

**OVERVIEW OF ASSEMBLY BUDGET PROPOSAL
State Fiscal Year 2012-13**

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2012-13
Assembly Budget Proposal

Financial Plan Overview

Financial Plan

All Funds

The Assembly proposes an All Funds Budget of \$132.7 billion for State Fiscal Year (SFY) 2012-13. The Assembly Budget is estimated at the same Executive spending level of \$132.7 billion for SFY 2011-12 and \$225 million higher than the Executive proposal. The All Funds Budget is the broadest measure of spending; accounting for state unrestricted and restricted funds as well as funds received from the federal government.

Table 1

Size of Budget (\$ in Millions)					
	SFY 2010-11 Executive	SFY 2011-12 Executive	SFY 2012-13 Assembly	Difference	Percent
General Funds	\$55,373	\$56,915	\$58,537	\$1,622	2.85%
State Operating Funds	84,417	87,048	88,854	1,806	2.07%
State Funds	90,118	93,288	94,945	1,657	1.78%
All Funds	\$134,825	\$132,735	\$132,735	\$0	0.00%

The Assembly projects receipts on an All Governmental Funds basis for SFY 2012-13 to be \$133 billion, which represents an increase of \$742 million or 0.6 percent above SFY 2011-12 estimates. The All Funds receipts total includes an increase of \$2 billion in tax receipts, and a \$2 billion decrease in federal grants.

Table 2

NYS Assembly Disbursements - Difference from Executive (\$ in Millions)						
	Executive Estimate SFY 2011-12	Executive Proposal SFY 2012-13	Legislative Proposal SFY 2012-13	Legislative Executive Difference	Executive Annual Growth	Assembly Annual Growth
General Fund	\$56,915	\$58,592	\$58,537	(\$55)	2.95%	2.85%
State Operating Funds	87,048	88,734	88,854	\$120	1.94%	2.07%
State Funds	93,288	94,795	94,945	150	1.62%	1.78%
All Funds	\$132,735	\$132,510	\$132,735	\$225	-0.17%	0.00%

General Fund

The General Fund is the primary operating fund of the State. It accounts for all financial plan transactions not earmarked for a fund, program or activity specifically required by law. The General Fund receives monies from income taxes, sales and user taxes, business taxes, other taxes, miscellaneous receipts and transfers from other funds.

The Assembly proposes General Fund spending of \$58.5 billion in SFY 2012-13. This is an increase of \$1.6 billion or 2.8 percent since SFY 2011-12. The proposed spending is \$55 million lower than the Executive. In SFY 2012-13, General Fund receipts are estimated to total \$58.8 billion, a \$1.65 billion or 2.9 percent increase from SFY 2011-12. The Assembly projected receipts are \$145 million higher than the Executive.

State Funds

The Assembly State Funds spending for SFY 2012-13 is projected to total \$94.9 billion. This is an increase of \$1.66 billion or 1.8 percent over SFY 2011-12. State Funds spending consists of the General Fund plus Debt Service Funds, Capital Projects Funds and Other State Funds. The Assembly's forecast calls for SFY 2012-13 State Funds to total \$94.9 billion or \$150 million above the Executive's forecast.

The Assembly projects that in SFY 2012-13 State Fund receipts will total \$91.1 billion, a \$2.7 billion or 3.0 percent increase from SFY 2011-12. This amount is \$249 million higher than the Executive.

The Assembly forecasts that State Operating Funds spending will total \$88.8 billion, an increase of \$1.8 billion or 2.07 percent. The State Operating Funds includes all State spending in the General Funds, State Special Revenue Funds, Debt Service Funds excluding Capital Projects Funds and Federal spending. In SFY 2012-13, State Operating Fund receipts are estimated to total \$85.5 billion, a \$2.8 billion or 3.4 percent increase from SFY 2011-12.

NYS Assembly's Financial Plan Amendments to the Executive's Plan

Table 3 summarizes the revenues and disbursements difference from the Executive and provides a map to the projected closing balance by Fund.

The Assembly forecasts an additional \$324 million in overall receipts for SFY 2012-13 on an All Funds basis compared to the Executive, while disbursements are also forecast to be \$225 million above the Executive.

On a State Funds basis the Assembly projects \$249 million more in receipts, \$145 million from the General Fund. The Assembly projects \$150 million more spending in State Funds while the General Fund will spend \$55 million less.

Table 3

Financial Plan Summary of Differences from the Executive SFY 2012-13 (\$ in Millions)				
	General Fund	State Funds	State Operating	All Funds
Receipts				
Executive	\$58,715	\$90,802	\$85,291	\$132,724
<i>Tax Cuts</i>	(62)	(62)	(62)	(62)
<i>Misc. Receipts/Fees</i>	201	231	201	231
<i>Transfers</i>	6	0	0	0
<i>Revenue Reestimates</i>	0	80	80	80
Federal				75
Assembly	58,860	91,051	85,510	133,048
<i>Assembly Difference from Executive</i>	145	249	219	324
Disbursements				
Executive	58,592	94,795	88,734	132,510
<i>Spending Addition</i>	234	350	320	425
<i>Spending Reduction</i>	(289)	(200)	(200)	(200)
Assembly	58,537	94,945	88,854	132,735
<i>Assembly Differences from Executive</i>	(\$55)	\$150	\$120	\$225

Balancing the General Fund

Budget Gaps

The SFY 2012-13 Executive Budget includes recommendations that are intended to close an estimated \$3.5 billion General Fund budget gap. These actions are comprised of almost \$1.93 billion in spending reductions and \$1.5 billion in new net resources which includes the tax reform approved in December 2011.

Table 4

Major Gap Closing Initiatives (SFY 2012-13)		
(\$ in Millions)		
	Executive SFY 2012-13	Assembly SFY 2012-13
Gap Estimate	<u>(\$3,500)</u>	<u>(\$3,500)</u>
Spending Controls	<u>\$1,964</u>	<u>\$1,927</u>
Agency Operations	1,141	1,185
Local Assistance	756	646
Debt Management	140	140
New Initiatives/Investments	(73)	(44)
Revenue Enhancements/Tax Reform	<u>1,536</u>	<u>1,474</u>
Other	-	<u>220</u>
Tax Reestimates	-	<u>80</u>
Surplus/(Gap)	-	<u>201</u>

The Assembly accepts the majority of the Executive's recommended spending control actions which comprise 56.1 percent of the gap-closing plan (see Figure 1). These actions include agency redesign and cost-control efforts such as hiring controls, attrition, consolidation of resources, and efficiency measures. The most significant local assistance action involves the repeal of automatic cost-of-living increases and trend factors for all human service providers. The 2012 prepayment of the \$140 million in debt service due in 2013 lowers the gap by the prepayment amount. The recurring savings proposed in the gap-closing plan finance a number of new initiatives including: the State assuming the full cost of annual Medicaid growth, creating a new hotline to report allegations of abuse or neglect of vulnerable persons, and assuming responsibility of SSI benefits from the federal government.

