million over the Executive proposal.

State Operations

- **The Legislature accepts the Executive proposal and recommends no changes.**

Aid to Localities

- **The Legislature provides \$10 million for state and local crime reduction and youth justice and gang prevention programs, including \$1 million for programs on Long Island and \$1.5 million for gun violence street outreach in New York City.**
- **In addition to the Executive's proposed \$4.82 million appropriation for SNUG programs, the Legislature provides additional funding for regional Cure Violence New York (SNUG) programs, including:**
 - **\$470,000 for SNUG programs in Queens County;**
 - **\$350,000 for Cure Violence (SNUG) Staten Island;**
 - **\$250,000 for Jewish Community Council of Greater Coney Island Inc. - SNUG for Brooklyn;**
 - **\$200,000 for SNUG programs in Kings County; and**
 - **\$100,000 for SNUG Wyandanch.**
- **The Legislature provides \$3.3 million for Prisoners' Legal Services, of which \$200,000 is specified for the operations of an office in Newburgh. This is an increase of \$1.1 million over the Executive proposal.**
- **The Legislature restores funding for the New York State Defenders Association at \$2.09 million, an increase of \$1.06 million over the Executive proposal.**
- **The Legislature provides \$609,000 for domestic violence related to civil and criminal legal services providers.**
- **The Legislature restores \$2.24 million to support the Westchester County Policing Program.**

- **The Legislature restores \$600,000 in support of immigrant legal services:**
 - **\$150,000 for Albany Law School - Immigration Clinic;**
 - **\$150,000 for Legal Aid Society - Immigration Law Unit;**
 - **\$150,000 for Legal Services NYC - DREAM Clinics; and**
 - **\$150,000 for Haitian-Americans United for Progress Inc.**

- **The Legislature restores a legislative share of the Federal Edward Byrne/Justice Assistance Grants at \$600,000.**

- **The Legislature restores \$147,000 in support for rape crisis centers.**

- **The Legislature provides \$4.38 million in Legal Services Assistance Fund (LSAF) support as follows:**
 - **\$2.83 million for civil and criminal legal service grants;**
 - **\$950,000 for domestic violence and veterans legal services; and**
 - **\$600,000 for the indigent parolee program.**

- **The Legislature also provides General Fund support of the following programs:**
 - **\$400,000 for Neighborhood Legal Services;**
 - **\$350,000 for New York County Defender Services;**
 - **\$250,000 for Friends of the Island Academy;**
 - **\$250,000 for Southside United HDFC, Los Sures;**
 - **\$250,000 for Brooklyn Conflicts Office;**
 - **\$250,000 for Child Care Center of New York;**
 - **\$250,000 for Community Service Society - Record Repair Counseling Corps;**
 - **\$250,000 for Gun Research Violence Institute;**
 - **\$250,000 for The Fireman's Association;**
 - **\$225,000 for NY Judicial Institute: Legal Education Opportunity Program;**
 - **\$200,000 for Fortune Society;**
 - **\$200,000 for Common Justice Inc.;**
 - **\$200,000 for TASC of the Capital District;**
 - **\$200,000 for Greenburger Center;**
 - **\$200,000 for Regional Economic Community Action Program Inc.;**
 - **\$180,000 for Legal Action Center;**
 - **\$175,000 for Brooklyn Defender;**
 - **\$175,000 for Shalom Task Force Inc.;**
 - **\$165,000 for The Mohawk Consortium;**
 - **\$160,000 for Mobilization for Justice;**
 - **\$160,000 for The Safe Center II Inc.;**
 - **\$150,000 for Greenpoint Outreach Domestic and Family Intervention Program;**
 - **\$150,000 for Yeshiva University-Cardozo Law School;**

- \$150,000 for Girl Vow Inc.;
- \$160,000 for Capital District Women's Bar Association Legal Project Inc.;
- \$135,000 for Housing Court Answers Inc.;
- \$135,000 for Huntington Youth Bureau Youth Development Research Institute Inc.;
- \$127,000 for Correctional Association;
- \$125,000 for Fortune Society Inc. - Seniors Services;
- \$125,000 for Goddard Riverside Community Center;
- \$125,000 for Brooklyn Legal Services Corp A;
- \$125,000 for Center for Family Representation;
- \$115,000 for Lenox Hill Neighborhood House Inc.;
- \$100,000 for Bailey House - Project FIRST;
- \$100,000 for John Jay College Prison to College Pipeline;
- \$100,000 for Richmond County District Attorney's Office;
- \$100,000 for NY Legal Assistance Group Inc.;
- \$100,000 for Northern Manhattan Improvement Corporation;
- \$100,000 for Cornell University-Criminal Justice and Employment Initiative;
- \$100,000 for Her Justice Inc.;
- \$100,000 for Jewish Federation of Greater Buffalo Inc.;
- \$100,000 for Center for Court Innovation-Red Hook Justice Center;
- \$100,000 for Center for Court Innovation - Youth SOS Crown Heights;
- \$100,000 for Opportunities For a Better Tomorrow Inc.;
- \$90,000 for Make the Road;
- \$90,000 for Legal Services of the Hudson Valley-domestic violence legal services;
- \$80,000 for NYPD Law Enforcement Explorers – Bronx;
- \$75,000 for Groundswell;
- \$75,000 for Center for Employment Opportunities;
- \$70,000 for Jacob Riis Settlement House;
- \$70,000 for New Yorkers Against Gun Violence Inc.;
- \$50,000 for Exodus Transitional Community;
- \$44,000 for Elmcour Youth and Adult Activities Program;
- \$31,000 for Osborne Association;
- \$30,000 for NYU Veteran's Entrepreneurship Program;
- \$26,000 for Bergen Basin Community Development Corporation;
- \$25,000 for Glendale Civilian Patrol; and
- \$10,000 for Korean-American Family Service Center Inc.

Capital Projects

- Not applicable.

Article VII

- **The following Article VIIs were enacted outside the budget process, and are thus not included in the enacted budget:**
 - **Child Victims Act;**
 - **enactment of a new crime of unlawful dissemination of an intimate image;**
 - **Domestic Violence Survivors Justice Act;**
 - **prohibition on the possession and sale of bump stocks;**
 - **expansion of the waiting period for gun sales where a person has not passed a background check; and**
 - **establishment of extreme risk protection orders to prohibit persons found to be a danger to themselves or others from possessing or purchasing a firearm.**

- **The enacted budget includes legislation to:**
 - **extend various criminal justice programs for one year;**
 - **expand the Rape Shield Law to include the crime of human trafficking;**
 - **provide various reforms to asset forfeiture statutes;**
 - **reduce the maximum misdemeanor sentence to 364 days;**
 - **increase the Office of Court Administration criminal history search fee from \$65 to \$95;**
 - **require expanded reporting by law enforcement agencies on the use of force;**
 - **provide that DCJS will develop a model use of force policy for police and peace officers, including corrections officers;**
 - **reform the criminal discovery process;**
 - **reform the cash bail system; and**
 - **reform the speedy trial process.**

Recommended Changes to the Executive Budget State Board of Elections

The Legislature provides an All Funds appropriation of \$36.26 million, an increase of \$24.7 million over the Executive proposal.

State Operations

- The Legislature modifies a \$5 million reappropriation to ensure the Board of Elections has sufficient funding to support its operations, which includes campaign finance compliance, national voter registration act training, and election technology systems operations.

Aid to Localities

- The Legislature provides \$10 million to offset costs incurred by counties associated with early voting.

Capital Projects

- The Legislature provides \$14.7 million for the purchase of electronic poll books and on demand ballot printers.

Article VII

- The Legislature accepts the Executive proposal to increase the time allotted, without loss of pay, for an employee to vote in any election from two to three hours.
- The Legislature accepts the Executive proposal to make the primary hours among all counties consistent, requiring polls to be open from 6 a.m. to 9 p.m.
- The Legislature accepts the Executive proposal to prohibit lobbyists, political action committees, labor unions and independent expenditure committees from making loans to candidates for political office.
- The Legislature modifies the Executive proposal to authorize counties to use computer generated lists (electronic poll books) that have been approved and certified by the State Board of Elections by adding redundancy and security standards.

- **The Legislature modifies the Executive proposal to provide for an electronic voter registration system, to include provisions to address when a voter does not provide an exemplar signature to allow such voter to vote via affidavit ballot.**
- **The Legislature establishes a commission to evaluate and provide recommendations by December 1, 2019 to implement a voluntary public campaign finance system for statewide and state legislative offices.**
- **The Legislature does not include an Executive proposal to establish a system for early voting because this provision has already been signed into law (Chapter 6, Laws of 2019).**
- **The Legislature does not include an Executive proposal to combine the federal and state primaries held on the fourth Tuesday in June because this provision has already been signed into law (Chapter 5, Laws of 2019).**
- **The Legislature does not include an Executive proposal to prohibit limited liability companies and corporations from making political expenditures and contributions except in the form of contributions to independent expenditure committees because a similar provision has already been signed into law (Chapter 4, Laws of 2019).**
- **The Legislature does not include an Executive proposal to facilitate transfers of voter registration for those who move within the state from one county to another or out of the City of New York because this provision has already been signed into law (Chapter 3, Laws of 2019).**
- **The Legislature does not include an Executive proposal to require voter registration forms to include a space for pre-registering applicants at least 16 years of age because this provision has already been signed into law (Chapter 2, Laws of 2019).**

Recommended Changes to the Executive Budget Office of Employee Relations

The Legislature provides an All Funds appropriation of \$8.7 million.

State Operations

- **The Legislature accepts the Executive proposal and recommends no changes.**

Aid to Localities

- **Not applicable.**

Capital Projects

- **Not applicable.**

Article VII

- **Not applicable.**

**Recommended Changes to the Executive Budget
Executive Chamber/ Office of the Lieutenant Governor**

The Legislature provides an All Funds appropriation of \$18.5 million.

State Operations

- **The Legislature accepts the Executive proposal and recommends no changes.**

Aid to Localities

- **Not applicable.**

Capital Projects

- **Not applicable.**

Article VII

- **Not applicable.**

Recommended Changes to the Executive Budget Department of Financial Services

The Legislature provides an All Funds appropriation of \$437.83 million, a decrease of \$725,000 from the Executive proposal.

State Operations

- The Legislature does not include \$800,000 for pharmacy benefit manager regulation.

Aid to Localities

- The Legislature restores \$75,000 to provide a total \$110,000 in support of the continuation of the Entertainment Worker Demonstration Program.

Capital Projects

- Not applicable.

Article VII

- The Legislature modifies the Executive proposal to enact major provisions of the Affordable Care Act (ACA) by limiting the codification to provisions explicitly found in the ACA.
- The Legislature does not include the Executive proposal to authorize the regulation of pharmacy benefit managers.
- The Legislature modifies the Executive's in-vitro fertilization proposal to require insurance policies to provide coverage for medically necessary fertility preservation and large group insurance policies to provide coverage for in-vitro fertilization.
- The Legislature includes a chapter amendment to provisions of the Comprehensive Contraceptive Coverage Act (A. 585-A; S. 659-A) to require health insurers to cover contraceptives without cost-sharing requirements or other restrictions.
- The Legislature modifies the Executive proposal to enhance behavioral health parity requirements by increasing the amount of time an insurer must cover inpatient

Substance Use Disorder (SUD) treatments without prior authorization review, require periodic communication between providers and insurers as well as to provide for a written discharge plan prior to release from an inpatient facility.

- **The Legislature modifies the student loan servicers proposal to include language that regulates federal and non-federal student loan servicers engaging in the business of servicing student loans in New York, prohibits certain practices by servicers that could defraud or mislead borrowers, and imposes responsibilities upon such student loan servicers.**

Recommended Changes to the Executive Budget Office of General Services

The Legislature provides an All Funds appropriation of \$1.23 billion.

State Operations

- The Legislature accepts the Executive proposal and recommends no changes.

Aid to Localities

- Not applicable.

Capital Projects

- The Legislature modifies the \$87.6 million reappropriation for the Albany Microgrid to emphasize the use of renewable energy.

Article VII

- The Legislature modifies the Executive proposal to extend the authorization for agencies and political subdivisions to acquire electricity as a centralized service for 10 years and accepts the proposal to authorize public authorities and public benefit corporations to acquire such services.
- The Legislature modifies the Executive proposal to authorize the Office of General Services to perform emergency construction without formal competitive bidding by increasing the dollar threshold to \$1.5 million and extending the authorization for three years.

Recommended Changes to the Executive Budget Division of Homeland Security and Emergency Services

The Legislature provides an All Funds appropriation of \$1.579 billion, an increase of \$600,000 over the Executive proposal.

State Operations

- The Legislature accepts the Executive proposal and recommends no changes.

Aid to Localities

- The Legislature provides an additional \$600,000 for the American Red Cross.

Capital Projects

- The Legislature accepts the Executive proposal and recommends no changes.

Article VII

- Not applicable.

Recommended Changes to the Executive Budget Office of Indigent Legal Services

The Legislature provides an All Funds appropriation of \$210.9 million.

State Operations

- The Legislature accepts the Executive proposal and recommends no changes.

Aid to Localities

- The Legislature does not include language that would have limited state reimbursement of county defense expenditures to only those claims submitted within 12 months of the expenditure being made.

Capital Projects

- Not applicable.

Article VII

- The Legislature does not include an Executive proposal to increase the attorney registration fee. The Legislature does include legislation to increase the Office of Court Administration (OCA) criminal history search fee from \$65 to \$95.

Recommended Changes to the Executive Budget Office of the State Inspector General

The Legislature provides an All Funds appropriation of \$7.24 million.

State Operations

- The Legislature does not include appropriation language that would have granted the Inspector General pre-audit authority over contracts entered into by SUNY, CUNY, the SUNY/CUNY Construction Funds, OGS and the SUNY Research Foundation.

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

Recommended Changes to the Executive Budget New York Interest on Lawyer Accounts

The Legislature provides an All Funds appropriation of \$47.039 million.

State Operations

- **The Legislature accepts the Executive proposal and recommends no changes.**

Aid to Localities

- **The Legislature accepts the Executive proposal and recommends no changes.**

Capital Projects

- **Not applicable.**

Article VII

- **Not applicable.**

Recommended Changes to the Executive Budget Department of Law

The Legislature provides an All Funds appropriation of \$263.6 million, an increase of \$12.7 million over the Executive proposal.

State Operations

- The Legislature provides an additional \$12.7 million for services and expenses related to the Counsel for the State program.

Aid to Localities

- The Legislature accepts the Executive proposal and recommends no changes.

Capital Projects

- The Legislature accepts the Executive proposal and recommends no changes.

Article VII

- Not applicable.

Recommended Changes to the Executive Budget Division of Military and Naval Affairs

The Legislature provides an All Funds appropriation of \$157.6 million.

State Operations

- **The Legislature accepts the Executive proposal and recommends no changes.**

Aid to Localities

- **The Legislature accepts the Executive proposal and recommends no changes.**

Capital Projects

- **The Legislature accepts the Executive proposal and recommends no changes.**

Article VII

- **Not applicable.**

Recommended Changes to the Executive Budget Office for the Prevention of Domestic Violence

The Legislature provides an All Funds appropriation of \$5.647 million, an increase of \$50,000 over the Executive proposal.

State Operations

- The Legislature accepts the Executive proposal and recommends no changes.

Aid to Localities

- The Legislature provides \$50,000 for the Family Violence and Women's Rights Clinic at SUNY Buffalo Law School.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

Recommended Changes to the Executive Budget Public Employment Relations Board

The Legislature provides an All Funds appropriation of \$4.1 million.

State Operations

- **The Legislature accepts the Executive proposal and recommends no changes.**

Aid to Localities

- **Not applicable.**

Capital Projects

- **Not applicable.**

Article VII

- **Not applicable.**

**Recommended Changes to the Executive Budget
Joint Commission on Public Ethics**

The Legislature provides an All Funds appropriation of \$5.58 million.

State Operations

- **The Legislature accepts the Executive proposal and recommends no changes.**

Aid to Localities

- **Not applicable.**

Capital Projects

- **Not applicable.**

Recommended Changes to the Executive Budget Judicial Commissions

The Legislature provides an All Funds appropriation of \$6.1 million, an increase of \$330,000 over the Executive proposal.

State Operations

- The Legislature provides an additional \$330,000 to the Commission on Judicial Conduct for services and expenses related to the judicial conduct program.

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

Recommended Changes to the Executive Budget Division of State Police

The Legislature provides an All Funds appropriation of \$956.6 million.

State Operations

- **The Legislature accepts the Executive proposal and recommends no changes.**

Aid to Localities

- **Not applicable.**

Capital Projects

- **The Legislature denies a change to reappropriation language to allow the Division of the Budget to approve a plan related to the Records Management System.**

Article VII

- **Not applicable.**

Recommended Changes to the Executive Budget Statewide Financial System

The Enacted Budget provides an All Funds appropriation of \$30.5 million.

State Operations

- **The Legislature accepts the Executive proposal and recommends no changes.**

Aid to Localities

- **Not applicable.**

Capital Projects

- **Not applicable.**

Article VII

- **Not applicable.**

Recommended Changes to the Executive Budget Office of Information Technology Services

The Legislature provides an All Funds appropriation of \$864.5 million.

State Operations

- **The Legislature accepts the Executive proposal and recommends no changes.**

Aid to Localities

- **Not applicable.**

Capital Projects

- **The Legislature accepts the Executive proposal and recommends no changes.**

Article VII

- **Not applicable.**

Recommended Changes to the Executive Budget Office of Victim Services

The Legislature provides an All Funds appropriation of \$171.8 million.

State Operations

- **The Legislature accepts the Executive proposal and recommends no changes.**

Aid to Localities

- **The Legislature accepts the Executive proposal and recommends no changes.**

Capital Projects

- **Not applicable.**

Article VII

- **Not applicable.**

Recommended Changes to the Executive Budget Workers' Compensation Board

The Legislature provides an All Funds appropriation of \$194.4 million.

State Operations

- The Legislature accepts the Executive proposal and recommends no changes.

Aid to Localities

- Not applicable.

Capital Projects

- The Legislature accepts the Executive proposal and recommends no changes.

Article VII

- The Legislature agrees to expand the list of medical professionals authorized to provide medical care and treatment under the workers' compensation system. Additional providers include acupuncturists, nurse practitioners, and licensed clinical social workers. The Legislature also includes modifications to the process for disputing medical bills and expanded protections for injured workers.
- The Legislature does not include an Executive proposal to provide the New York State Insurance Fund greater flexibility with regard to investments of surplus funds.
- The Legislature does not include an Executive proposal to authorize the New York State Insurance Fund to cancel a policy due to an employer's failure to cooperate with a payroll audit.

Recommended Changes to the Executive Budget General State Charges

The Legislature provides an All Funds appropriation of \$6.04 billion, an increase of \$11.2 million over the Executive proposal.

State Operations

- The Legislature does not include an Executive proposal to eliminate reimbursement of the Income Related Monthly Adjustment Amount (IRMAA), and instead restores \$2.9 million.
- The Legislature does not include an Executive proposal to institute a cap in Medicare Part B premium support, and instead restores \$2.3 million.
- The Legislature does not include an Executive proposal to require the rate of interest paid upon any judgement or accrued claim be calculated at a rate equal to the weekly average one year constant maturity rate Treasury yield, up to a maximum of nine percent, and instead restores \$6 million.

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- The Legislature does not include an Executive proposal to modify health insurance premium costs for state retirees who are hired on or after April 1, 2019.
- The Legislature does not include an Executive proposal to terminate state reimbursements of IRMAA for retired state employees, commencing on January 1, 2020.

- **The Legislature does not include an Executive proposal to cap reimbursement of the Medicare Part B standard premium at \$135.50 a month for all eligible employees.**
- **The Legislature does not include a provision to allow the annual interest on judgments and accrued claims to be paid at the one-year U.S. Treasury bill rate.**

**Recommended Changes to the Executive Budget
Miscellaneous: Public Protection & General Government**

Local Government Assistance

The Legislature provides an All Funds appropriation of \$768.6 million, representing an increase of \$9.75 million over the Executive proposal.

State Operations

- **The Legislature accepts the Executive proposal and recommends no changes.**

Aid to Localities

- **The Legislature restores support for the following programs which were eliminated in the Executive proposal:**
 - **\$12 million to the City of Albany;**
 - **\$2 million to Onondaga County to conduct a school discipline pilot project in conjunction with the Syracuse City School District;**
 - **\$200,000 each to the villages of Delhi and New Paltz to offset costs associated with emergency response at SUNY colleges;**
 - **\$200,000 to Franklin County, to offset shortfalls in real property tax revenue; and**
 - **\$48,000 in Local Assistance to villages including:**
 - **\$27,000 to the Village of Woodbury;**
 - **\$19,000 to the Village of South Blooming Grove; and**
 - **\$2,000 to the Village of Sagaponack.**
- **The Legislature also provides new support of \$100,000 to the City of Hudson for an origination and destination study of truck traffic.**

Capital Projects

- **Not applicable.**

Article VII

- **The Legislature accepted with modifications the following Executive proposals to:**
 - **authorize the Town of Hastings, Oswego County, to discontinue certain municipal lands as parkland for the construction of a State Police station;**
 - **specify the type of fees for which Suffolk County is authorized to supersede certain state-imposed document filing fee limits; and**
 - **restore AIM funding for certain towns and villages through a state intercept of sales tax revenue.**
- **In addition, the Legislature included the Executive proposals to:**
 - **extend Civil Service provisions related to binding arbitration and fiscally eligible municipalities for an additional five years;**
 - **authorize Nassau County to provide a phase-in of full value increases for Class 1 residential properties through the implementation of an exemption program for 2021-24; and**
 - **make the real property tax cap permanent.**

Payment to New York City

- **The Legislature accepts the Executive Budget proposal.**

Labor Management Committees

- **The Legislature accepts the Executive proposal and recommends no changes.**

Miscellaneous

- **The Legislature does not include an Executive proposal to establish a uniform Freedom of Information Law (FOIL) that would repeal the existing provisions that apply to the Legislature and instead impose the provisions that govern the Executive on the Legislature in the same manner as other state agencies.**

EDUCATION, LABOR & FAMILY ASSISTANCE

By Agency

Recommended Changes to the Executive Budget Division of Veterans' Services

The Legislature provides an All Funds appropriation of \$21.25 million, an increase of \$1.65 million over the Executive proposal.

State Operations

- The Legislature accepts the Executive proposal and recommends no changes.

Aid to Localities

- The Legislature adds \$1.65 million for the following community initiatives:
 - \$500,000 for NYS Defenders Association;
 - \$220,000 for NYS Defenders Association Long Island Expansion;
 - \$200,000 for Clear Path for Veterans;
 - \$200,000 for Legal Services of the Hudson Valley;
 - \$200,000 for Helmet to Hardhats;
 - \$100,000 for SAGE Veterans Project;
 - \$100,000 for North Country Veterans' Association; and
 - \$125,000 for Veterans of Foreign Wars.

Capital Projects

- Not applicable.

Article VII

- The Legislature accepts an Executive proposal to change the name of the Division of Veterans' Affairs to the Division of Veterans' Services to avoid confusion with the federal department (USDVA), with modifications.
- The Legislature does not include an Executive proposal to prohibit any entity from receiving compensation for a referral, or for helping veterans prepare a claim, except under USDVA standards.

Recommended Changes to the Executive Budget Council on the Arts

The Legislature provides an All Funds appropriation of \$42.56 million, an increase of \$100,000 over the Executive proposal.

State Operations

- The Legislature accepts the Executive proposal and recommends no changes.

Aid to Localities

- The Legislature provides \$100,000 for the following:
 - \$50,000 to the Bronx Museum of Art; and
 - \$50,000 to the Museum of the City of New York.

Capital Projects

- Not applicable.

Article VII

- The Legislature accepts an Executive proposal to repurpose the Arts Capital Revolving Loan Fund to award grants instead of loans to certain arts organizations.

Recommended Changes to the Executive Budget City University of New York (CUNY)

The Legislature provides an All Funds appropriation of \$4.8 billion, an increase of \$20.9 million over the Executive proposal.

State Operations

- The Legislature restores \$1.5 million to the School of Labor and Urban Studies, formerly known as the Joseph Murphy Institute, for a total of \$3.6 million.
- The Legislature provides \$28.1 million for the Search for Education, Elevation and Knowledge (SEEK) program, a \$4.68 million restoration.
- The Legislature provides \$200,000 for the Brooklyn Small Business Development Center.
- The Legislature provides \$50,000 for the CUNY Law Community Legal Resource Network.

Aid to Localities

- The Legislature provides \$6 million to increase the base aid rate at CUNY Community Colleges to \$2,947 per FTE (a \$100 per FTE increase) and creates a 98 percent funding floor for each community college.
- The Legislature restores \$902,000 to CUNY child care centers, for a total of \$1.7 million.
- The Legislature provides \$1.3 million for the College Discovery program, a \$225,200 restoration.
- The Legislature restores \$2.5 million in funding for the Accelerated Study in Associates Program (ASAP).

Capital Projects

- The Legislature accepts the Executive proposal and recommends no changes.

Article VII

- **The Legislature provides legislation to allow SUNY and CUNY to reduce or waive tuition for high school students who are dually enrolled in college courses.**

Recommended Changes to the Executive Budget State Education Department

The Legislature provides an All Funds appropriation of \$37.4 billion, which is an increase of \$291 million over the Executive proposal.

State Operations

- The Legislature provides \$1 million for foreign language translation of state exams.

Aid to Localities

- The Legislature provides an overall increase to General Support for Public Schools (GSPS) of \$1 billion over the 2018-19 School Year (SY), for a total of \$27.9 billion. This is an increase in formula based aids of \$960.9 million or 3.64 percent for SY 2019-20, and reflects an increase of \$323 million over the Executive Budget.
 - The Legislature increases Foundation Aid by \$618 million for SY 2019-20, for a total of \$18.4 billion. This amount includes a reallocation of the \$156.6 million Fiscal Stabilization Fund toward Foundation Aid.
 - The Legislature modifies the Executive's proposal to require school districts to allocate a certain percentage of their Foundation Aid increase to certain school districts to instead require a report to the Commissioner of Education on how districts are prioritizing funding to underfunded high-need schools.
 - The Legislature modifies the Executive proposal to adjust the school aid growth cap by allowing the Personal Income Growth Index to be based on a ten year rolling average of personal income beginning in SY 2020-21.
 - The Legislature accepts the Executive's proposed \$50 million increase in community schools aid within Foundation Aid, which will provide a total of \$250 million in community schools aid and expands its use to include trauma-informed support.
 - The Legislature denies an Executive proposal to consolidate 11 expense-based aids beginning in SY 2020-21.
 - The Legislature denies an Executive proposal to modify Building Aid.