General Fund Gap Closing Plan SFY 2012-13

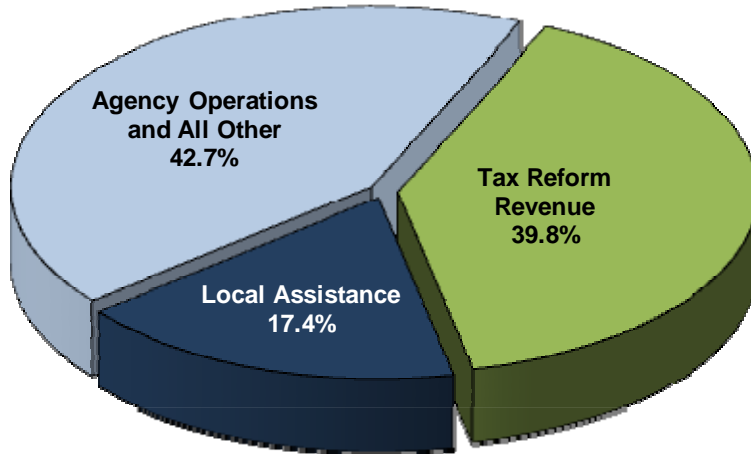
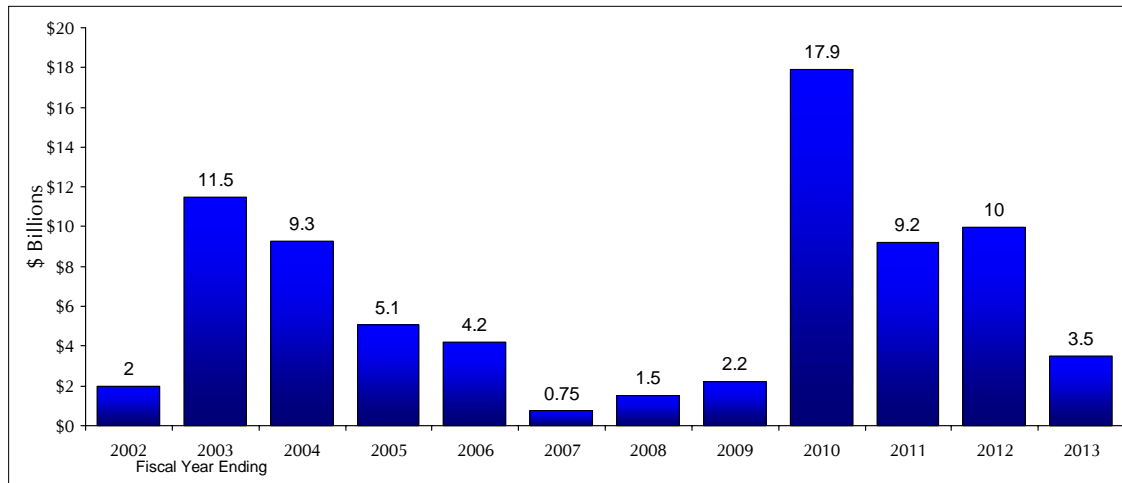


Figure 1

New tax revenue enacted in December 2011 makes up the other 39.8 percent of the gap-closing plan. The gap plan includes approximately \$250 million to be used to mitigate the impact of state law changes on the MTA, while \$145 million will be used for tax credits and employment initiatives.

Due to revenue growth and cost savings actions taken last year the gap for next year is 65 percent less than the prior year. From FY 2002 to FY 2013, New York State has closed budget gaps totaling \$77 billion (see Figure 2). While primarily using spending and revenue actions, non-recurring resources, tax audits, reserve deposits, and State and Federal relief have also been utilized to close gaps. The SFY 2009-10 General Fund gap of \$17.9 billion was the largest gap over the past 11 years.

Executive Budget Gap Closing: General Fund and HCRA SFY 2002-2013



Source: Division of Budget.

Figure 2

Economic and Revenue Consensus

U.S. and NYS Economies

The U.S. economy is showing concrete signs that is rebounding, albeit at a moderate pace, from a wave of setbacks experienced in late 2011 that led many to believe that it will slip back into recession. This rebound is evident in the recent strengthening of the labor market and equity market values. The Legislature's and the Executive's consensus forecasts are for real U.S. GDP growth of 2.2 percent and 2.7 percent in 2012 and 2013, respectively. The following table provides the consensus forecasts for key U.S. macroeconomic indicators.

Table 5

Consensus U.S. Forecast		
Percent Change		
	2012	2013
Real GDP	2.2%	2.7%
Personal Income	3.5%	3.8%
Wages	3.6%	4.5%
Corporate Profits	4.2%	3.5%
Employment	1.4%	1.5%
3-Month T-Bill (rate)	0.1%	0.3%
Inflation	2.0%	2.0%

Employment growth is forecast to continue improving going forward, accompanied by faster, but still historically low, wage growth. In addition, corporate profits growth is expected to slow as business hiring picks up, but remain healthy, with the financial sector representing less of a drag than in 2011.

The New York State economy's improvement is expected to slow in 2012 as the impact of the weak finance sector bonuses and layoffs reverberate throughout the downstate economy. Wage growth is projected at 2.8 percent for 2012 and 5.0 percent in 2013. Personal income growth is also expected to accelerate in 2013 with a 4.1 percent rate.

Table 6

Consensus NYS Forecast		
Percent Change		
	2012	2013
Employment	1.1%	1.3%
Personal Income	3.2%	4.1%
Wages	2.8%	5.0%

While the economy-wide recovery is expected to continue, substantial risks remain stemming from elevated oil and gasoline prices, the impact of the Euro-debt crisis on global economic stability, and the potential drag from federal fiscal policy. The greatest risks to the consensus forecasts for the New York economy pertain to conditions in the labor and financial markets. Wall Street is still the largest single source of volatility in State tax collections. A shift in the industry's compensation practices, including a reduction of the cash portion of executive bonuses in favor of deferred income in the form of stock grants, only adds uncertainty to the State's income and revenue projections.

NYS Tax Receipts

The Assembly budget incorporates the combined SFYs 2011-12 and 2012-13 the NYS Assembly's All Funds receipts forecast which was \$53 million over the Executive's. As part of the revenue consensus the receipts forecast variance, agreed upon by all Legislative parties and the Executive, ranges from \$133 million below the Executive's estimates to \$315 million above the Executive for both fiscal years. This range represents 0.3 percent of the Executive Budget's two-year revenue total of \$143.2 billion.

Assembly Revenue Proposal for SFY 2012-13

The Assembly revenue bill will decrease revenues by \$12 million in SFY 2012-13 and \$118 million in SFY 2013-14.

Executive Proposals Accepted

- Prohibit banks from charging fees on accounts levied for tax or child support purposes. The fiscal impact would be a \$5 million increase in SFY 2012-13, and \$7 million in SFY 2013-14.
- Expand the sales tax registration clearance process. The fiscal impact would be \$1 million increase in SFY 2012-13, and \$1 million in SFY 2013-14.
- Make permanent the Sales Tax Modernization provisions. The fiscal impact would be a \$1 million increase in SFY 2012-13, and \$4 million in SFY 2013-14.
- Extend the Empire State commercial production credit for five years. There will be no fiscal impact in SFY 2012-13, and a \$7 million reduction in SFY 2013-14.
- Extend the bio-fuel production credit through 2019. There will be no fiscal impact in SFY 2012-13 or SFY 2013-14, and a \$10 million reduction in SFY 2014-15.
- Make the non-custodial EITC permanent. There will be no fiscal impact in SFY 2012-13 or 2013-14, and a \$4 million decrease in SFY 2014-15.
- Expand the sales tax exemption on solar energy equipment to include commercial purchases. The fiscal impact would be a \$2 million decrease in SFY 2012-13, and a \$3 million decrease in SFY 2013-14.
- Change the tobacco products tax on loose tobacco from 75 percent of wholesale price to \$4.53 per ounce and levy the tax on cigars at 50 percent of the retail price instead of 75 percent of the wholesale price. The fiscal impact would be an \$18 million increase in SFY 2012-13, and \$24 million in SFY 2013-14.
- Extend certain pari-mutuel tax rates and account wagering for one year. There will be no fiscal impact.

- Make technical amendments to the classification of diesel motor fuel. There will be no fiscal impact.
- Authorize professional employer organizations to utilize lower MTA Payroll Tax rates where applicable. There will be no fiscal impact.
- Renew, for three years, fees paid by oil and gas producers for setting units of production. There will be minimal fiscal impact
- Streamline the collection of sales tax from hotel room re-marketers. There will be no fiscal impact.

Modified

- Offset STAR exemption benefits and New York City Personal Income Tax STAR benefits by past-due State tax liabilities. The Executive had proposed just suspending the STAR benefits without offsetting the outstanding liability. The fiscal impact would be \$6 million in revenues in SFY 2013-14.
- Make permanent all mandatory e-filing and e-payment requirement for certain preparers and taxpayers. The Assembly amends this proposal to make definitional changes only prospective and also prevents the Department from issuing a fine for failure to e-file required documents if the software does not offer electronic filing thereof. The fiscal impact would be a \$4 million increase in SFY 2012-13, and \$16 million increase in SFY 2013-14.
- Grant the Commissioner of the Division of Housing and Community Renewal authority to allocate an additional \$8 million annually in low-income housing credits for two years. The Executive had proposed a five year extension. No fiscal impact in SFY 2012-13, and an \$8 million cost in SFY 2013-14.
- Extend the alternative fuel exemptions for two years. The Executive had proposed a five year extension. The fiscal impact would be a \$2 million cost in SFY 2012-13, and \$3 million cost in SFY 2013-14.
- Authorize the residential solar equipment PIT credit for solar energy equipment that is leased for at least ten years. The Assembly proposes to require that taxpayers who break their lease have to repay a share of the credit. The fiscal impact would be \$0 in SFY 2012-13, and a \$2 million cost in 2013-14.

- Distribute the statewide collected transmission tax between the upstate and downstate transit accounts according to last year's distribution. The Executive had proposed to alter this allocation. There will be no state fiscal impact.

Assembly Proposals

- Working Families Tax Cut – decrease tax rates to ZERO for married filing joint taxpayers with Adjusted Gross Incomes of less than \$25,000 – phased out at \$30,000. The same rate would apply to singles at \$12,500, phased out at \$15,000, and to head of household filers at \$18,750, phased out at \$22,500. The fiscal impact would reduce revenues by \$62 million in 2012-13, and \$160 million annually thereafter.
- CAPCO 6 - Authorize the State to license certified capital companies to raise \$150 million in private venture capital from insurance companies, which would then be invested in qualified businesses. There will be no fiscal impact until SFY 2016-17, and \$37.5 million annually for four years.
- Extend the Youth Jobs Tax Credit from June 31, 2012 until December 31, 2012. There will be no fiscal impact.
- Provide a technical amendment to the New York City hotel tax, making certain amendments retroactive. There will be no fiscal impact.
- Remove the requirement that bars and restaurants have 25 percent of sales from food in order to be Quick Draw vendors. The fiscal impact would be \$25 million annually in increased revenues.
- Extend Gramm-Leach Bliley for two additional years, until December 31, 2014. There will be no fiscal impact.
- Reinstate the Qualified Emerging Technology Company (QETC) Facilities, Operations and Training tax credits, with additional language to direct benefits to cutting edge companies. This credit expired on December 31, 2011. There will be no fiscal impact in SFY 2012-13, and \$18 million decreased collections in SFY 2013-14.

Table 7

Cash Financial Plan All Governmental Funds (\$ in Millions)				
	FY 2012 Current	FY 2013 Proposed	Annual \$ Change	Annual % Change
Opening Fund Balance	\$3,812	\$3,869	\$57	1.50%
Receipts:				
Taxes	64,532	66,455	1,923	2.98%
Miscellaneous Receipts	23,832	24,582	750	3.15%
Federal Receipts	43,942	42,011	(1,931)	-4.39%
Total Receipts	132,306	133,048	742	0.56%
Disbursements:				
Local Assistance Grants	95,822	95,408	(414)	-0.43%
Department Operations				
Personal Service	12,519	12,458	(61)	-0.49%
Non-Personal Service	6,170	6,170	0	0.00%
General State Charges	6,833	6,666	(167)	-2.44%
Debt Service	5,872	6,149	277	4.72%
Capital Projects	5,519	5,884	365	6.61%
Total Disbursements	132,735	132,735	0	0.00%
Other Financing Sources (Uses)				
Transfers from Other Funds	26,797	27,533	736	2.75%
Transfers to Other Funds	(26,786)	(27,526)	(740)	2.76%
Bond and Note Proceeds	475	400	(75)	-15.79%
Net Other Financing Sources (Uses)	486	407	(79)	-16.26%
Change in Fund Balance	57	720	663	1163.16%
Closing Fund Balance	3,869	4,589	720	18.61%

Table 8

Cash Financial Plan State Funds (\$ in Millions)				
	FY 2012 Current	FY 2013 Proposed	Annual \$ Change	Annual % Change
Opening Fund Balance	\$3,907	\$3,959	\$52	1.33%
Receipts:				
Taxes	64,532	66,455	1,923	2.98%
Miscellaneous Receipts	23,700	24,451	751	3.17%
Federal Receipts	145	145	0	0.00%
Total Receipts	88,377	91,051	2,674	3.03%
Disbursements:				
Local Assistance Grants	59,199	60,451	1,252	2.11%
Department Operations				
Personal Service	11,876	11,973	97	0.82%
Non-Personal Service	5,211	5,167	(44)	-0.84%
General State Charges	6,536	6,352	(184)	-2.82%
Debt Service	5,872	6,149	277	4.72%
Capital Projects	4,594	4,853	259	5.64%
Total Disbursements	93,288	94,945	1,657	1.78%
Other Financing Sources (Uses)				
Transfers from Other Funds	27,137	27,841	704	2.59%
Transfers to Other Funds	(22,649)	(23,605)	(956)	4.22%
Bond and Note Proceeds	475	400	(75)	-15.79%
Net Other Financing Sources (Uses)	4,963	4,636	(327)	-6.59%
Change in Fund Balance	52	743	691	1328.85%
Closing Fund Balance	3,959	4,702	743	18.77%

Table 9

Cash Financial Plan State Operation Funds (\$ in Millions)				
	FY 2012 Current	FY 2013 Proposed	Annual \$ Change	Annual % Change
Opening Fund Balance	\$3,969	\$4,124	\$155	3.91%
Receipts:				
Taxes	63,199	65,054	1,855	2.94%
Miscellaneous Receipts	19,340	20,316	976	5.05%
Federal Receipts	140	140	0	0.00%
Total Receipts	82,679	85,510	2,831	3.42%
Disbursements:				
Local Assistance Grants	57,548	59,208	1,660	2.88%
Department Operations				
Personal Service	11,876	11,973	97	0.82%
Non-Personal Service	5,211	5,167	(44)	-0.84%
General State Charges	6,536	6,352	(184)	-2.82%
Debt Service	5,872	6,149	277	4.72%
Capital Projects	5	5	0	0.00%
Total Disbursements	87,048	88,854	1,806	2.07%
Other Financing Sources (Uses)				
Transfers from Other Funds	25,746	26,221	475	1.84%
Transfers to Other Funds	(21,222)	(22,079)	(857)	4.04%
Bond and Note Proceeds	0	0	0	
Net Other Financing Sources (Uses)	4,524	4,142	(382)	-8.44%
Change in Fund Balance	155	798	643	414.84%
Closing Fund Balance	\$4,124	\$4,922	\$798	19.35%

Table 10

Cash Financial Plan General Fund (\$ in Millions)				
	FY2012 Current	FY2013 Proposed	Amount Change	Annual % Change
Opening Balance	\$1,376	\$1,675	\$299	21.73%
Receipts:				
Personal Income Tax	25,705	26,973	1,268	4.93%
Consumption/Use Taxes and Fees	9,135	9,289	154	1.69%
Business Taxes	5,868	5,932	64	1.09%
Other Taxes	1,212	1,085	(127)	-10.48%
Subtotal of Taxes	41,920	43,279	1,359	3.24%
Miscellaneous Receipts	3,244	3,286	42	1.29%
Federal Grants	60	60	-	0.00%
Transfers From Other Funds	11,990	12,236	246	2.05%
Total Receipts	57,214	58,860	1,646	2.88%
Disbursements:				
Education	16,793	16,933	140	0.83%
Higher Education	2,589	2,681	92	3.55%
All Other Education	1,707	1,885	178	10.43%
Medicaid-DOH	10,268	10,502	234	2.28%
Public Health	665	641	(24)	-3.61%
Mental Hygiene	1,902	1,862	(40)	-2.10%
Children and Families	1,596	1,573	(23)	-1.44%
Temporary & Disability Assistance	1,403	1,497	94	6.70%
Transportation	99	98	(1)	-1.01%
Unrestricted Aid	758	776	18	2.37%
All Other	735	1,016	281	38.23%
Total Local Assistance Grants	38,515	39,464	949	2.46%
Personal Service	5,770	5,709	(61)	-1.06%
Non-Personal Service	1,795	1,859	64	3.57%
Total Departmental Operations	7,565	7,568	3	0.04%
General State Charges	4,707	4,398	(309)	-6.56%
Debt Service: including payments on financing agreements				
Transfers to Other Funds	6,128	7,106	978	15.96%
Total Disbursements	56,915	58,537	1,622	2.85%
Change in Fund Balance	299	323	24	8.03%
CLOSING CASH BALANCE	\$1,675	\$1,998	\$323	19.28%