- The Legislature provides for full reimbursement of expense-based aids.
- In addition, the Legislature makes the following changes to competitive grant provisions:
 - modifies the \$9 million for new Early College High School programs to remove public infrastructure as a focus;
 - removes for-profit institutions from eligibility to receive \$1.5 million in math access program grants; and
 - modifies elements of the report required in the \$3 million for alternative discipline grants to include best practices from the use of such funds.
- The Legislature also includes support for the following:
 - \$30 million for nonpublic Science, Technology, Engineering, and Mathematics (STEM) programs, a \$15 million increase over SY 2018-19;
 - \$14.3 million to restore funding for Teacher Resource and Computer Training Centers;
 - \$3 million for the East Ramapo School Improvement Grant;
 - \$2.3 million to subsidize the cost of reduced-price meals, making such meals free for students;
 - \$2 million for the Supportive Schools Grant Program to help districts improve school climate and safety, and to implement the Dignity for All Students Act;
 - \$1.5 million to restore the carve-out for the Consortium for Worker Education;
 - \$1.5 million for Adult Literacy Education, for a total of \$7.8 million;
 - \$1.2 million to restore funding for Rochester School Health Services;
 - \$1.2 million to restore funding for Buffalo School Health Services;
 - \$1 million in additional funding for Bilingual Education, for a total of \$19.5 million;
 - \$1 million for nonpublic schools for the cost of complying with immunization requirements;

- **\$1 million increase in funding for 4201 schools;**
- **\$903,000 to restore funding to the Henry Viscardi School;**
- **\$903,000 to restore funding to the School for the Deaf;**
- **\$500,000 to restore funding for the Mill Neck Manor School for the Deaf;**
- **\$770,000 for training programs to increase the number of teachers providing bilingual or multi-lingual education;**
- **\$500,000 to provide funding for the Teacher Diversity Pipeline Pilot in Buffalo, which will provide assistance for teacher aides and teaching assistants to become teachers;**
- **\$500,000 for the Consortium for Worker Education Enhanced Credentialing Initiative;**
- **\$500,000 to restore funding for the Center for Autism and Related Disabilities at SUNY Albany;**
- **\$500,000 to provide an increase to Independent Living Centers to \$13.8 million;**
- **\$500,000 to increase funding for Transportation After 4;**
- **\$475,000 to restore funding for the Executive Leadership Institute;**
- **\$475,000 for the Magellan Program;**
- **\$461,000 to restore funding for Bard High School Early College Queens;**
- **\$450,000 to restore funding for the New York City Community Learning Initiative;**
- **\$400,000 to restore funding for Fort Edward;**
- **\$250,000 to pay for the close down costs at the Greenburgh Special Act School;**
- **\$250,000 for a Long Island Prekindergarten initiative operated by Nassau BOCES;**
- **\$150,000 for the National Association of Social Workers, New York City Chapter; and**
- **\$25,000 for the Long Island Latino Teachers Association.**

Cultural Education

- The Legislature provides \$5 million in Aid to Public Libraries, for a total of \$96.6 million.
- The Legislature provides \$250,000 to increase funding for Public Broadcasting to \$14.3 million.
- The Legislature restores \$250,000 for the Schomburg Center for Research in Black Culture.
- The Legislature restores \$75,000 for the Langston Hughes Community Library and Cultural Center.

Office of Higher Education and the Professions

- The Legislature provides \$35.5 million for the Higher Education Opportunity Program (HEOP), a \$5.9 million restoration.
- The Legislature provides \$18.4 million for the Liberty Partnership Program, a \$3.06 million restoration.
- The Legislature provides \$15.8 million for the Science and Technology Entry Program (STEP), a \$2.6 million restoration.
- The Legislature provides \$11.9 million for the Collegiate Science and Technology Entry Program (CSTEP), a \$2 million restoration.
- The Legislature provides \$6 million for the Foster Youth Initiative, a \$4.5 million restoration.

Capital Projects

- The Legislature modifies the Executive appropriation for safety and security projects for nonpublic schools to add residential summer camps as eligible recipients.

Article VII

- The Legislature authorizes school districts to enter into piggyback contracts for the transportation of students.

- The Legislature authorizes school districts to conduct building condition surveys in accordance with a staggered schedule determined by the Commissioner of Education.
- The Legislature authorizes school districts to create a reserve fund to finance contributions to the New York State Teachers' Retirement System.
- The Legislature updates the BOCES superintendent salary cap to 98 percent of the Commissioner of Education's salary as of SFY 2013-14.
- The Legislature continues authorization for a state monitor at the East Ramapo Central School District for one additional year.
- The Legislature extends the exemption for statewide universal full-day prekindergarten teacher certification for an additional year, provided that school districts submit data to the Commissioner of Education regarding the number of uncertified teachers registered in the ASPIRE workforce registry.
- The Legislature requires school districts to establish a memorandum of understanding with school security personnel or law enforcement they employ or are under contract.
- The Legislature accepts the Executive's Annual Professional Performance Review (APPR) proposal since it is the same legislation that passed the Assembly and Senate enacted in this legislative session.
- The Legislature extends mayoral control of New York City schools for three years while increasing parental input and involvement on the Panel for Education Policy and the Community District Education Council elections.
- The Legislature does not include an Executive proposal to authorize regional STEM magnet schools.
- The Legislature does not accept the Executive proposal to allow any school district, private school or BOCES to apply for waivers from certain special education requirements.
- The Legislature does not accept various curriculum proposals advanced in the Executive Budget.

- **The Legislature makes permanent provisions allowing school districts to lease buses.**
- **The Legislature denies an Executive proposal to allow public accountancy firms to have minority ownership of up to 49 percent by individuals who are not licensed as public accountants.**
- **The Legislature does not include Executive proposals to require for-profit colleges to meet certain standards to continue enrolling new students and to be eligible to participate in state financial aid programs.**
- **The Legislature denies an Executive proposal to allow pharmacies to employ up to four certified pharmacy technicians and to allow such certified pharmacy technicians to compound medication in hospital settings.**
- **The Legislature intentionally omits the proposal to prohibit mental health professionals from using conversion therapy on patients under the age of 18 as it has already been signed into law (Chapter 7 of the Laws of 2019).**
- **The Legislature provides technical changes to the Foster Youth Success Initiative program.**

Recommended Changes to the Executive Budget Office of Children and Family Services

The Legislature provides an All Funds appropriation of \$3.82 billion, an increase of \$51.3 million over the Executive proposal.

State Operations

- The Legislature accepts the Executive proposal and recommends no changes.

Aid to Localities

- The Legislature provides \$832 million for child care subsidies, a \$26 million increase over last year, to accommodate market rate increases outside of New York City.
- The Legislature provides an increase in funding for child care within the Office of Children and Family Services (OCFS) by \$23.9 million, and decreases funding in the Office of Temporary Disability Assistance's Temporary Assistance to Needy Families (TANF) appropriation for the same purpose.
- The Legislature provides \$987,000 for administrative reviews for legally-exempt providers, who are newly required to receive background checks in accordance with the federal Child Care Development Block Grant (CCDBG) Act of 2014.
- The Legislature accepts \$3 million for the establishment of the Family First Transition Fund, and includes additional language to ensure such funding can be utilized by all local social service districts to also retain current and prospective foster families.
- The Legislature provides \$2 million in support of child advocacy centers.
- The Legislature provides an additional \$24.3 million funding for the following programs:
 - \$3 million for Safe Harbor;
 - \$2.45 million for Settlement Houses;
 - \$2 million for Child Advocacy Centers;
 - \$1.9 million for Kinship Care;
 - \$1.5 million for Youth Development Program;
 - \$1.5 million for Community Voices for Youth and Families for Long Island;
 - \$1.25 million for United Way 2-1-1;
 - \$1 million for Fresh Air Fund;

- **\$750,000 for Boys and Girls Clubs, NYS Alliance;**
- **\$500,000 for Facilitated Enrollment in Erie County;**
- **\$500,000 for Facilitated Enrollment in NYC;**
- **\$500,000 for Facilitated Enrollment in Onondaga;**
- **\$500,000 for Runaway and Homeless Youth;**
- **\$400,000 for Citizens Committee NYC;**
- **\$400,000 for New Alternatives for Children;**
- **\$400,000 for the NYS YMCA Foundation;**
- **\$400,000 for Legal Services of the Hudson Valley for Westchester Housing and Kinship Legal Services;**
- **\$300,000 for Urban Upbound;**
- **\$300,000 for the Cohoes Community Center;**
- **\$250,000 for Junior Achievement of New York;**
- **\$250,000 for Long Island Prekindergarten Technical Assistance Center;**
- **\$250,000 for the Association of NYS Youth Bureaus;**
- **\$225,000 for the Westchester County Youth Bureau;**
- **\$200,000 for The Hispanic Federation;**
- **\$200,000 for The Center for Popular Democracy;**
- **\$180,000 for the Long Island Youth Foundation;**
- **\$180,000 for Woodside on the Move;**
- **\$175,000 for Boys and Girls Club of Harlem;**
- **\$165,000 for the Chinese American Planning Council;**
- **\$150,000 for American Legion Auxiliary - Girls State;**
- **\$150,000 for American Legion Boys State;**
- **\$150,000 for the Oneida County Youth Bureau;**
- **\$150,000 for Citizens United for Fair Housing;**
- **\$150,000 for Opportunities for a Better Tomorrow;**
- **\$150,000 for the NYS Coalition Against Domestic Violence;**
- **\$135,000 for Common Point Queens;**
- **\$125,000 for the Harlem Arts Alliance - Harlem Week;**
- **\$125,000 for the Center for Elder Law and Justice;**
- **\$125,000 for the West Indian Day Carnival Association;**
- **\$125,000 for the United Jewish Organization of Williamsburg;**
- **\$100,000 for the Cheektowaga Boys and Girls Club;**
- **\$100,000 for Kinship Navigators;**
- **\$100,000 for the Tri Community Youth Agency;**
- **\$100,000 for the Arab American Family Resource Center;**
- **\$100,000 for the Asian American Legal Defense;**
- **\$100,000 for the Center for Family Representation;**
- **\$100,000 for the Family Justice Center of Erie County;**
- **\$100,000 for the Jewish Child Care Association;**
- **\$100,000 for the Jewish Board;**
- **\$100,000 for the Martin Luther King Multi-Purpose Center;**
- **\$100,000 for Pathways 2 Apprenticeship;**

- **\$100,000 for Asian Americans for Equality;**
- **\$100,000 for Fortune Society's Freedom Commons;**
- **\$100,000 for NYPD Youth Explorers;**
- **\$100,000 for YMCA of Greater Bedford-Stuyvesant;**
- **\$100,000 for Youth Theatre Interactions;**
- **\$90,000 for Edwin Gould Services for Children and Families;**
- **\$90,000 for Gateway Youth Outreach;**
- **\$90,000 for Greater Ridgewood Youth Council, Inc.;**
- **\$90,000 for La Liga, Spanish Action League of Onondaga;**
- **\$90,000 for Make the Road NY;**
- **\$90,000 for Met Council;**
- **\$80,000 for the Federation of Italian American Organizations for After School;**
- **\$75,000 for Chinese American Planning Council Manhattan Community Center;**
- **\$75,000 for Ossining Children's Center;**
- **\$60,000 for Rockville Centre Hispanic Brotherhood;**
- **\$60,000 for Campaign Against Hunger;**
- **\$60,000 for Orange County Safe Homes Project, Inc.;**
- **\$50,000 for YouthBuild Schenectady;**
- **\$50,000 for East Flatbush Village;**
- **\$50,000 for Ecuadorian Civic Committee;**
- **\$50,000 for Mind Builders Creative Arts Center;**
- **\$50,000 for The NEW Pride Agenda Inc.;**
- **\$50,000 for Cooper Square Community Development Committee;**
- **\$50,000 for Long Beach Christmas Angel;**
- **\$40,000 for Helen Keller Services for the Blind;**
- **\$40,000 for Hartley House Inc.;**
- **\$35,000 for One Stop Richmond Hill Community Center;**
- **\$30,000 for Gantry Parents Association;**
- **\$25,000 for St Luke's Community Food Program;**
- **\$25,000 for Weeksville Heritage Center;**
- **\$20,000 for Pelham Together;**
- **\$10,000 for St. Nicholas Chess 4 Kids, Inc.; and**
- **\$10,000 for Korean Community Services of Metropolitan NY.**

Capital Projects

- **The Legislature accepts the Executive proposal and recommends no changes.**

Article VII

- **The Legislature modifies** the Executive’s proposal relating to enacting various provisions of law necessary to comply with health and safety requirements of the federal CCDBG re-authorization of 2014 by:
 - **limiting the group of individuals required to receive a background check; and**
 - **providing a fair hearing opportunity for the new group of child care providers required to receive a background check.**
- **The Legislature accepts an Executive proposal to enact various provisions of law necessary to comply with certain requirements of the federal Family First Preventive Services Act by requiring all persons employed in residential foster care programs to receive certain background checks.**
- **The Legislature modifies an Executive proposal to prohibit the use of detention and placement for persons in need of supervision (PINS) as of January 1, 2020 by reinstating detention and placement of youth alleged or adjudicated as a PINS to only be allowed in foster care agencies in limited circumstances, and restoring state reimbursement to local social services districts for preventive services available to such youth.**
- **The Legislature does not include an Executive proposal to provide OCFS with authority to appoint a temporary operator for foster care programs.**

Recommended Changes to the Executive Budget Office of Temporary Disability Assistance

The Legislature provides an All Funds appropriation of \$5.83 billion, an increase of \$3.87 million over the Executive proposal.

State Operations

- The Legislature accepts the Executive proposal and recommends no changes.

Aid to Localities

- The Legislature includes \$2 million to assist refugee resettlement agencies statewide.
- The Legislature provides \$23.97 million in TANF restorations as follows:
 - \$8.48 million for Facilitated Enrollment in New York City, Monroe County, and the Capital Region;
 - \$4 million for the Advanced Technology Training and Information Networking Program (ATTAIN);
 - \$5 million for Advantage Afterschool;
 - \$2.85 million for Career Pathways;
 - \$1.57 million for Preventive Services;
 - \$800,000 for ACCESS Welfare to Careers Program;
 - \$475,000 for the Wage Subsidy Program;
 - \$334,000 for SUNY/CUNY Child Care;
 - \$200,000 for the Fatherhood Initiative;
 - \$144,000 for Wheels for Work;
 - \$82,000 for the Rochester-Genesee Regional Transportation Authority; and
 - \$25,000 to Centro of Oneida.
- The Legislature provides an additional \$1.87 million in General Fund support for the following programs:
 - \$1.5 million for the Disability Advocacy Program, for a total of \$4.13 million;
 - \$50,000 for Ibero-American Action League;
 - \$50,000 for Mohawk Valley Latino Association;
 - \$50,000 for Centro Civico of Amsterdam;
 - \$50,000 for Spanish Action League in Onondaga;
 - \$50,000 for Hempstead Hispanic Civic Association;

- \$50,000 for Hispanic Federation;
 - \$50,000 for Family Residences and Essential Enterprises, Inc.; and
 - \$20,000 for Bethany House.
- **The Legislature decreases TANF support for child care by \$23.9 million to allow TANF funds to support a variety of restorations and new initiatives. Child care funding is increased by \$23.9 million in OCFS to offset this decrease.**
 - **The Legislature includes modified language related to the HIV/AIDS rental assistance pilot for local social service districts outside of New York City to allow performing provider systems and other third parties to fund such program.**
 - **The Legislature restores language requiring an established protocol for terms and conditions of reimbursement of shelters that are sanctioned.**

Capital Projects

- **The Legislature accepts the Executive proposal and recommends no changes.**

Article VII

- **The Legislature accepts an Executive proposal to allow for the continuation of the current Federal cost of living adjustment in 2020 for individuals receiving SSI, who reside in residential care, family care or enhanced residential care settings.**
- **The Legislature accepts an Executive proposal to extend the authority of the Office of Temporary and Disability Assistance to appoint a temporary operator for emergency shelters from 2019 to 2022.**
- **The Legislature modifies an Executive proposal to remove the requirement that domestic violence victims apply for public assistance and contribute for services rendered by requiring per diem rates to continue to be established for providers.**
- **The Legislature does not include an Executive proposal that would allow local social service districts to create and assign public assistance recipients to a 90 day job try-out as work experience assignment as a way to satisfy an individual's work requirement.**

Recommended Changes to the Executive Budget New York State Higher Education Services Corporation

The Legislature provides an All Funds appropriation of \$1.2 billion.

State Operations

- The Legislature shifts \$500,000 from the Special Revenue Account to the General Fund within Higher Education Services Corporation (HESC) State Operations.

Aid to Localities

- The Legislature adjusts reappropriation language for the STEM scholarship for non-public colleges to allow for a second cohort of students to become eligible for the program.

Capital Projects

- Not applicable.

Article VII

- The Legislature provides chapter amendments for the Jose Peralta New York State DREAM Act (A. 782; S. 1250) to modify the eligibility requirements and repeal the Dream Fund Commission.

Recommended Changes to the Executive Budget Division of Housing and Community Renewal

The Legislature provides an All Funds appropriation of \$402.1 million, an increase of \$57.1 million over the Executive proposal.

State Operations

- The Legislature does not include an Executive proposal to create a two-year appropriation for the Office of Rent Administration and the Tenant Protection Unit. The Legislature does not include a provision to restrict certain state operating funds until the enactment of a new law extending and modifying the current systems of rent regulation.

Aid to Localities

- The Legislature repurposes \$25 million from the JP Morgan Settlement Fund to provide funding for foreclosure prevention programs over two years.
- The Legislature restores \$4.35 million for the Neighborhood Preservation Program and \$1.8 million for the Rural Preservation Program for total funding of \$6.17 million.
- The Legislature provides \$215,000 for the Town of Hempstead Housing Needs Assessment.
- The Legislature provides \$125,000 to Neighborhood Housing Services of Brooklyn.
- The Legislature provides \$100,000 for the Association for Neighborhood and Housing Development.
- The Legislature provides \$100,000 to St. Nicks Alliance Corporation.
- The Legislature provides \$100,000 for the Greater Harlem Housing Development Corporation.
- The Legislature provides \$75,000 for Neighborhood Housing Services of Queens.
- The Legislature provides \$60,000 for a City of Newburgh housing needs assessment.

Capital Projects

- **The Legislature accepts the Executive proposal and recommends no changes.**

Article VII

- **The Legislature provides an allocation of \$5 million from the Mortgage Insurance Fund in support of the City of Albany.**
- **The Legislature modifies the Executive proposal to prohibit housing discrimination on the basis of lawful source of income to allow for public housing accommodations.**
- **The Legislature does not include the Executive proposal to indicate policy intent to extend and modify current provisions of the laws governing rent-regulated apartments.**
- **The Legislature does not include the proposal limiting the amount of security deposit a landlord may charge a tenant.**
- **The Legislature modifies the Executive proposal to authorize that owners of manufactured home parks to submit required registration information through Department of Finance by clarifying that Housing and Community Renewal (HCR) continues to maintain their current oversight powers and duties over these communities, modifying the information that must be included with the registration by the property owner, and to provide greater public transparency over information collected.**

Recommended Changes to the Executive Budget Division of Human Rights

The Legislature provides an All Funds appropriation of \$18.15 million.

State Operations

- The Legislature accepts the Executive proposal and recommends no changes.

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- The Legislature accepted with modifications an Executive proposal to prohibit housing discrimination on the basis of lawful source of income.
- The Legislature does not include the Executive proposals to:
 - expand equal pay laws and prohibit employers from inquiring about a job applicant's salary history;
 - require all non-disclosure agreements in employment contracts to include language stating that employees may still file a complaint of harassment or discrimination with a state or local agency and testify or participate in a government investigation; and
 - clarify that lactation is a pregnancy-related condition entitled to reasonable accommodations in the workplace.

Recommended Changes to the Executive Budget Department of Labor

The Legislature provides an All Funds appropriation of \$3.63 billion, an increase of \$13.02 million over the Executive proposal.

State Operations

- The Legislature accepts the Executive proposal and recommends no changes.

Aid to Localities

- The Legislature provides \$13.02 million for the following community initiatives:
 - \$4 million for AFL-CIO Workforce Development Institute;
 - \$2.5 million for ALF-CIO Workforce Development Manufacturing Initiative;
 - \$1.62 million for the Displaced Homemakers Program;
 - \$750,000 for Manufacturers Association of Central New York, Inc.;
 - \$500,000 for the Solar Energy Consortium;
 - \$500,000 for YouthBuild;
 - \$350,000 for the New York Council on Occupational Safety and Health;
 - \$300,000 for the Worker Institute at the Cornell University School of Industrial and Labor Relations;
 - \$200,000 for the New York Council on Occupational Safety and Health in Long Island;
 - \$200,000 for the New York Council on Occupational Safety and Health in Western New York;
 - \$200,000 for Building Trades Pre-Apprenticeship Program in Nassau County;
 - \$200,000 for Building Trades Pre-Apprenticeship Program in City of Rochester;
 - \$200,000 for Building Trades Pre-Apprenticeship Program in Western New York;
 - \$200,000 for the Newburgh Pre-Apprenticeship Program;
 - \$150,000 for AFL-CIO Cornell Domestic Violence Program;
 - \$150,000 for ALF-CIO Workforce Development Institute Leadership Program;
 - \$150,000 for Cornell Industrial and Labor Relations School Sexual Harassment Prevention Program;
 - \$140,000 for Pipe Trades Industry United Association Pilot;
 - \$120,000 for the Melting Pot Foundation USA, Inc.;
 - \$100,000 for the Newburgh LGBTQ Center;
 - \$100,000 for LaGuardia Community College;
 - \$100,000 for the Lesbian, Gay, Bisexual & Transgender Community Center;

- **\$100,000 for the HOPE Program;**
- **\$85,000 for the Northeastern New York Coalition on Occupational Safety and Health;**
- **\$50,000 for the Criminal Records Discrimination Program at Cornell's School of Industrial and Labor Relations; and**
- **\$50,000 for the Here to Here Program.**

Capital Projects

- **Not applicable.**

Article VII

- **The Legislature does not include legislation to increase criminal penalties for wage theft.**
- **The Legislature does not include legislation to modify unemployment insurance benefits for partially unemployed workers.**
- **The Legislature does not include an Executive proposal to expand equal pay laws and prohibit employers from inquiring about a job applicant's salary history.**

Recommended Changes to the Executive Budget State of New York Mortgage Agency

The Legislature provides an All Funds appropriation of \$215.2 million.

State Operations

- **The Legislature accepts the Executive proposal and recommends no changes.**

Aid to Localities

- **The Legislature accepts the Executive proposal and recommends no changes.**

Capital Projects

- **Not applicable.**

Article VII

- **Not applicable.**

Recommended Changes to the Executive Budget State University of New York (SUNY)

The Legislature provides an All Funds appropriation of \$11.2 billion, an increase of \$28.6 million over the Executive proposal.

State Operations

- The Legislature provides \$32.2 million for the Educational Opportunity Program, a \$5.36 million restoration.
- The Legislature restores funding for Educational Opportunity Centers (EOC) by \$5 million and provides an additional \$1 million, for a total of \$61.04 million.
- The Legislature restores ATTAIN Labs by \$1 million for a total of \$5.5 million in funding within SUNY.
- The Legislature restores \$700,000 for Small Business Development Centers.
- The Legislature restores \$600,000 for Graduate Diversity Fellowship.
- The Legislature restores \$500,000 for telecounseling and mental health services at SUNY.
- The Legislature restores \$250,000 for Cornell's Veterinary School.
- The Legislature restores \$150,000 to the Cornell Center in Buffalo.
- The Legislature restores \$100,000 for the American Chestnut Research and Restoration project.
- The Legislature restores \$100,000 for the Benjamin Center at SUNY New Paltz.
- The Legislature restores \$50,000 to the Stony Brook Algonquian Language Revitalization program.
- The Legislature provides \$200,000 for the SUNY Institute for Leadership and Diversity and Inclusion.
- The Legislature provides an additional \$150,000 to fund the Hispanic Leadership Institute at SUNY.
- The Legislature provides \$100,000 for the Center for Women in Government.

Aid to Localities

- **The Legislature provides \$12.1 million to increase SUNY Community College base aid to \$2,947 per FTE (a \$100 increase) and creates a 98 percent funding floor for each community college.**
- **The Legislature restores \$1.1 million to SUNY Child Care Centers, for a total of \$2.1 million.**
- **The Legislature restores \$100,000 to the SUNY Orange BRIDGES program.**

Capital Projects

- **The Legislature accepts the Executive proposal and recommends no changes.**

Article VII

- **The Legislature allows SUNY and CUNY to reduce or waive tuition for high school students that are dually enrolled in college courses.**
- **The Legislature allows the University at Albany to lease up to 15,000 square feet of space and facilities at the Emerging Technology and Entrepreneurship Complex (ETEC).**

**Recommended Changes to the Executive Budget
Office of Welfare Inspector General**

The Legislature provides an All Funds appropriation of \$1.31 million.

State Operations

- **The Legislature accepts the Executive proposal and recommends no changes.**

Aid to Localities

- **Not applicable.**

Capital Projects

- **Not applicable.**

Article VII

- **Not applicable.**

**Recommended Changes to the Executive Budget
Miscellaneous: Education, Labor & Family Assistance**

Arts and Cultural Facilities Improvement Program

- **The Legislature accepts the Executive proposal and recommends no changes.**

Raise the Age

- **The Legislature accepts the Executive proposal and recommends no changes.**

Pay for Success

- **The Legislature accepts the Executive proposal and recommends no changes.**

College Choice Tuition Savings Program

- **The Legislature accepts the Executive proposal and recommends no changes.**

HEALTH & MENTAL HYGIENE

By Agency

Recommended Changes to the Executive Budget Office for the Aging

The Legislature provides an All Funds appropriation of \$273.2 million, an increase of \$3.2 million over the Executive proposal.

State Operations

- The Legislature transfers \$250,000 to the Aid to Localities bill to support contracting of training, education and technical assistance provided by the Association on Aging.

Aid to Localities

- The Legislature modifies the Executive proposal to increase Expanded In-home Services for the Elderly Program (EISEP) funding by \$15 million, and to allow distribution of these funds outside of the statutory formula to target unmet needs. Additionally, the Legislature modifies the proposal to include additional reporting requirements on the distribution of this funding by the State Office for the Aging (SOFA).
- The Legislature provides \$325,000 in additional support for Naturally Occurring Retirement Communities (NORC) and Neighborhood Naturally Occurring Retirement Communities (NNORC) to provide nursing services.
- Legislature provides General Fund support for the following programs:
 - \$400,000 for the Holocaust Survivors Initiative;
 - \$300,000 for SAGE LGBT Elder Welcome Housing;
 - \$290,000 for Regional Aid for Interim Needs, Inc.;
 - \$250,000 for Lifespan of Greater Rochester, Inc.;
 - \$200,000 for Older Adults Technology Service;
 - \$200,000 for LiveOn-NY;
 - \$200,000 for Bay Ridge Center;
 - \$175,000 for Center for Elder Law and Justice;
 - \$150,000 for Jewish Community Council of Greater Coney Island;
 - \$110,000 for Jewish Association for Services of the Aged – Bay Eden Senior Center;
 - \$110,000 for Selfhelp Clearview Senior Center;
 - \$100,000 for Statewide Senior Action Council – Patient’s Rights Hotline;
 - \$90,000 for Harlem Advocates for Seniors, Inc.;
 - \$90,000 for Riverdale Senior Services;

- **\$86,000 for Foundation for Senior Citizens Home Sharing and Respite Program;**
- **\$75,000 for Wayside Out-Reach Development, Inc.;**
- **\$50,000 for Newtown Senior Center; and**
- **\$10,000 for Common Field.**

Article VII

- **The Legislature modifies the Executive proposal to allow counties the option to implement private pay protocols for individuals above 400 percent of the federal poverty level for SOFA programs and services. The Legislature would include a cap on the rates counties can charge individuals for services, protections to ensure those below 400 percent of the poverty level remain the highest priority for services and reporting requirements to assess how unmet need is being addressed by revenue from the private pay protocols.**
- **The Legislature increases the statutory cap on NORC from \$200,000 to \$300,000.**

Recommended Changes to the Executive Budget Developmental Disabilities Planning Council

The Legislature provides an All Funds appropriation of \$4.76 million.