2012-13
Assembly Budget Proposal
List of Proposed Modifications

**State Fiscal Year (SFY) 2012-13 Budget Proposal
Proposed Modifications**

Agency	Purpose	Fund	Title	Amount
AGMKTS	Aid to Localities	GEN	Maple Producers Association	100,000
AGMKTS	Aid to Localities	GEN	Farm Viability Institute	821,000
CUNY	Aid to Localities	GEN	CUNY Child Care Centers	544,000
CUNY	Aid to Localities	GEN	CUNY Community College Base Aid	12,454,000
CUNY	Aid to Localities	GEN	CUNY LEADS	1,000,000
CUNY	Capital	CAP	CUNY Capital Projects	170,000,000
CUNY	Capital	CAP	CUNY Construction Fund	15,983,000
CUNY	Capital	CAP	CUNY Construction Fund: Convert Hard Dollar Projects to Capital	(15,983,000)
DCJS	Aid to Localities	GEN	Alternatives to Incarceration Programs	3,063,000
DCJS	Aid to Localities	SRO	Civil and Criminal Legal Services Programs	2,886,000
DCJS	Aid to Localities	GEN	DREAM Clinics Pilot Project	300,000
DCJS	Aid to Localities	SRO	Domestic Violence Legal Services (CJIA)	609,000
DCJS	Aid to Localities	GEN	Eliminate Support for Re-entry Task Forces	(3,063,000)
DCJS	Aid to Localities	GEN	Shift New York State Defender's Association from GF to an SRO	(1,089,000)
DCJS	State Operations	GEN	Reject Article VII: Criminal Asset Forfeiture	2,000,000
DCS	State Operations	GEN	NYSHIP Audit Staff Investment	772,300
DCS	State Operations	GEN	State Savings: NYSHIP Audit Staff Investment	(30,000,000)
DED	Aid to Localities	GEN	Additional support for Centers for Advanced Technology	1,185,000
DED	Aid to Localities	GEN	Additional support for Centers of Excellence	1,700,000
DED	Aid to Localities	GEN	SUNY Albany INDEX	750,000
DED	Aid to Localities	GEN	SUNY Albany Semiconductor Research Corporation CAIST	690,000
DHCR	Aid to Localities	GEN	Neighborhood Preservation Program Restoration	8,479,000
DHCR	Aid to Localities	GEN	Rural Preservation Program Restoration	3,539,000
DHCR	Capital	CAP	Access to Home	2,000,000
DHCR	Capital	CAP	Affordable Housing Corporation	5,000,000
DHCR	Capital	CAP	Homes for Working Families	3,000,000
DHCR	Capital	CAP	Housing Opportunities Program for the Elderly	2,000,000
DHCR	Capital	CAP	Housing Trust Fund	7,000,000
DHCR	Capital	CAP	Main Street	4,000,000
DHCR	Capital	CAP	Urban Initiatives	2,000,000
DOH	Aid to Localities	GEN	Child Health Plus (CHP) Coverage Costs from Insurance Mandate	(1,210,000)
DOH	Aid to Localities	GEN	Delayed Implementation: Supportive Housing Program	(25,000,000)
DOH	Aid to Localities	GEN	Infertility Services Program	1,000,000
DOH	Aid to Localities	GEN	Nurse Family Partnership	2,000,000
DOH	Aid to Localities	GEN	Reject Elimination of Spousal Refusal	34,300,000
DOH	Aid to Localities	SRF	Reject Elimination of Spousal Refusal	34,300,000
DOH	Aid to Localities	GEN	Tobacco Prevention and Control Program	5,000,000
DOH	State Operations	GEN	Delay Stem Cell Program Grant Disbursements	(5,000,000)
DOH	State Operations	GEN	Reduce funding for the Statewide Enrollment Portal	(3,000,000)
DOL	Aid to Localities	GEN	New York Committee on Occupational Safety and Health	350,000
DOS	Aid to Localities	GEN	Office of New Americans: Reject Shift from OTDA	(3,338,000)
DOS	Aid to Localities	GEN	Public Utilities Law Project	505,000
DOS	State Operations	GEN	Article VII Rejection: Streamlining Not for Profit Classification	200,000
DOS	State Operations	GEN	Office of New Americans: Reject Shift from OTDA	(442,000)
DOT	State Operations	CAP	Article VII Rejection: Bus Inspections	665,000
GSC	State Operations	GEN	Workers' Compensation Cost Reduction	(6,000,000)
HSES	Aid to Localities	SRO	Reduce Cash Increase: Cellular Surcharge Projects	(6,000,000)
NYSERDA	State Operations	GEN	Transfer Unobligated NYSERDA Funds	(200,000,000)
OCFS	Aid to Localities	GEN	Caseload Ratio Program	757,200
OCFS	Aid to Localities	GEN	Child Care Subsidies: Funding Shift to OTDA (TANF)	(9,447,510)
OCFS	Aid to Localities	GEN	Community Reinvestment Program	1,000,000
OCFS	Aid to Localities	GEN	Human Services Regional Public/Private Partnership	(2,000,000)
OCFS	Aid to Localities	GEN	Safe Harbor Program	1,000,000
OCFS	Aid to Localities	GEN	Settlement House Program	450,000
OCFS	State Operations	GEN	Centralized 24 Hour Hotline for Vulnerable Persons	(5,000,000)
OCFS	State Operations	GEN	Re-estimate New Staff in Juvenile Justice Facilities	(2,800,000)
OER	State Operations	GEN	Injury Prevention Training	1,000,000
OFA	Aid to Localities	GEN	Naturally Occurring Retirement Communities (NORC)	228,500
OFA	Aid to Localities	GEN	Neighborhood Naturally Occurring Retirement Communities	228,500
OFT	State Operations	GEN	Deny Additional Executive Staff for Enterprise Services	(1,580,000)
OGS	State Operations	GEN	Deny portion of OGS Enterprise Staff (33 FTEs)	(1,980,000)
OGS	State Operations	CAP	Legislative Office Building: State Street Security Access	65,000
OILS	Aid to Localities	SRO	Shift New York State Defenders Support to Special Revenue Funds	2,089,000
OMH	Aid to Localities	GEN	Re-estimate Cash Disbursements: Adult Homes Settlement	(5,000,000)
OMH	State Operations	GEN	Reject Article VII: Modify CPL in Relation to Incapacitated Defendants	1,400,000
OMH	State Operations	GEN	Reject Sex Offender Management and Treatment Act (SOMTA) Reforms	4,800,000

OPWDD	Aid to Localities	GEN	Funding for Tourette's Syndrome Programs	168,000
OTDA	Aid to Localities	SRF	Child Care Subsidies: Funding Shift From OCFS	9,447,510
OTDA	Aid to Localities	GEN	Full Implementation of Public Assistance Grant Increase	6,000,000
OTDA	Aid to Localities	SRF	Full Implementation of Public Assistance GRANT Increase	18,000,000
OTDA	Aid to Localities	GEN	Office of New Americans: Reject Shift to Department of State	3,338,000
OTDA	Aid to Localities	SRF	Restoration of TANF Initiatives	13,268,000
OTDA	State Operations	GEN	Office of New Americans: Reject Shift to Department of State	442,000
OTDA	State Operations	GEN	State Takeover of SSI Administration	(11,096,000)
R&W	State Operations	GEN	Uncashed pari-mutuel vouchers	200,000
SED	Aid to Localities	GEN	Adult Literacy Education (ALE)	1,000,000
SED	Aid to Localities	GEN	Aid to Public Libraries	1,000,000
SED	Aid to Localities	GEN	CSTEP	778,000
SED	Aid to Localities	GEN	Comprehensive Attendance Policy (CAP)	1,000,000
SED	Aid to Localities	GEN	Higher Education Opportunity Program	3,485,000
SED	Aid to Localities	GEN	Liberty Partnerships	1,700,000
SED	Aid to Localities	GEN	Pre-K: Prior Year Costs	263,500
SED	Aid to Localities	GEN	STEP	1,027,000
SED	Aid to Localities	GEN	School Aid: 2011-12 Spring Tail Data Changes	25,645,831
SFS	State Operations	GEN	Deny Year to Year Increase: Statewide Financial System	(10,000,000)
SUCF	Capital	CAP	SUNY Construction Fund	25,098,000
SUCF	Capital	CAP	SUNY Construction Fund: Convert Hard Dollar Projects to Capital	(25,098,000)
SUNY	Aid to Localities	GEN	Hydrolic Fracturing Health Impact Assessment Study	100,000
SUNY	Aid to Localities	GEN	SUNY Child Care Centers	653,000
SUNY	Aid to Localities	GEN	SUNY Community College Base Aid	30,252,000
SUNY	State Operations	SRO	College of Nanoscale Science and Engineering	1,802,200
SUNY	State Operations	SRO	Cord Blood Bank	192,100
SUNY	State Operations	SRO	Deny Consolidated Funding: High Needs Programs	(5,077,900)
SUNY	State Operations	SRO	Deny Consolidated Funding: Library and Educational Technology	(4,998,700)
SUNY	State Operations	SRO	Deny Consolidated Funding: Opportunity and Diversity Programs	(1,217,000)
SUNY	State Operations	SRO	Deny Consolidated Funding: Research and Development Projects	(15,245,300)
SUNY	State Operations	SRO	Deny Consolidated Funding: University Computer Center	(4,679,900)
SUNY	State Operations	SRO	Educational Technology	3,983,200
SUNY	State Operations	SRO	Empire Innovation Program	9,210,800
SUNY	State Operations	SRO	Empire Innovation Program	1,747,800
SUNY	State Operations	SRO	Faculty Diversity Program	422,000
SUNY	State Operations	SRO	High Needs Nursing Program	1,663,600
SUNY	State Operations	SRO	High Needs Programs	3,001,100
SUNY	State Operations	SRO	Information Security Initiative	178,000
SUNY	State Operations	SRO	Library Automation	1,015,500
SUNY	State Operations	SRO	Native American Diversity Program	215,200
SUNY	State Operations	SRO	Office of Diversity, Equity and Inclusion	459,500
SUNY	State Operations	SRO	Rockefeller Institute on Government	1,104,200
SUNY	State Operations	GEN	SUNY Computer Center	3,305,700
SUNY	State Operations	GEN	SUNY Hospitals	27,800,000
SUNY	State Operations	SRO	Sea Grant	411,800
SUNY	State Operations	SRO	Telecommunications Network	789,000
SUNY	State Operations	GEN	University-wide Programs	1,367,100
UDC	Aid to Localities	GEN	Additional support for RTDCs	200,000
UDC	Aid to Localities	GEN	Additional support for the MWBE Development and Lending Program	1,365,000
UDC	Aid to Localities	GEN	Agricultural Industry Competitiveness Assistance	750,000
UDC	Aid to Localities	GEN	Back to Work NY Jobs Program	12,200,000
UDC	Aid to Localities	GEN	Commercialization Assistance Fund	10,000,000
UDC	Aid to Localities	GEN	Empire State Economic Development Fund	(30,400,000)
UDC	Aid to Localities	GEN	Jobs Now Program	(10,900,000)
UDC	Aid to Localities	GEN	Military Base Retention Efforts	3,400,000
UDC	Aid to Localities	GEN	SBIR Outreach and Technical Assistance	500,000
UDC	Aid to Localities	GEN	SUNY Albany INDEX	980,000
UDC	Aid to Localities	GEN	Small Business Revolving Loan Fund	10,000,000
UDC	Capital	CAP	High Technology, Research and Development	150,000,000
UDC	Capital	CAP	Job Creation and Development Programs	30,000,000
UDC	Capital	CAP	Restore New York Communities Initiative	50,000,000

PUBLIC PROTECTION & GENERAL GOVERNMENT

By Agency

**Assembly Budget Proposal SFY 2012-13
Division of Alcoholic Beverage Control (ABC)**

The Assembly provides an All Funds appropriation of \$17,001,000.

State Operations

- The Assembly rejects appropriation language in the Executive proposal that would provide broad authority to interchange or transfer funds among agencies.

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

**Assembly Budget Proposal SFY 2012-13
Department of Audit and Control**

The Assembly provides an All Funds appropriation of \$304,284,000.

State Operations

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

Aid to Localities

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

Capital Projects

- Not applicable.

Article VII

- Not applicable.

**Assembly Budget Proposal SFY 2012-13
Division of the Budget (DOB)**

The Assembly provides an All Funds appropriation of \$51,643,000.

State Operations

- The Assembly rejects appropriation language in the Executive proposal that would provide broad authority to interchange or transfer funds among agencies.

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

**Assembly Budget Proposal SFY 2012-13
Department of Civil Service**

The Assembly provides an All Funds appropriation of \$57,433,300.

State Operations

- The Assembly rejects appropriation language in the Executive proposal that would provide broad authority to interchange or transfer funds among agencies.
- The Assembly provides \$772,300 for auditors for the New York State Health Insurance Plan (NYSHIP). The additional staff would identify high risk providers, audit questionable claims and identify overpayments. This increased staffing level would generate approximately \$30 million in savings.

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

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

Assembly Budget Proposal SFY 2012-13
Department of Corrections and Community Supervision

The Assembly provides an All Funds appropriation of \$3,032,835,000.

State Operations

- The Assembly rejects appropriation language in the Executive proposal that would provide broad authority to interchange or transfer funds among agencies.

Aid to Localities

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

Capital Projects

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

Article VII

- Not applicable.

**Assembly Budget Proposal SFY 2012-13
Commission of Correction**

The Assembly provides an All Funds appropriation of \$2,915,000.

State Operations

- The Assembly rejects appropriation language in the Executive proposal that would provide broad authority to interchange or transfer funds among agencies.

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

Assembly Budget Proposal SFY 2012-13
Division of Criminal Justice Services

The Assembly provides an All Funds appropriation of \$259,077,000.

State Operations

- The Assembly rejects appropriation language in the Executive proposal that would provide broad authority to interchange or transfer funds among agencies.

Aid to Localities

- The Assembly eliminates a General Fund appropriation of \$1,089,000 for the New York State Defenders Association (NYSDA). Instead, the Assembly transfers support for this program to the Indigent Legal Services Fund (ILSF) and provides \$2,089,000 in support for NYSDA, a \$1,000,000 increase from the Executive proposal.
- The Assembly provides \$2 million to reject the Executive proposal to establish a new criminal forfeiture mechanism at the time of sentencing.
- The Assembly eliminates a \$3,063,000 appropriation supporting county based re-entry task forces and instead reallocates the funds to support Alternatives to Incarceration and re-entry related activities.
- The Assembly restores civil and criminal legal services support in the Legal Services Assistance Fund at \$2,886,000.
- The Assembly restores a legislative share of the Edward Byrne Memorial/Justice Assistance Grants at \$1 million.
- The Assembly restores support for domestic violence related civil and criminal legal services programs support at \$609,000.
- The Assembly provides \$300,000 for DREAM clinics, operated by Legal Services NYC to support immigrant youth.

Capital Projects

- Not applicable.

Article VII

- The Assembly rejects the Executive proposal to establish a new criminal forfeiture mechanism at the time of sentencing.
- The Assembly modifies the Executive proposal to extend for one year the provision of law that allows a district attorney in New York City to retain a portion of funds recovered through settlements before the filing of an accusatory instrument, to distribute the remaining funds equally between New York City and the state.
- The Assembly accepts the Executive proposal to provide flexibility in the options available to courts when sentencing an individual to a term of probation. The Assembly rejects a provision to establish a probation detainer warrant program.

**Assembly Budget Proposal SFY 2012-13
State Board of Elections**

The Assembly provides an All Funds appropriation of \$6,305,000.

State Operations

- The Assembly rejects appropriation language in the Executive proposal that would provide broad authority to interchange or transfer funds among agencies.