State Operations

- **The Legislature accepts the Executive proposal and recommends no changes.**

Aid to Localities

- **Not applicable.**

Capital Projects

- **Not applicable.**

Article VII

- **Not applicable.**

Recommended Changes to the Executive Budget Department of Health

The Legislature provides an All Funds appropriation of \$160.2 billion, an increase of \$1.2 billion over the Executive budget.

State Operations

- The Legislature restores funding support for the Medical Marijuana Program to the Department of Health (DOH).

Aid to Localities

Medicaid Global Cap

- The Legislature provides restorations of \$640.8 million to the Medicaid Program, including:
 - \$222 million to deny an Executive proposal to eliminate a two percent rate increase for hospitals and 1.5 percent rate increase for nursing homes;
 - \$190.2 million to deny an Executive proposal to cut 0.8 percent across-the-board Medicaid claims;
 - \$137.8 million to deny an Executive proposal to cut the annual indigent care pool;
 - \$18.7 million to deny an Executive proposal to eliminate prescriber prevails provisions in Medicaid for all drug classes;
 - \$17.5 million to deny an Executive proposal to cap reimbursement for deductibles, and ambulance and psychologist services for individuals dually eligible for Medicare and Medicaid;
 - \$12.3 million to deny an Executive proposal to limit coverage for over the counter (OTC) drugs and to increase OTC co-payments;
 - \$10.5 million to deny an Executive proposal to carve-out managed long term care (MLTC) and adult day health care transportation from the Medicaid

managed care benefit, and to transfer the management of these services to the state's transportation manager;

- **\$7.75 million to deny an Executive proposal to eliminate the Population Health Improvement Program;**
 - **\$6.1 million to deny an Executive proposal to reduce New York City livery fees;**
 - **\$5.9 million to deny an Executive proposal to eliminate spousal refusal;**
 - **\$5 million to deny an Executive proposal to reduce facility-specific rate reductions if targets for potentially avoidable services are not met;**
 - **\$4 million to deny an Executive proposal to eliminate supplemental payments for rural transportation services; and**
 - **\$3 million to deny an Executive proposal to eliminate supplemental ambulance rates.**
- **The Legislature provides \$20 million in new Medicaid initiatives, including:**
 - **\$16 million in additional funding for enhanced safety net providers; and**
 - **\$4 million annually for three years to support the reimbursement of former Independent Care System (ICS) providers as the ICS managed long term plan is being acquired by the Visiting Nurse Service of New York Choice.**
- **The Legislature advances \$110 million in reductions, including:**
 - **\$49 million in savings related to delayed implementation of the Community First Choice Option;**
 - **\$21 million in savings related to audit recoveries;**
 - **\$20 million in savings related to a Health Homes rate reduction;**
 - **\$10 million in savings related to the reduction of the Managed Care Quality Bonus;**
 - **\$5 million in savings related to the reduction of the Managed Long Term Care Quality Bonus; and**
 - **\$5 million in savings related to maximization of federal funding.**

Public Health

- **The Legislature provides a \$16 million contingency appropriation to address potential reductions in federal Family Planning Grants.**
- **The Legislature provides \$3.82 million to restore School Based Health Centers funding to SFY 2016-17 levels.**
- **The Legislature provides \$500,000 to restore funding for the Nurse-Family Partnership.**
- **In addition, the Legislature provides:**
 - **\$1.4 million for Community Health Advocates;**
 - **\$1.06 million for the Comprehensive Care Centers for Eating Disorders;**
 - **\$1 million for various public health programs;**
 - **\$875,000 for Family Planning Services;**
 - **\$550,000 for Rural Health Care Access Development;**
 - **\$550,000 for Rural Health Care Network**
 - **\$525,000 for HIV/AIDS Community Services Program (CSP);**
 - **\$525,000 for HIV/AIDS Multi Service Agencies (MSA);**
 - **\$500,000 for the Hunger Prevention and Nutrition Assistance Program (HPNAP);**
 - **\$500,000 for the Diversity in Medicine Program;**
 - **\$500,000 for the New York Alliance for Donation, Inc.;**
 - **\$500,000 for Women’s Health Services;**
 - **\$475,000 for LGBT Health and Human Services Network;**
 - **\$450,000 for Primary Care Development Corporation (PCDC);**
 - **\$409,000 for the Finger Lakes Health Systems Agency;**
 - **\$300,000 for New Alternatives for Children;**
 - **\$250,000 for the ALS Association Greater New York;**
 - **\$250,000 for Long Term Care Community Coalition;**
 - **\$250,000 for Safe Motherhood Initiative;**
 - **\$224,000 for the Alzheimer’s Disease Resource Center, Inc.;**
 - **\$209,000 for Crisis Services of Buffalo and Erie County;**
 - **\$200,000 for the Maternity and Early Childhood Foundation;**
 - **\$200,000 for Sickle Cell Anemia;**
 - **\$160,000 for the International Lymphatic Disease and Lymphodema Patient Registry and Biorepository;**
 - **\$150,000 for the Breast Cancer Coalition of Rochester;**
 - **\$150,000 for the Coalition for the Institutionalized, Aged, and Disabled;**
 - **\$140,000 for Gay Men’s Health Crisis;**
 - **\$125,000 for Comunilife;**
 - **\$125,000 for the New York State Dental Association;**
 - **\$100,000 for the Adelpi Breast Cancer Center;**
 - **\$100,000 for the Maternal Depression Peer Support Program;**

- \$100,000 for ACR Health’s Q Center;
- **\$84,000 for New York School-Based Health Alliance;**
- **\$75,000 for Urban Health Plan;**
- **\$75,000 for CAMBA;**
- **\$75,000 for the American-Italian Cancer Foundation;**
- **\$50,000 for the New York State Breast Cancer Network;**
- **\$50,000 for Roswell Park Comprehensive Cancer Center;**
- **\$50,000 for APICHA Health Center;**
- **\$50,000 for Baily-Holt House;**
- **\$40,000 for Infoshare Community Data Center; and**
- **\$30,000 for a Sensory Friendly Emergency Room Pilot at Ellis Hospital.**

Article VII

- **The Legislature modifies language to codify the New York State of Health to add Legislative appointments to the Marketplace Advisory Committee.**
- **The Legislature modifies Medicaid Integrity proposals to eliminate the requirement for home care providers to get a National Provider Identification card from the Centers for Medicare and Medicaid Services (CMS); include protections to prohibit inappropriate recoveries from individuals and estates; and add protections to ensure that providers were not subjected to duplicative recoveries by the state and the health care plans.**
- **The Legislature modifies an Executive nursing home case mix adjustment proposal by establishing a workgroup.**
- **The Legislature does not include an Executive proposal related to pharmacy technicians.**
- **The Legislature modifies the Executive’s Delivery System Reform Incentive Payment (DSRIP) waiver proposal to add medically tailored meals and asthma management to Medicaid benefits, as well as to provide additional patient safeguards.**
- **The Legislature accepts a three month extender authorizing the temporary employment of individuals providing services to children pending a criminal background check.**
- **The Legislature does not include various tobacco and vapor products proposals included in the Executive Budget, but allows for taxation of vapor products.**
- **Behavioral Health Parity: The Legislature modifies the Executive proposal to require Managed Care Organizations (MCOs) to provide additional information to plan subscribers on behavioral health and substance use disorder network providers, and to require MCOs to disclose a comparative analysis on covered services.**

- The Legislature accepts the Executive proposal to require hospitals to develop policies and treatment protocols for emergency departments for the use of medication-assisted treatment.
- The Legislature accepts the Executive proposal to require court order substance abuse services provided under Medicaid managed care to be provided by a program licensed by Office of Alcoholism and Substance Abuse Services.
- The Legislature does not include an Executive proposal to eliminate the exemption for hospital emergency departments to consult the Prescription Monitoring Program (PMP) for patient controlled substance history.
- The Legislature does not include an Executive proposal to add various fentanyl analogs to the controlled substance schedule, as well as to give DOH the authority to automatically add certain substances to the controlled substance schedule.
- **Drug Cap:** The Legislature modifies the Executive proposal regarding high cost drugs to ensure information used to evaluate high cost drugs is transparent, and requires the DOH to look at quality of life, improved health outcomes and reductions in avoidable hospitalizations when evaluating a drug's value.
 - The Legislature also modifies the Executive proposal to allow drugs with an existing rebate to be referred to the Drug Utilization Review Board when there are significant market changes, new evidence, or related governmental actions.
- The Legislature modifies the Executive proposal to eliminate the practice of spread-pricing for pharmacy benefit managers (PBMs) that contract with managed care organizations to expand PBM financial reporting and clarify the definitions of PBMs and PBM services.
- The Legislature does not include legislation to establish a Universal Access Commission.
- The Legislature accepts a reduction in reimbursement to General Public Health Works initiatives in NYC from 36 percent to 20 percent.
- The Legislature modifies the Consumer Directed Personal Assistance Program proposal to authorize fiscal intermediaries to contract with DOH through an expedited procurement process, establish criteria for the selection of fiscal intermediaries, establish consumer protections to provide for the continuity of care and establish a stakeholder workgroup pertaining to fiscal intermediaries services and the needs of consumers.

- **The Legislature includes a proposal to establish a loan program to help financially distressed safety net hospitals.**
- **The Legislature modifies an Executive proposal to reduce the threshold for lead exposure to trigger action by the state to protect children at risk of lead poisoning, and require water systems to report on known lead pipes in the systems.**
- **The Legislature includes a proposal to extend the indigent care pool methodology for an additional year, and to increase the transition limit from 17.5 percent to 20 percent.**
- **The Legislature includes a proposal to ensure wage parity for providers that serve individuals with traumatic brain injuries.**
- **The Legislature accepts the Executive's proposal to authorize Medicaid coverage of the National Diabetes Prevention Program.**
- **The Legislature accepts the Executive proposal to eliminate certain payments to major Academic Centers of Excellence.**
- **The Legislature accepts the Executive proposal to transfer custody of the Medical Indemnity Fund from the Department of Financial Services to DOH.**
- **The Legislature accepts the Executive proposal to expedite the award of \$300 million in capital funding to support health care facilities.**
- **The Legislature includes a proposal to direct DOH to conduct a study on staffing initiatives to improve patient safety and healthcare quality.**

Recommended Changes to the Executive Budget Office of the Medicaid Inspector General

The Legislature provides an All Funds appropriation of \$50.02 million.

State Operations

- The Legislature accepts the Executive proposal and recommends no changes.

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- The Legislature modifies the Executive's Medicaid Integrity proposals to eliminate the requirement for home care providers to get a National Provider Identification card from CMS; include protections to prohibit inappropriate recoveries from individuals and estates; and to add protections to ensure that providers are not subjected to duplicative recoveries by the state and the health care plans.

Recommended Changes to the Executive Budget Department of Mental Hygiene

The Legislature provides an All Funds appropriation of \$600 million.

State Operations

- **The Legislature accepts the Executive proposal and recommends no changes.**

Aid to Localities

- **Not applicable.**

Capital Projects

- **Not applicable.**

Article VII

- **Not applicable.**

Recommended Changes to the Executive Budget Office of Alcoholism and Substance Abuse Services

The Legislature provides an All Funds appropriation of \$807.5 million, an increase of \$6.2 million over the Executive proposal.

State Operations

- The Legislature accepts the Executive proposal and recommends no changes.

Aid to Localities

- The Legislature allocates funding to provide salary increases for direct support professionals, direct care workers, and clinical staff employed by the Office of Mental Health (OMH), the Office of Alcoholism and Substance Abuse Services (OASAS), and the Office for People with Developmental Disabilities (OPWDD). Direct care and direct support staff would receive a 2.0 percent increase on January 1, 2020 and direct care workers, direct support professionals, and clinical staff would receive another 2.0 percent increase on April 1, 2020, for a total of \$80 million. OASAS providers are estimated to receive \$700,000 in SFY 2019-20.
- The Legislature restores \$2 million to fund Substance Abuse Prevention and Intervention Specialists (SAPIS) in New York City schools.
- The Legislature provides \$1 million to expand substance use disorder services in county jails, for a total of \$4.75 million.
- The Legislature includes General Fund appropriations for the following:
 - \$600,000 for the Family and Children’s Association;
 - \$450,000 for Save the Michaels of the World;
 - \$350,000 for the development and implementation of a loan forgiveness and scholarship program to recruit and retain staff;
 - \$350,000 for the development and implementation of a recovery community and outreach center;
 - \$225,000 for the New York State Alliance of Boys and Girls Club;
 - \$175,000 for the Saratoga Hospital Medical Management Program;
 - \$100,000 for the Safe Foundation;
 - \$100,000 for the Addicts Rehabilitation Center Foundation;
 - \$80,000 for the Rockland Council of Alcoholism; and
 - \$25,000 for Camelot of Staten Island.

Capital Projects

- **The Legislature accepts the Executive proposal and recommends no changes.**

Article VII

- **The Legislature includes language to extend Ambulatory Patient Group (APG) Medicaid Rates for one additional year, until March 31, 2023.**

Recommended Changes to the Executive Budget Office of Mental Health

The Legislature provides an All Funds appropriation of \$4.4 billion, an increase of \$8.2 million over the Executive proposal.

State Operations

- The Legislature does not include the Executive language to authorize two volunteering counties to establish and operate a restoration program within a local or state correctional facility, and provides a restoration of \$1.7 million.