Aid to Localities

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

Capital Projects

- Not applicable.

Article VII

- Not applicable.

**Assembly Budget Proposal SFY 2012-13
Governor's Office of Employee Relations**

The Assembly provides an All Funds appropriation of \$8,892,000.

State Operations

- The Assembly rejects appropriation language in the Executive proposal that would provide broad authority to interchange or transfer funds among agencies.
- The Assembly provides \$1 million for injury prevention training for state employees, which is expected to generate a \$6 million reduction in Workers' Compensation claims.

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- The Assembly rejects the Executive proposal to merge the Governor's Office of Employee Relations and the Department of Civil Service.

**Assembly Budget Proposal SFY 2012-13
Executive Chamber**

The Assembly provides an All Funds appropriation of \$18,484,000.

State Operations

- The Assembly rejects appropriation language in the Executive proposal that would provide broad authority to interchange or transfer funds among agencies.

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

Assembly Budget Proposal SFY 2012-13
Department of Financial Services

The Assembly provides an All Funds appropriation of \$552,196,823.

State Operations

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

Aid to Localities

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

Capital Projects

- Not applicable.

Article VII

- The Assembly modifies the Executive proposal to establish the New York Health Benefit Exchange to allow Voluntary Employee Benefit Associations to purchase insurance in the Exchange and to strengthen the Exchange's reporting requirements.
- The Assembly rejects the Executive proposal to modify the Physicians Excess Medical Malpractice Program.

Assembly Budget Proposal SFY 2012-13
Office of General Services

The Assembly provides an All Funds appropriation of \$1,496,903,000.

State Operations

- The Assembly rejects appropriation language in the Executive proposal that would provide broad authority to interchange or transfer funds among agencies.
- The Assembly proposes to merge the Office for Technology (OFT) with the Office of General Services (OGS).
- The Assembly reduces funding for the Enterprise Services Program in OGS by \$1,980,000 to deny new enterprise related staffing.
- The Assembly reduces funding for the Office for Technology Program, formerly within OFT, by \$1,580,000 to deny new “information technology transformation” senior staffing positions.

Aid to Localities

- Not applicable.

Capital Projects

- The Assembly provides \$65,000 for the construction of a security portal at the State Street entrance to the Legislative Office Building.

Article VII

- The Assembly proposes to merge OFT into the OGS and to transfer the duties and personnel of OFT to OGS.
- The Assembly modifies the Executive proposal to change State procurement practices by:
 - rejecting the elimination of Office of State Comptroller oversight;
 - rejecting language that would authorize the Commissioner of OGS to use either best value or lowest price for both commodities and services;

- requiring that agencies use centralized contracts if available, except those state agencies where the head of which is not appointed by the governor, including but not limited to: the State Education Department; the Department of Law; and the Department of Audit and Control, and allow authorized users to “piggyback” on these to contracts for services, as well as commodities;
 - requiring guidelines to be adopted to ensure Minority and Women Owned Business Enterprises and small and regional businesses participate in centralized contracts;
 - accepting the language to expand the ability of non-profit organizations to purchase from State contracts;
 - extending the existing electronic bidding pilot program for three years and requiring a report on the use of electronic bidding in year two of the pilot;
 - placing printing within Article 11 of the State Finance law but requiring printing contracts to be awarded to the lowest cost bidder and raise the threshold for competitive bids from \$10,000 to \$50,000 for agencies and \$85,000 for OGS, matching the thresholds for other commodities and services;
 - increasing the threshold for advertising contracts in the procurement newsletter from \$15,000 to \$25,000, rather than \$50,000, as proposed by the Executive, and requiring the procurement newsletter to publish the awardees of non-competitive contracts;
 - expanding the investigative powers of the Commissioner of OGS regarding procurement to include all procurement issues, not simply ones relating to centralized contracts, except the expanded authority would not extend to those state agencies where the head of which is not appointed by the governor; and
 - extending the Procurement Stewardship Act for five years.
- The Assembly proposes to merge OFT into the Office of General Services and to transfer the duties and personnel of OFT to OGS. The Assembly rejects the Executive’s proposal to change the name of OFT as such change would no longer be necessary after this merger.

Assembly Budget Proposal SFY 2012-13
Division of Homeland Security and Emergency Services

The Assembly provides an All Funds appropriation of \$1,521,331,000.

State Operations

- The Assembly rejects appropriation language in the Executive proposal that would provide broad authority to interchange or transfer funds among agencies.

Aid to Localities

- The Assembly reduces support for the Public Safety Interoperable Communications Grant Program by \$6 million, but provides a \$69 million appropriation for this purpose in the current state fiscal year.

Capital Projects

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

Article VII

- The Assembly amends an Executive proposal to improve emergency responses under the existing Intrastate Mutual Aid Plan to clarify the executive chain of command and the allocation of liability when the personnel and resources of one jurisdiction assist another during a disaster declaration.
- The Assembly accepts the Executive's proposed elimination of the Statewide Wireless Network Advisory Council.
- The Assembly accepts the Executive's proposed elimination of the New York State Law Enforcement Telecommunications Committee.

**Assembly Budget Proposal SFY 2012-13
Office of Indigent Legal Services (OILS)**

The Assembly provides an All Funds appropriation of \$80,509,000.

State Operations

- The Assembly rejects appropriation language in the Executive proposal that would provide broad authority to interchange or transfer funds among agencies.

Aid to Localities

- The Assembly transfers support for the New York State Defenders Association (NYSDA) to OILS from the Division of Criminal Justice Services, and funds NYSDA at \$2,089,000; a \$1 million increase over the Executive proposal.

Capital Projects

- Not applicable.

Article VII

- The Assembly recommends Article VII legislation that would clarify the discretionary authority of the Office of Indigent Legal Services and the Indigent Legal Services Board to distribute funds to counties through a non-competitive contract process.
- The Assembly recommends Article VII legislation that would provide annual support to NYSDA under the Indigent Legal Services Fund.

Assembly Budget Proposal SFY 2012-13
Office of the State Inspector General

The Assembly provides an All Funds appropriation of \$6,760,000.

State Operations

- The Assembly rejects appropriation language in the Executive proposal that would provide broad authority to interchange or transfer funds among agencies.

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

**Assembly Budget Proposal SFY 2012-13
New York Interest on Lawyers Account**

The Assembly provides an All Funds appropriation of \$46,841,000.

State Operations

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

Aid to Localities

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

Capital Projects

- Not applicable.

Article VII

- Not applicable.

**Assembly Budget Proposal SFY 2012-13
Judicial Commissions**

The Assembly provides an All Funds appropriation of \$5,452,000.

State Operations

- The Assembly rejects appropriation language in the Executive proposal that would provide broad authority to interchange or transfer funds among agencies.

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

**Assembly Budget Proposal SFY 2012-13
Department of Law**

The Assembly provides an All Funds appropriation of \$215,278,000.

State Operations

- The Assembly rejects appropriation language in the Executive proposal that would provide broad authority to interchange or transfer funds among agencies.

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

Assembly Budget Proposal SFY 2012-13
Division of Military and Naval Affairs

The Assembly provides an All Funds appropriation of \$179,039,000.

State Operations

- The Assembly rejects appropriation language in the Executive proposal that would provide broad authority to interchange or transfer funds among agencies.

Aid to Localities

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

Capital Projects

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

Article VII

- The Assembly rejects an Executive proposal to eliminate the Temporary Committee on the Restoration and Display of New York State's Military Battle Flags.

**Assembly Budget Proposal SFY 2012-13
Office for Prevention of Domestic Violence**

The Assembly provides an All Funds appropriation of \$4,741,000.

State Operations

- The Assembly rejects appropriation language in the Executive proposal that would provide broad authority to interchange or transfer funds among agencies.

Aid to Localities

- The Assembly rejects the Executive proposal that would make \$170,000 in funding previously allocated to the Capital District Domestic Violence Law Clinic and the Western New York Family Violence Clinic available to other programs pursuant to a competitive process. Instead, the Assembly restores existing appropriation language allowing for the two programs to continue to receive these funds.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

**Assembly Budget Proposal SFY 2012-13
Public Employment Relations Board**

The Assembly provides an All Funds appropriation of \$3,984,000.

State Operations

- The Assembly rejects appropriation language in the Executive proposal that would provide broad authority to interchange or transfer funds among agencies.

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

**Assembly Budget Proposal SFY 2012-13
Joint Commission on Public Ethics**

The Assembly provides an All Funds appropriation of \$4,100,000.

State Operations

- The Assembly rejects appropriation language in the Executive proposal that would provide broad authority to interchange or transfer funds among agencies.

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

Assembly Budget Proposal SFY 2012-13
Division of State Police

The Assembly provides an All Funds appropriation of \$693,098,400.

State Operations

- The Assembly rejects appropriation language in the Executive proposal that would provide broad authority to interchange or transfer funds among agencies.

Aid to Localities

- Not applicable.

Capital Projects

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

Article VII

- The Assembly accepts the Executive proposal to repeal the requirement that the state maintain an independent pistol and revolver ballistic identification database.
- The Assembly includes language that would require pistols manufactured or delivered to any licensed dealer in the state to be capable of microstamping ammunition.
- The Assembly accepts the Executive proposal to require that a trial date for traffic infractions must be set for a date subsequent to initial appearance.

**Assembly Budget Proposal SFY 2012-13
Statewide Financial System (SFS)**

The Assembly provides an All Funds appropriation of \$45,000,000.

State Operations

- The Assembly rejects \$10 million in additional support for SFS operating costs.

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

**Assembly Budget Proposal SFY 2012-13
Office for Technology**

The Assembly proposes to merge the Office for Technology (OFT) with the Office of General Services (OGS), and therefore provides no appropriation for OFT.

State Operations

- Not applicable.

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- The Assembly proposes to merge the Office for Technology into the Office of General Services and to transfer the duties and personnel of OFT to OGS. The Assembly rejects the Executive's proposal to change the name of OFT as such change would no longer be required after this merger.

**Assembly Budget Proposal SFY 2012-13
Division of Veterans' Affairs (DVA)**

The Assembly provides an All Funds appropriation of \$16,698,000.

State Operations

- The Assembly rejects appropriation language in the Executive proposal that would provide broad authority to interchange or transfer funds among agencies.

Aid to Localities

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

Capital Projects

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

Article VII

- The Assembly proposal would establish a New York State Veterans' Cemetery Temporary Advisory Committee, charged with the issuance of a report to recommend a site for a state veterans' cemetery.
- The Assembly accepts the Executive proposal to eliminate the New York State Veterans Hall of Fame Council.

**Assembly Budget Proposal SFY 2012-13
Office of Victim Services**

The Assembly provides an All Funds appropriation of \$76,403,000.

State Operations

- The Assembly rejects appropriation language in the Executive proposal that would provide broad authority to interchange or transfer funds among agencies.

Aid to Localities

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

Capital Projects

- Not applicable.

Article VII

- Not applicable.

**Assembly Budget Proposal SFY 2012-13
Workers' Compensation Board**

The Assembly provides an All Funds appropriation of \$196,801,000.

State Operations

- The Assembly rejects appropriation language in the Executive proposal that would provide broad authority to interchange or transfer funds among agencies.

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- The Assembly modifies the Executive proposal to extend the repayment of the Uninsured Employers Fund until 2016. The Assembly would extend such authority until 2014.

Assembly Budget Proposal SFY 2012-13 General State Charges

The Assembly provides an All Funds appropriation of \$2,687,186,000.

State Operations

- The Assembly reduces support for Workers' Compensation costs for injured state employees by \$6 million, reflecting savings from a \$1 million investment in injury prevention training.
- The Assembly reduces the Executive appropriation for the state's share of the New York State Health Insurance Program (NYSHIP) costs by \$30 million. The decrease reflects a savings generated by additional audit staff to identify high risk providers, audit questionable claims, and identify overpayments.

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- The Assembly rejects the Executive proposal to create a new pension Tier VI.
- The Assembly modifies the Executive proposal to require employees and retirees of public authorities to contribute toward the cost of Medicare Part B premiums, as is the case with state employees and retirees. The Assembly proposal would clarify that all public authorities who are participants in the New York State Health Insurance Plan would be included under the proposal.
- The Assembly accepts the Executive's proposal to increase the PILOT made by the state to the City of Albany by \$7,850,000 for State Fiscal Year (SFY) 2012-13 and decrease the PILOT made by the state to the City of Albany by \$7,850,000 for SFY 2032-33.

**Assembly Budget Proposal SFY 2012-13
Local Government Assistance**

The Assembly provides an All Funds appropriation of \$855,176,000.

State Operations

- The Assembly rejects appropriation language in the Executive proposal within the Financial Control Board that would provide broad authority to interchange or transfer funds among agencies.

Aid to Localities

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

Capital Projects

- Not applicable.

Article VII

- The Assembly modifies the Executive proposal for the acceleration (spin-up) of Aid and Incentives for Municipalities (AIM) payments by authorizing the acceleration of up to \$119.2 million in AIM payments to cities. The eligible cities are as follows:
 - Amsterdam – up to \$2.1 million
 - Auburn – up to \$3.4 million
 - Buffalo – up to \$30 million
 - Corning – up to \$900,000
 - Lackawanna – up to \$3.6 million
 - Long Beach – up to \$1.4 million
 - Olean – up to \$2.2 million
 - Rensselaer – up to \$400,000
 - Rochester – up to \$28 million
 - Syracuse – up to \$30 million
 - Watertown – up to \$3.1 million
 - White Plains – up to \$2.2 million
 - Yonkers – up to \$11.9 million

EDUCATION, LABOR & FAMILY ASSISTANCE

By Agency

**Assembly Budget Proposal SFY 2012-13
Council on the Arts**

The Assembly provides an All Funds appropriation of \$37,683,000.

State Operations

- The Assembly rejects appropriation language in the Executive proposal that would provide broad authority to interchange or transfer funds among agencies.

Aid to Localities

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

Capital Projects

- Not applicable.

Article VII

- Not applicable.

Assembly Budget Proposal SFY 2012-13 City University of New York (CUNY)

The Assembly provides an All Funds appropriation of \$4,042,810,890.

State Operations

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

Aid to Localities

- The Assembly provides \$12,454,000 to increase base aid for CUNY Community Colleges, increasing support by \$205 per full-time equivalent student. This action represents the first increase to community college base aid since State Fiscal Year 2007-08.
- The Assembly restores \$544,000 in support to CUNY Child Care Centers, providing \$1,357,000 in total funding.

Capital Projects

- The Assembly provides an additional \$170 million in capital spending authority for CUNY.
- The Assembly rejects the Executive proposal to provide \$15,983,000 in hard dollar capital support to the CUNY Construction Fund, and instead allows CUNY to support these costs through bond proceeds.

Article VII

- Not applicable.

Assembly Budget Proposal SFY 2012-13 State Education Department

The Assembly provides an All Funds appropriation of \$52,126,184,123.

State Operations

- The Assembly accepts the Executive proposal, with modifications, to reject language that would limit funding for the 3020a hearing process to hearings commenced prior to April 1, 2012.

Aid to Localities

- The Assembly accepts the Executive proposal to provide a \$289.8 million restoration of the Gap Elimination Adjustment (GEA).
- The Assembly accepts \$50 million in spending on performance grants in School Year (SY) 2012-13, and accepts \$500 million in reappropriations for such grant programs that were enacted in State Fiscal Year (SFY) 2011-12.
- The Assembly rejects an additional \$200 million for performance grants in SY 2012-13 and instead reprograms these funds to restorations in School Aid.
- The Assembly restores \$178 million to school districts through an increase in the Foundation Aid formula. This would provide for a 2.68 percent phase-in of the Foundation Aid formula with a minimum increase of one percent.
- The Assembly provides \$38 million to fund present law expense based aids incurred for SY 2011-12 and SY 2012-13, and rejects an Executive proposal to freeze such aids.
- The Assembly rejects \$100 million for performance grant programs in SY 2013-14 and thereafter. In addition, the inclusion of performance grants within allowable growth is eliminated.
- The Assembly restores \$10.22 million to Teacher Resource and Computer Training Centers for SY 2012-13.
- The Assembly increases Aid for Public Libraries by \$1 million, to provide \$80.012 million in total assistance.
- The Assembly increases Adult Literacy Education by \$1 million for a total of \$5.293 million.