Aid to Localities

- The Legislature allocates funding to provide salary increases for direct support professionals, direct care workers, and clinical staff employed by the Office of Mental Health (OMH), the Office of Alcoholism and Substance Abuse Services (OASAS), and the Office for People with Developmental Disabilities (OPWDD). Direct care and direct support staff would receive a 2.0 percent increase on January 1, 2020 and direct care workers, direct support professionals, and clinical staff would receive another 2.0 percent increase on April 1, 2020, for a total of \$80 million. OMH providers are estimated to receive \$1.2 million in SFY 2019-20.
- The Legislature provides \$4.1 million to restore and expand the Joseph P. Dwyer Peer to Peer Pilot Program.
- The Legislature does not include \$850,000 to establish and operate restoration programs within a local or state correctional facility for two volunteering counties.
- The Legislature includes General Fund appropriations for the following:
 - \$412,500 for Crisis Intervention Teams and Other Mobile Crisis Programs;
 - \$400,000 for FarmNet;
 - \$225,000 for Mobilization for Justice Mental Health Project;
 - \$200,000 for Westchester Jewish Community Services;
 - \$175,000 for South Fork Behavioral Health Initiative;
 - \$175,000 for North Fork Behavioral Initiative;
 - \$150,000 for New York State Psychiatric Association;
 - \$150,000 for Medical Society of the State of New York;

- **\$150,000 for National Association of Social Workers New York State Chapter; and**
- **\$100,000 for Mental Health Association in New York State.**

Capital Projects

- **The Legislature accepts the Executive proposal and recommends no changes.**

Article VII

- **The Legislature includes language to extend Ambulatory Patient Group (APG) Medicaid Rates for one additional year until March 31, 2023.**
- **The Legislature includes language to authorize OMH to continue to recover Medicaid exempt income from providers of community residences until March 31, 2022.**
- **The Legislature does not include language to authorize volunteering counties to establish and operate a restoration program within a local correctional facility.**
- **The Legislature includes language to extend the authority for the Department of Health (DOH) to establish Special Needs Plans until March 31, 2025.**
- **The Legislature requires the Commissioner of the Department of Health to establish hospital inpatient psychiatric service rates in consultation with industry representatives, and to achieve an appropriate base year update related to the operating cost components for rates of payments for such services.**

Recommended Changes to the Executive Budget Office for People with Developmental Disabilities

The Legislature provides an All Funds appropriation of \$4.83 billion, an increase of \$8.99 million from the Executive proposal.

State Operations

- Not applicable.

Aid to Localities

- The Legislature allocates funding to provide salary increases for direct support professionals, direct care workers, and clinical staff employed by the Office of Mental Health (OMH), the Office of Alcoholism and Substance Abuse Services (OASAS), and the Office for People with Developmental Disabilities (OPWDD). Direct care and direct support staff would receive a 2.0 percent increase on January 1, 2020 and direct care workers, direct support professionals, and clinical staff would receive another 2.0 percent increase on April 1, 2020, for a total of \$80 million. OPWDD providers are estimated to receive \$8.4 million in SFY 2019-20.
- The Legislature provides for the following:
 - \$240,000 for Jawonio, Inc.;
 - \$150,000 for Best Buddies International, Inc.;
 - \$150,000 for Special Olympics New York, Inc.; and
 - \$50,000 for the Epilepsy Foundation of Northeastern New York.

Capital Projects

- Not applicable.

Article VII

- The Legislature would include language to authorize Article 16 clinics certified under OPWDD to be approved as integrated service providers.
- The Legislature would include language to extend Ambulatory Patient Group (APG) Medicaid rates for one additional year, until March 31, 2023.

Recommended Changes to the Executive Budget Justice Center for the Protection of People with Special Needs

The Legislature provides an All Funds appropriation of \$58.02 million, an increase of \$382,000 over the Executive proposal.

State Operations

- The Legislature provides \$382,000 for continued oversight of psychiatric inpatient units located in a general hospital, inpatient units licensed or certified by OMH or OASAS, and summer camps regulated by DOH for children with developmental disabilities.

Aid to Localities

- The Legislature accepts the Executive proposal and recommends no changes.

Capital Projects

- Not applicable.

Article VII

- The Legislature does not include language that would eliminate oversight responsibility for the Justice Center of psychiatric inpatient units located in a general hospital, inpatient units licensed or certified by OMH or OASAS, and summer camps regulated by DOH for children with developmental disabilities.

TRANSPORTATION, ECONOMIC DEVELOPMENT & ENVIRONMENTAL CONSERVATION

By Agency

**Recommended Changes to the Executive Budget
Adirondack Park Agency**

The Legislature provides an All Funds appropriation of \$4.68 million.

State Operations

- **The Legislature accepts the Executive proposal and recommends no changes.**

Aid to Localities

- **Not applicable.**

Capital Projects

- **Not applicable.**

Article VII

- **Not applicable.**

Recommended Changes to the Executive Budget Department of Agriculture and Markets

The Legislature provides an All Funds appropriation of \$179.8 million, an increase of \$4.9 million over the Executive proposal.

State Operations

- The Legislature restores \$1.05 million for the Plant Industry Account which was shifted to the Division of Alcoholic Beverage Control in the Executive proposal.

Aid to Localities

- The Legislature provides \$33.2 million for local assistance for agriculture programs, an increase of \$3.7 million over the Executive proposal, including:
 - \$9,275,000 for the Agribusiness Child Development Program;
 - \$4,839,000 for the "Core" Diagnostic Lab;
 - \$1,900,000 for the New York Farm Viability Institute;
 - \$1,201,000 for the Cornell University Pro-dairy Program;
 - \$1,174,000 for the Quality Milk Production Services Program;
 - \$1,100,000 for Taste NY;
 - \$1,079,000 for the New York Wine and Grape Foundation;
 - \$1,000,000 for Grow NY;
 - \$872,000 for Cornell University Farm Family Assistance;
 - \$842,000 for the Cornell University Future Farmers of America;
 - \$750,000 for the New York State Apple Growers Association;
 - \$750,000 for Farm-To-School;
 - \$600,000 for Harvest NY;
 - \$500,000 for Local Fairs;
 - \$500,000 for the Apple Research and Development Program;
 - \$480,000 for the Cornell University John's Disease Program;
 - \$416,000 for the Association of Agricultural Educators;
 - \$400,000 for the Hop Evaluation and Field Testing Program;
 - \$380,000 for Cornell University Agriculture in the Classroom;
 - \$370,000 for Dairy Profit Teams;
 - \$360,000 for the NYS Cattle Health Assurance Program;
 - \$350,000 for the Cornell University Rabies Program ;
 - \$300,000 for the Northern NY Agricultural Development;
 - \$288,000 for the Maple Producers Association;

- \$260,000 for Cornell University Berry Research;
- \$252,000 for the Cornell University Avian Disease Program;
- \$250,000 for Cornell University Concord Grape Research;
- \$250,000 for the Tractor Rollover Protection Program;
- \$200,000 for the Cornell University Salmonella Dublin Program;
- \$200,000 for Cornell University Hard Cider Research;
- \$200,000 for the Cornell Farm Labor Specialist;
- \$200,000 for the Farmland for a New Generation Resource Center;
- \$200,000 for the Farmland for a New Generation Regional Navigator;
- \$150,000 for Cornell University Honeybee Research;
- \$150,000 for the Turfgrass Environmental Stewardship;
- \$138,000 for Electronic Benefits Transfer;
- \$125,000 for Cornell University Maple Research;
- \$125,000 for the NY Christmas Tree Farmers;
- \$115,000 for Cornell University Veterans to Farm;
- \$100,000 for Cornell University Vegetable Research;
- \$75,000 for the NY Corn and Soybean Growers Association;
- \$75,000 for the NYS Brewers;
- \$75,000 for the NYS Cider Association;
- \$75,000 for the NYS Distillers Guild;
- \$70,000 for Cornell University Onion Research;
- \$62,000 for the Cornell University Golden Nematode Program;
- \$60,000 for the New York State Berry Growers;
- \$50,000 for the Met Council Kosher Food Network;
- \$40,000 for the Red Hook Farms Initiative; and
- \$20,000 for Teens for Food Justice Youth Training.

Capital Projects

- The Legislature accepts the Executive proposal and recommends no changes.

Article VII

- Not applicable.

Recommended Changes to the Executive Budget Department of Economic Development

The Legislature provides an All Funds appropriation of \$93.01 million, an increase of \$4.6 million over the Executive proposal.

State Operations

- The Legislature accepts the Executive proposal and recommends no changes.

Aid to Localities

- The Legislature restores support for the following programs, which were eliminated in the Executive proposal:
 - \$1.4 million of additional support for the Centers of Excellence. Through this action, each of the eleven centers would receive \$1 million, for a total appropriation of \$11 million;
 - \$925,000 for the Center of Excellence in Life Science at New York Medical College;
 - \$609,000 of additional support for the Technology Development Organization Matching Grants, for a total appropriation of \$2 million;
 - \$593,000 of additional support for the Local Tourism Promotion Matching Grants Program, for a total appropriation of \$4.41 million;
 - \$250,000 for the Albany Center of Excellence in Atmospheric and Environmental Prediction and Innovation; and
 - \$100,000 for tourism initiatives in the Town of East Hampton.
- The Legislature also provides new support for the following programs:
 - \$591,000 of additional support for Centers of Advance Technology, for a total of \$14.41 million; and

- **\$125,000 for the creation of a new Center of Excellence in Healthy Water Solutions at Clarkson University and SUNY College of Environmental Science and Forestry.**

Capital Projects

- **Not applicable.**

Article VII

- **The Legislature does not include the Executive proposal to update the provisions of law relating to participation by minority- and women-owned business (MWBE) enterprises in state contracts. Discussions regarding updating and extending the program will continue throughout the Legislative session.**

**Recommended Changes to the Executive Budget
New York State Energy and Research Development Authority**

The Legislature provides an All Funds appropriation of \$17.7 million.

State Operations

- **Not applicable.**

Aid to Localities

- **Not applicable.**

Capital Projects

- **The Legislature accepts the Executive proposal and recommends no changes.**

Article VII

- **The Legislature accepts the Executive proposal and recommends no changes.**

Recommended Changes to the Executive Budget Department of Environmental Conservation

The Legislature provides an All Funds appropriation of \$1.76 billion, an increase of \$825,000 over the Executive proposal.

State Operations

- The Legislature accepts the Executive proposal and recommends no changes.

Aid to Localities

- The Legislature funds the following programs, totaling \$825,000:
 - \$210,000 for Sustainable South Bronx;
 - \$100,000 for the Community Growers Grant Program;
 - \$75,000 for Feasibility Study American Water;
 - \$75,000 for PA'LANTE Harlem Inc;
 - \$75,000 for WE ACT for Environmental Justice;
 - \$75,000 for the Magnolia Tree Earth Center;
 - \$75,000 for water quality monitoring in Manhasset Bay, Hempstead Harbor, Oyster Bay Harbor, and Cold Spring Harbor;
 - \$45,000 for the Brooklyn Queens Land Trust;
 - \$40,000 for the Bronx River Alliance;
 - \$25,000 for the Outer Seed Shadow (OSS) Project, Inc;
 - \$20,000 for water quality monitoring in Setauket Harbor; and
 - \$10,000 for North Brooklyn Neighbors.

Capital Projects

Environmental Protection Fund (EPF)

- The Legislature denies the Executive proposal to divert funds from the EPF to support personal service expenses.
- The Legislature accepts the Executive proposal to fund the EPF at \$300 million, and modifies the appropriations to provide for the following:
 - \$18 million for Farmland Protection, a restoration of \$1 million;

- \$16 million for Zoos, Botanical Gardens, and Aquaria, an increase of \$1 million;
 - \$1 million for the East River Esplanade;
 - \$33.1 million for Land Acquisition, a restoration of \$700,000;
 - \$350,000 for the Town of Hempstead Marine Laboratory;
 - \$250,000 for the Adirondack Diversity Initiative; and
 - \$200,000 for the Hudson Valley Carbon Farming Pilot, for a total of \$400,000.
- The Legislature reallocates funds from the Climate Resilient Farms Program, the Water Quality Improvement Program, the Local Waterfront Revitalization Program, Public Access and Stewardship, and Brownfield Opportunity Areas to provide support for the items listed above.
 - The Legislature clarifies the purpose of the Hudson Valley Carbon Farming Pilot and adds Ulster, Sullivan, and Orange Counties as permissible pilot locations.
 - The Legislature does not include an Executive proposal to fund the new Working Forests Conservation Easements initiative. The Legislature transfers support for the Golden Nematode initiative back to the Department of Agriculture and Markets.
 - The Legislature does not include \$1 million for drug take-back programs. Manufacturers are required to provide these programs under a law enacted in 2018.

Clean Water Infrastructure

- The Legislature accepts the Executive proposal for a \$500 million appropriation for clean water infrastructure.

Article VII

- The Legislature modifies the Executive proposal to ban plastic carryout bags by limiting exemptions and authorizing cities and counties to charge a five cent fee on paper bags effective March 1, 2020.
- The Legislature modifies the Executive proposal to make the waste tire fee permanent by instead extending the fee for an additional three years.
- The Legislature requires large-scale food scrap generators to compost food waste, if located within 25 miles of an organics recycler. Exemptions to this requirement include hospitals, nursing homes, adult care facilities, and elementary and secondary schools.

- The Legislature modifies the Executive proposal to authorize the Department of Environmental Conservation (DEC) to solicit funds or gifts and enter into public-private partnerships by limiting the authorization to the acceptance of unconditional gifts.
- The Legislature does not include an Executive proposal to expand the types of beverage containers subject to the five-cent bottle deposit and modify redemption and deposit initiation procedures.
- The Legislature does not include an Executive proposal to prohibit oil and natural gas drilling in State waters and to prohibit the state from enabling infrastructure supporting such oil and gas drilling. This proposal is not included in the Enacted Budget because a similar bill (A. 2572; S. 2316) has already been passed by both houses during the current legislative session.
- The Legislature does not include an Executive proposal to eliminate the requirement that wetland mapping notifications be sent by certified mail.
- The Legislature does not include an Executive proposal to establish product labeling and chemical disclosure requirements for consumer products and require manufacturers of personal care products to disclose ingredients.
- The Legislature does not include an Executive proposal to establish the Climate Action Council to develop a roadmap to carbon neutrality.

Recommended Changes to the Executive Budget Metropolitan Transportation Authority

The Legislature provides an All Funds appropriation of \$6.85 billion, an increase of \$110 million over the Executive proposal. In addition, the Legislature accepts an Executive proposal for a contingency appropriation of \$969.9 million.

State Operations

- Not applicable.

Aid to Localities

- The Legislature accepts the Executive proposal and recommends no changes.

Capital Projects

- The Legislature includes \$100 million as an advance for capital costs related to the Central Business District (CBD) tolling program, provided the MTA reimburse the state for such costs.
- The Legislature does not include an Executive proposal to make the release of the state's share of capital funds contingent on the passage of congestion pricing, MTA reform and the expansion of school speed cameras in New York City.

Article VII

MTA Capital Plan Funding

- The Legislature provides the MTA with \$1.685 billion in annual revenue to support \$25 billion in new bonded capital funding, dedicated to the 2020-24 Capital Plan. These revenues are generated as follows:
 - \$1 billion from a new CBD tolling program (see below);
 - \$365 million from real estate transfer taxes imposed in New York City, including a progressive transfer tax on properties with a high purchase price; and

- \$320 million from the state and local share of internet sales tax collections generated in New York City.
- The New York City Transit Authority would be allocated 80 percent of the newly-bonded capital; while the Long Island Rail Road (LIRR) and Metro-North would each be allocated 10 percent of such capital.
- A portion of the 2020-24 MTA Capital Plan will be subject to a memorandum of understanding with the Legislature to ensure the plan addresses the needs of riders in the MTA service area.

Central Business District (CBD) Tolling Program

- The Legislature establishes the CBD tolling zone to include 60th street and areas south within Manhattan, excluding the West Side Highway and FDR Drive.
- The Legislature limits the imposition of the toll to a maximum of once per day for private passenger vehicles and exempts vehicles transporting disabled passengers and emergency vehicles.
- Within these statutory parameters, the Legislature authorizes the Triborough Bridge and Tunnel Authority (TBTA) to develop and implement a CBD Tolling Program no sooner than December 31, 2020.
 - The toll amount must support \$15 billion in bonded capital for the 2020-24 Capital Plan, net of operating and capital costs, and any credits or exemptions.
 - The program must include a plan to credit tolls paid on bridges and tunnels before entering the zone as well as a plan to exempt certain for-hire-vehicles.
 - The program will be informed by the recommendations of the Traffic Mobility Review Board, which must consider traffic congestion and air quality, and which must have regional representation including an appointment by the Mayor of New York City.
- The Legislature provides a CBD toll tax credit for CBD tolls paid by persons residing in the tolling zone whose adjusted gross income is less than \$60,000 per year.
- The Legislature provides for public hearings, adequate signage to avoid accidental entries or exits, a 30 day pilot period upon implementation of the tolling program during which no tolls or associated fees will be issued, and an additional 60 day amnesty period during which no fines or fees will be issued.

- The Legislature requires the TBTA to enter into a memorandum of understanding with New York City for the planning, design, installation, construction and maintenance of the CBD tolling infrastructure.
- The Legislature requires the MTA to report annually on the impacts of the CBD Tolling Program, including its impact on air quality and emissions, as well as traffic congestion and vehicle speeds.

MTA Operational Reforms

- The Legislature includes provisions to improve the MTA's accountability, transparency, and efficiency. These provisions would:
 - require the MTA to develop a reorganization plan by June 30, 2019 and to subsequently incorporate into such plan findings from an independent forensic audit no later than March 31, 2020. Such plan can include the consolidation of any redundant powers, functions or activities so long as these actions do not infringe on collective bargaining agreements or merge any of its subsidiaries. The MTA Board must approve the implementation of the reorganization plan;
 - require the MTA to contract with an independent auditor to provide a detailed accounting of its capital elements as well as to conduct a financial review to identify fraud, waste and abuse, duplicative functions, and opportunities for cost savings and efficiencies;
 - authorize the MTA to share employees between MTA agencies provided there is no infringement on collective bargaining agreements and to specifically authorize TBTA peace officers to issue summonses for fare evasion and require the MTA to establish a plan by June 30, 2019 to combat fare evasion;
 - authorize the debarment of contractors, for five years, in the event that a contractor exceeds contract costs or project completion timeframes by more than 10 percent;
 - require design-build contracts for projects over \$25 million, extend MTA procurement provisions related to public bidding and thresholds, increase competitive bidding thresholds from \$100,000 to \$1 million, and require that prior review and approval of contracts by the comptroller be completed within 30 days;
 - establish a major construction review unit to conduct engineering reviews of capital projects, and establish an outside advisory group to review the East Side Access project and make recommendations to accelerate its completion;

- require the MTA to implement and report on standard performance metrics to measure service quality;
- require the MTA to submit a 20 year capital needs assessment every five years on or before October 1, beginning in 2023;
- align the term limits of MTA Board members to the terms of the elected appointing authority and provide for the appointment of the chair under certain circumstances; and
- require a written explanation by a Capital Plan Review Board (CPRB) member upon a vote of disapproval of a proposed MTA Capital Plan and provide for a period of up to 20 days for such member to reconsider their disapproval.

Other MTA Actions

- The Legislature modifies the Executive proposal to expand the current 5 percent special supplemental auto rental surcharge from the Metropolitan Commuter Transportation District (MCTD) to the remainder of the state to accelerate the effective date from September 1, 2019, to June 1, 2019; increase the proposed supplemental upstate auto rental tax from 5 percent to 6 percent; and similarly increase the MCTD surcharge to 6 percent.
- The Legislature accepts the Executive proposal to require certain MCTD supplemental taxes, surcharges, and fees to be paid directly to the MTA without state appropriation.
- The Legislature does not include the Executive proposal to modify and make permanent the New York City bus lane photo enforcement program, and to create a new permanent photo enforcement program in the City to enforce stopping, standing, parking and turning laws within a congestion zone and designated bus corridors.
- The Legislature does not include an Executive proposal to correct a technical error in describing a specified lot and block number regarding the LaGuardia Air Train project, as commitments made to the local community have not been adequately addressed.

Recommended Changes to the Executive Budget New York State Gaming Commission

The Legislature provides an All Funds appropriation of \$408.51 million.

State Operations

- The Legislature accepts the Executive proposal and recommends no changes.

Aid to Localities

- The Legislature accepts the Executive proposal and recommends no changes.

Capital Projects

- Not applicable.

Article VII

- The Legislature modifies the Executive's proposal to **authorize the Gaming Commission to waive pre-employment restrictions for a prospective employee whose position is based primarily on racetrack grounds.**
- The Legislature modifies the Executive's proposal to **authorize the Gaming Commission to nominate, as their designees to the Thoroughbred Breeding and Development Fund, members who have experience or knowledge of the thoroughbred horse industry.**
- The Legislature modifies the Executive's proposal to **authorize the Zweig Fund to accept conditional gifts, grants, devises or bequests with certain restrictions.**
- **The Legislature modifies the Executive's proposal to codify payments to education from the proceeds of state lottery games and increase the percentage of total sales which are directed to education for certain instant cash games.**
- The Legislature modifies the Executive's **proposal to reconfigure the vendor fee, capital awards distribution, marketable allowance and additional commission structures for Video Lottery Gaming facilities.**

- The Legislature modifies the Executive’s proposal to **institute a cap on free play credits available for a commercial casino to offer to their patrons at 19 percent until fiscal year 2022-23, and 15 percent thereafter.**
- The Legislature modifies the Executive’s proposal to **statutorily prescribe oversight and financial planning responsibilities for regional Off-Track Betting Facilities’ Boards of Directors.**
- The Legislature modifies the Executive’s proposal to **authorize a demonstration project solely in Schenectady County.**
- The Legislature modifies the Executive’s proposal to **extend the current pari-mutuel tax rates and provisions related to the simulcasting of out-of-state thoroughbred and harness races for one year.**
- The Legislature accepts the Executive’s proposal to **extend the Advisory Committee on Equine Drug Testing until December 1, 2019, and further modifies to allow the equine testing lab to be located at any qualified state college or land grant university within the state, rather than at a specified state school.**
- **The Legislature continues the authorization of up to \$2 million from the unpaid purse cushion account through 2020 for the New York Jockey Injury Compensation Fund.**
- **The Legislature establishes an annual \$60 million cap on the Lottery Lapsed Prize account in any given fiscal year, with any excess funds going to education.**
- **The Legislature does not include an Executive proposal to statutorily authorize the use of funds from the New York State Breeding and Development Fund and the Agriculture and New York State Horse Breeding Development Fund to be used for the aftercare of retired racehorses.**
- **The Legislature does not include an Executive proposal to provide for the ability of the state to enter into a multi-state compact in relation to the creation of a uniform set of rules and regulations for the permitted and prohibited use of drugs in racehorses.**
- **The Legislature does not include an Executive proposal to restructure the current licensing process, create a new sublicense and registration system, and clarify the definitions of various casino employees.**
- **The Legislature does not include an Executive proposal related to the role of the Gaming Inspector General.**

- **The Legislature does not include an Executive proposal related to board members of the Zweig Fund.**

Recommended Changes to the Executive Budget Department of Motor Vehicles

The Legislature provides an All Funds appropriation of \$395.88 million.

State Operations

- The Legislature accepts the Executive proposal and recommends no changes.

Aid to Localities

- The Legislature accepts the Executive proposal and recommends no changes.

Capital Projects

- The Legislature accepts the Executive proposal and recommends no changes.

Article VII

- The Legislature modifies the Executive proposal to make the statute authorizing the testing of autonomous vehicles on public roads permanent, by instead authorizing a two year extension.
- The Legislature modifies the Executive proposal to extend provisions of law relating to the Ignition Interlock Program by providing a one year extension.
- The Legislature modifies the Executive proposal to extend provisions of law relating to traffic and parking ticket surcharges, scofflaw penalties and related statutes by providing a one year extender.
- The Legislature modifies the Executive proposal to extend provisions of law authorizing red light camera programs in the counties of Nassau and Suffolk, as well as in the cities of New York, Albany, Mt. Vernon, New Rochelle, White Plains and Yonkers through December 1, 2024, by modifying reporting requirements.
- The Legislature does not include the Executive proposal to extend and expand New York City's school zone photo speed violation program because a similar provision has already passed the Assembly and the Senate (A. 6449; S. 4331).

- **The Legislature does not include the Executive proposal to authorize school districts to implement school bus stop-arm camera programs because a similar provision was already passed by the Assembly (A. 4950-A).**
- **The Legislature does not include the Executive proposal relating to the operation of locally authorized scooters and motorcycles on roadways.**

Recommended Changes to the Executive Budget Olympic Regional Development Authority

The Legislature provides an All Funds appropriation of \$107.1 million.

State Operations

- **The Legislature modifies a \$16 million indemnity contingency appropriation by limiting its applicability to the 2023 World University Games in Lake Placid, New York.**

Aid to Localities

- **Not applicable.**

Capital Projects

- **The Legislature accepts the Executive proposal and recommends no changes.**

Article VII

- **The Legislature modifies an Executive proposal to authorize the Olympic Regional Development Authority (ORDA) to enter into contracts or agreements containing indemnity provisions for Olympic and other national and international games or events by limiting the authority to the 2023 World University Games in Lake Placid, New York.**

Recommended Changes to the Executive Budget Office of Parks, Recreation, and Historic Preservation

The Legislature provides an All Funds appropriation of \$481.8 million, an increase of \$340,000 over the Executive proposal.

State Operations

- The Legislature accepts the Executive proposal and recommends no changes.

Aid to Localities

- The Legislature provides funding for the following programs, totaling \$340,000:
 - \$200,000 for the Prospect Park Alliance;
 - \$50,000 for Historic Huguenot Street;
 - \$35,000 for the Morningside Heights Historic District Committee;
 - \$30,000 for the Broadway Mall Association;
 - \$15,000 for the NYC Department of Parks and Recreation; and
 - \$10,000 for the Narrows Botanical Gardens.

Capital Projects

- The Legislature accepts the Executive proposal and recommends no changes.

Article VII

- The Legislature accepts the Executive proposal to create a retail stores enterprise fund and a golf enterprise fund to reduce administrative costs for retail stores and golf courses on state parks.

Recommended Changes to the Executive Budget Department of Public Service

The Legislature provides an All Funds appropriation of \$104.7 million.

State Operations

- The Legislature accepts the Executive proposal and recommends no changes.

Aid to Localities

- The Legislature accepts the Executive proposal and recommends no changes.

Capital Projects

- Not applicable.

Article VII

- The Legislature requires the Public Service Commission to establish a program to encourage the installation of renewable energy and energy efficiency resources in Westchester County.
- The Legislature accepts the Executive proposal to continue the annual authorization for certain agency expenses to be reimbursed by a utility assessment, but limits the continued authorization for one additional year.
- The Legislature does not include the Executive proposal to authorize the collection of an additional \$10 million annually from utility assessments for the Electric Generation Facility Cessation Mitigation Fund.
- The Legislature does not include the Executive proposal to require state agencies and state authorities to contract only with internet service providers that adhere to net neutrality principles.

Recommended Changes to the Executive Budget Department of State

The Legislature provides an All Funds appropriation of \$265.64 million, an increase of \$13.37 million over the Executive proposal.

State Operations

- The Legislature provides \$20,000 of additional support for the State of New York Commission on Uniform State Laws, for a total appropriation of \$155,000.

Aid to Localities

- The Legislature restores support for the following programs, which were eliminated in the Executive proposal:
 - \$11 million in total additional support for programs which assist non-citizens with legal services, case management, English as a second language training, job training and placement assistance, and post-employment services, for a total appropriation of \$17.44 million;
 - \$900,000 for the Public Utility Law Project (PULP);
 - \$200,000 for the Doe Fund, Inc.; and
 - \$150,000 for the New York Immigration Coalition.
- The Legislature also provides new support for the following programs:
 - \$250,000 for the Independent Redistricting Commission; and
 - \$250,000 for the Student Loan Consumer Assistance Program.

Capital Projects

- The Legislature accepts the Executive proposal and recommends no changes.

Article VII

- **The Legislature accepts the Executive proposal to extend for one year the authority of the Secretary of State to charge increased fees for expedited handling of certain documents.**
- **The Legislature does not include the Executive proposal to remove the Department of State's (DOS) responsibility for serving corporations with service of process.**
- **The Legislature does not include the Executive proposal to repeal requirements that business corporations, limited liability companies, and limited liability partnerships file biennial and/or five-year statements with DOS; and repeals DOS collection of fees regarding such statements.**

Recommended Changes to the Executive Budget Department of Taxation and Finance

The Legislature provides an All Funds appropriation of \$468.56 million.

State Operations

- The Legislature accepts the Executive proposal and recommends no changes.

Aid to Localities

- The Legislature accepts the Executive proposal and recommends no changes.

Capital Projects

- Not applicable.

Article VII

- The Legislature accepts the Executive proposal to provide additional means for school districts and local governments to avoid large unexpected tax shifts due to equalization rate changes.
- The Legislature accepts the Executive proposal to allow a county, upon agreement with an included municipality, to appoint the members of the municipality's board of assessment review.
- The Legislature accepts the Executive proposal to allow the Tax Department to approve assessor and county director training courses for credit without obliging the state to pay for the expenses of attendees.
- The Legislature accepts the Executive proposal to allow the Tax Department to send certain statutory notices by email and/or website posting.
- The Legislature accepts the Executive proposal to make technical changes to the New York City Circuit Breaker Enhanced Credit.

- **The Legislature accepts the Executive proposal to make technical changes related to the repealed Tax Freeze Credit Program.**
- **The Legislature modifies the Executive proposal to update and extend the current tax shelter reporting and penalty provisions, to extend such provisions for five years instead of permanently.**
- **The Legislature modifies the Executive proposal to consolidate electronic filing and payment mandates into a uniform threshold filing requirement imposed on tax preparers, to extend such provisions for five years instead of permanently.**
- **The Legislature modifies the Executive proposal to require electric generating facilities to annually report inventory, revenue, and expense data to the Tax Department to allow for graduated penalties.**
- **The Legislature modifies the Executive proposal to authorize an exemption from real property taxation for qualified energy systems on state-controlled land, to make these provisions optional for municipalities.**
- **The Legislature does not include the Executive proposal to allow local governments to provide real property tax assessment relief when a disaster is declared by the Governor without further legislative action.**

Recommended Changes to the Executive Budget Division of Tax Appeals

The Legislature provides an All Funds appropriation of \$3.04 million.

State Operations

- **The Legislature accepts the Executive proposal and recommends no changes.**

Aid to Localities

- **Not applicable.**

Capital Projects

- **Not applicable.**

Article VII

- **Not applicable.**

Recommended Changes to the Executive Budget New York State Thruway Authority

State Operations

- **Not applicable.**

Aid to Localities

- **Not applicable.**

Capital Projects

- **Not applicable.**

Article VII

- **The Legislature does not include an Executive proposal to authorize the Thruway Authority to lease its fiber optic system through a series of fee-based agreements rather than public auction.**
- **The Legislature does not include an Executive proposal to codify a series of cashless tolling provisions.**

Recommended Changes to the Executive Budget Department of Transportation

The Legislature provides an All Funds appropriation of \$9.49 billion, an increase of \$8.8 million over the Executive proposal.

State Operations

- The Legislature accepts the Executive proposal and recommends no changes.

Aid to Localities

- The Legislature provides upstate transit systems \$226.5 million, an increase of \$8.8 million above the Executive proposal. The Legislature increases the proposed 5 percent surcharge on car rentals outside of the MCTD to 6 percent, and moves the effective date forward three months. The auto rental tax will provide \$26.4 million annually when fully implemented as a new dedicated source of revenue for upstate transit systems.

Capital Projects

- The Legislature reduces capital appropriations for consultant engineering by \$33.4 million and provides \$33.4 million in appropriations for state workforce engineers.
- The Legislature includes a \$4 million carve-out to support diesel train engine retrofits including the upgrade of one diesel train engine owned by the LIRR to meet higher emissions standards.

Article VII

- The Legislature modifies the Executive proposal to amend provisions relating to commercial vehicle, limousine, and traffic safety, including increasing penalties for violating the Department of Motor Vehicle (DMV) inspection regulations and the Department of Transportation (DOT) safety regulations and for operating without DOT authority, authorizing police officers and DOT to seize the license plates of limos that fail inspection, requiring DMV to revoke registrations for limos that do not meet federal safety standards, prohibiting stretch limos from making U-turns, and increasing required insurance coverage.

- **The Legislature modifies the Executive proposal to authorize DOT to enter into an agreement with a fiber optic utility in order to charge for occupancy of a DOT right of way by protecting the rights of municipalities, ensuring that fees are limited to fair market value, and limiting the authorization to five years.**
- **The Legislature does not include the Executive proposal to increase penalties for assault against various transportation workers, prohibiting drivers from entering or intruding into highway work zones, and establishing a work zone safety public education and outreach program.**
- **The Legislature does not include the Executive proposal to establish the bi-state Gateway Development Commission.**

Recommended Changes to the Executive Budget Urban Development Corporation

The Legislature provides an All Funds appropriation of \$934.58 million, an increase of \$24.67 million over the Executive proposal.

State Operations

- **Not applicable.**

Aid to Localities

- **The Legislature restores support for the following programs which were eliminated in the Executive proposal:**
 - **\$670,000 for Stony Brook Medicine National Cancer Institute;**
 - **\$550,000 for the Bronx Overall Economic Development Corporation;**
 - **\$500,000 for Queens Chamber of Commerce;**
 - **\$365,000 for additional support for the MWBE Development and Lending Program, for a total appropriation of \$1 million;**
 - **\$300,000 for the Brooklyn Chamber of Commerce;**
 - **\$200,000 for the North Country Chamber of Commerce;**
 - **\$150,000 of additional support for the Community Development Financial Institutions, for a total appropriation of \$1.65 million;**
 - **\$150,000 for Canisius College;**
 - **\$140,000 for the Kingsbridge-Riverdale-Van Cortlandt Development Corporation;**
 - **\$100,000 for CenterState CEO;**
 - **\$100,000 for the New York Women's Chamber of Commerce;**
 - **\$100,000 for the Adirondack North County Association;**
 - **\$50,000 for the Buffalo Niagara International Trade Gateway Organization; and**

- \$50,000 for the World Trade Center Buffalo Niagara.
- **The Legislature also provides new support for the following programs:**
 - \$20 million in support for 2020 Census efforts, including community-based outreach and such efforts by public libraries;
 - \$500,000 for the Brooklyn Alliance, Inc.;
 - \$150,000 for Buffalo Niagara Partnership;
 - \$100,000 for Canisius College for NCAA Hockey Tournament;
 - \$100,000 for Harlem Park to Park Initiative;
 - \$100,000 for Brooklyn Neighborhood improvement Association;
 - \$100,000 for the Queens Economic Development Council;
 - \$50,000 for the Bayside Business Association;
 - \$50,000 for the Joint Bellerose Business District Development Corporation;
 - \$50,000 for Invest Buffalo Niagara, Inc.;
 - \$25,000 for the Bronx Cooperative Development Initiative; and
 - \$20,000 for the Women's Enterprise Development Center, Inc.

Capital Projects

- **The Legislature accepts the Executive proposal and recommends no changes.**

Article VII

- **The Legislature accepts the Executive proposal to provide a one-year extension of the Urban Development Corporation's general loan powers.**
- **The Legislature accepts the Executive proposal to provide a one-year extension of the Urban Development Corporation's ability to administer the Economic Development Fund.**

**Recommended Changes to the Executive Budget
Miscellaneous: Transportation, Economic Development and
Environmental Conservation**

Greenway Heritage Conservancy for the Hudson River Valley

- **The Legislature accepts the Executive proposal and recommends no changes.**

Hudson River Park Trust

- **The Legislature accepts the Executive proposal and recommends no changes.**

Hudson River Valley Greenway Communities Council

- **The Legislature accepts the Executive proposal and recommends no changes.**

New York Power Authority

State Operations

- **The Legislature accepts the Executive proposal and recommends no changes.**

Article VII

- **The Legislature modifies the Executive’s proposal to expand certain New York Power Authority (NYPA) offerings to only include the development of electric vehicle charging stations.**
- **The Legislature modifies the Executive’s proposal to develop transmission facilities, finance renewable energy generating projects, and to procure, allocate and sell energy products to:**
 - **ensure that NYPA develops transmission for offshore wind projects; and**
 - **authorize NYPA, through June 30, 2024, to procure energy products, on behalf of certain customers, from renewable sources and the competitive market (at a capped amount), and to finance up to six renewable major electric generating projects.**

LEGISLATURE & JUDICIARY

By Agency

Recommended Changes to the Executive Budget Judiciary

The Legislature provides an All Funds appropriation of \$3.17 billion, an increase of \$1.7 million over the Executive proposal.

State Operations

- The Legislature accepts the Executive proposal and recommends no changes.

Aid to Localities

- The Legislature accepts the Executive proposal and recommends no changes.

Capital Projects

- The Legislature provides a \$1.7 million appropriation to authorize the use of federal forfeiture funds awarded to the Queens County District Attorney for the purpose of courthouse improvements in Queens.

Article VII

- The Legislature would make permanent due process protections for homeowners in foreclosure proceedings.

DEBT SERVICE

Recommended Changes to the Executive Budget Debt Service and Capital Projects

The Legislature provides an All Funds Debt Service appropriation of \$10.15 billion.

State Operations

- Not applicable.

Aid to Localities

- Not applicable.

Capital Projects

The Legislature provides All Funds Capital appropriations of \$13.6 billion, an increase of \$114.7 million over the Executive proposal.

Transportation/Transit

- The Legislature accepts the following actions included in the Executive proposal:
 - \$4.93 billion for the fifth year of the DOT Capital Plan;
 - \$1.47 billion for the fifth year of the MTA Capital Plan; and
 - \$477.8 million for the Consolidated Highway Improvement Program (CHIPs).
- The Legislature provides \$100 million for MTA capital.

Economic Development

- The Legislature accepts the following actions included in the Executive proposal:
 - \$325 million for High Technology Initiatives;
 - \$220 million for New York Works Economic Development Fund;
 - \$150 million for Regional Economic Development Councils;
 - \$100 million for Downtown Revitalization Initiatives;
 - \$82.5 million for the Olympic Regional Development Authority; and
 - \$8 million for Market NY.

Health and Mental Health

- The Legislature accepts the following actions included in the Executive proposal:
 - \$713.9 million for various mental health programs;
 - \$131.6 million for health care programs;
 - \$51.3 million for Roswell Park capital; and
 - \$20 million for health care IT initiatives.

Parks and Environment

- The Legislature accepts the following actions included in the Executive proposal:
 - \$500 million for Clean Water Infrastructure;
 - \$300 million for the Environmental Protection Fund;
 - \$110 million for Parks New York Works;
 - \$100 million for the Superfund;
 - \$55 million for DEC New York Works; and
 - \$23 million for Hudson River Park.

Education/Higher Education

- The Legislature accepts the following actions included in the Executive proposal:
 - \$550 million for SUNY Statewide Maintenance;
 - \$284.2 million for CUNY Statewide Maintenance;
 - \$110 million for SUNY/CUNY Challenge Grants;
 - \$105.4 million for community college projects;
 - \$100 million for SUNY hospitals;
 - \$30 million for State-Supported Schools for the Blind and Deaf;
 - \$25 million for safety and security at Nonpublic Schools; and
 - \$14 million for Library Capital Grants.

General Government/Public Protection

- The Legislature accepts the following actions included in the Executive proposal:
 - \$404 million for maintenance and rehabilitation of correctional facilities;
 - \$143 million for state facilities (OGS);
 - \$95.7 million for IT initiative funding;
 - \$93 million for Statewide Equipment Finance Program; and
 - \$72 million for Disaster Response Capital Grants.

- The Legislature provides \$14.7 million for electronic poll books/on-demand ballot printers.

Housing/Social Welfare

- The Legislature accepts the following actions included in the Executive proposal:
 - \$102.2 million for the Housing Capital Plan; and
 - \$43.5 million for youth facilities.

All Other Capital Appropriations

- The Legislature accepts \$1.6 billion for all other capital appropriations.

Article VII

- The Legislature modifies the following bond caps:
 - Office of Information Technology Services from \$663 million to \$677 million;
 - Economic Development initiatives from \$9.30 billion to \$9.21 billion;
 - Environmental infrastructure from \$5.39 billion to \$5.64 billion;
 - MTA transportation facilities from \$2.08 billion to \$2.18 billion; and
 - State and municipal facilities from \$2.32 billion to \$2.41 billion.
- The Legislature modifies the Executive's proposal to authorize Design Build for the Dormitory Authority, Urban Development Corporation, Office of General Services, Department of Health, SUNY Construction Fund, and New York State Olympic Regional Development Authority; instead providing a two year extension of the current authorized entities under the Infrastructure Investment Act as well as for the Jacob K. Javits Convention Center Project and the James A. Farley Station Redevelopment Project.
- The Legislature modifies language authorizing the Dormitory Authority to enter into certain design and construction contracts with the Department of Conservation and the Office of Parks, Recreation and Historical Preservation by including a two year sunset.
- The Legislature modifies language related to the Vital Brooklyn initiative to specify the use of the lands to be conveyed.
- The Legislature adds language related to the roles of members serving on the New York State Public Authorities Control Board.