- The Assembly increases support for the Comprehensive Attendance Policy (CAP) program for nonpublic schools by \$1 million for a total of \$27.2 million.
- The Assembly provides \$6.99 million to higher education opportunity programs for a total \$55.8 million, as follows:
 - the Liberty Partnerships program is increased by \$1.7 million, providing a total of \$12.5 million;
 - the Higher Education Opportunity Program (HEOP) is increased by \$3.5 million, providing a total of \$24.3 million in funding;
 - the Science and Technology Entry Program (STEP) is increased by \$1.0 million, providing a total of \$10.8 million in funding; and
 - the Collegiate Science and Technology Entry Program (CSTEP) is increased by \$778,000, providing a total of \$8.2 million in funding.

Capital Projects

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

Article VII

- The Assembly accepts the Executive proposal to continue the Contract for Excellence (C4E) program.
- The Assembly modifies the Executive proposal to clarify the calculation of payments for County Vocational Education and Extension Boards (CVEEBs) by providing for a current effective date. The Assembly also modifies the Executive proposal to impose a statute of limitation for CVEEB claims so that claims from prior years may still be accepted.
- The Assembly modifies the Executive proposal which provides that no school district is eligible to receive an increase in education funding for SY 2012-13 and thereafter unless the district has submitted documentation, approved by the Commissioner by January 17, 2013, that demonstrates full implementation of new standards and procedures for conducting annual professional performance reviews (APPR) of teachers and principals. The Assembly limits this provision to the SY 2012-13 only.
- The Assembly accepts the Executive proposal which provides for a statewide system of teacher and principal evaluations.

- The Assembly accepts the Executive proposal which provides for a New York City appeals process relating to teacher evaluations.
- The Assembly accepts the Executive proposal to extend the time period for awarding Management Efficiency Grants by 120 days. The Assembly also accepts the Executive proposal to allow bonus points to be awarded to school districts that submit documentation, approved by the Commissioner by September 1, 2012, of full compliance with APPR.
- The Assembly amends the Executive proposal to regain Building Aid eligibility in cases where districts missed the final cost report filing deadline by eliminating the reduction in aid, to provide for full payment through the prior year claims process.
- The Assembly amends a waiver provision which authorizes Building Aid payments only after a final cost report is submitted.
- The Assembly rejects the Executive proposal to require school districts to share in the growth above the county's share of SFY 2011-12 pre-school special education program (4410) costs.
- The Assembly rejects the Executive proposal which prohibits children from receiving services from a 4410 provider if there is a "less than arms length" relationship between the provider and the child's evaluator.
- The Assembly rejects the Executive proposal to require justification when a more distant 4410 provider is chosen over a closer comparable provider.
- The Assembly rejects the Executive proposal to purchase school buses and equipment from a centralized state contract in order to become eligible for state reimbursement after June 30, 2012. Reimbursement would be limited to what a comparable bus would cost purchased through the state contract or if no comparable bus exists, then to a statewide median price. Districts would have to provide justification if they were to purchase a more costly comparable bus.
- The Assembly rejects the Executive proposal to require approval by the commissioner for school bus equipment purchases.
- The Assembly accepts the Executive proposal to extend authorization for school districts to award contracts for the transportation of pupils pursuant to a request for proposal process for five years.
- The Assembly provides for a charter school tuition freeze to SY 2009-10 levels, for school districts that have more than 10 percent of their children attending Charter schools.

- The Assembly rejects the Executive proposal to share 3020a hearing costs between the employer (school district) and the employee's collective bargaining unit or employee.
- The Assembly accepts the Executive proposal to authorize the Commissioner to monitor a hearing officer's compliance with 3020a timelines and exclude hearing officers from future cases if the timelines are not followed.
- The Assembly accepts the Executive proposal for a one year statute of limitations for hearing officers to submit claims for reimbursement to SED.
- The Assembly modifies the Executive proposal to maintain the specific 3020a timelines currently provided in statute and rejects the Executive proposal to authorize the Commissioner to establish timelines through regulation.
- The Assembly rejects the Executive proposal to require the Commissioner to establish maximum rates for hearing officer compensation and limitations on the amount of study hours that may be claimed.
- The Assembly rejects the Executive proposal to remove the requirement for a stenographer but amends to authorize SED to utilize new technology to record 3020a hearings in an accurate, reliable, efficient and cost-effective manner.
- The Assembly accepts the Executive proposal to extend a provision that mitigates the impact of federal military base closings to state aid for a period of five years.
- The Assembly increases the set aside for the Consortium for Worker Education to \$13 million.
- The Assembly continues a set aside within Employment Preparation Education (EPE) for students with high school diplomas that do not have basic skills.
- The Assembly proposes authorization for school districts to use excess Employee Benefit Accrued Liability Reserve (EBALR) funds to maintain educational programming in the 2012-13 school year.
- The Assembly modifies the Executive proposal to continue the current teacher certification process for community-based organizations providing Universal Prekindergarten (UPK).
- The Assembly proposes clarification of the UPK maintenance of effort provision as well as providing for the correction of certain data errors.
- The Assembly proposes to continue the UPK program through SY 2013-14.

- The Assembly provides for the use of an alternate pupil count when calculating the basic contribution for certain school districts.
- The Assembly rejects the Executive proposal to authorize BOCES to enter into contracts with Office of Children and Family Services (OCFS) to provide youth in OCFS facilities with special education programs and related services.

**Assembly Budget Proposal SFY 2012-13
Office of Children and Family Services (OCFS)**

The Assembly provides an All Funds appropriation of \$3,812,587,940.

State Operations

- The Assembly rejects appropriation language in the Executive proposal that would provide broad authority to interchange or transfer funds among agencies.
- The Assembly reduces funding for the expansion of the State Central Register to a centralized 24-hour hotline for reporting allegations of abuse and neglect perpetrated against vulnerable persons by \$5 million.
- The Assembly reduces funding for new youth facility staff at OCFS operated juvenile justice facilities by \$2.8 million to better project the number of actual hires anticipated for SFY 2012-13.
- The Assembly modifies the Executive proposal that would provide 60 days notice prior to the closure of OCFS juvenile justice facilities to put in place criteria that OCFS must consider prior to facility capacity reductions.

Aid to Localities

- The Assembly provides \$1 million to restore funding for the establishment of safe houses for sexually exploited youth pursuant to the Safe Harbor Act of 2008.
- The Assembly rejects the Executive proposed elimination of funding for the following programs and restores funding accordingly:
 - Caseload Ratio - \$757,200
 - Settlement Houses - \$450,000
- The Assembly provides \$1 million for the community reinvestment program.
- The Assembly rejects the Executive proposal that would provide \$2 million for the creation of a regional public/private partnership for human services programs.
- The Assembly reduces state funding for child care subsidies by \$9,447,510. There is a corresponding increase in TANF funding for this purpose, which maintains funding levels from SFY 2011-12.

Capital Projects

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

Article VII

- The Assembly accepts with modifications the Executive proposal to extend Child Welfare Financing to June 30, 2017. The Assembly would remove any change to reimbursement from statute, and address such changes solely through appropriation language.
- The Assembly accepts with modifications the Executive proposal to establish the “Close to Home Initiative” under which New York City will be authorized to administer non-secure and limited-secure juvenile justice facilities, to:
 - improve transparency by requiring additional public hearings and reporting to the Legislature;
 - require the respondent, the attorney for the respondent and the parent be notified of any change in placement;
 - retain judicial authority to order specific services upon placing a youth;
 - limit the time period under which a youth may be placed in a local detention facility pending his or her court proceeding;
 - create a panel of independent experts to assist in validating the risk assessment instrument used to guide placement determinations; and
 - sunset the authorization to close facilities with sixty days notice on April 1, 2013.
- The Assembly rejects the Executive proposal to authorize OCFS to contract with the Board of Cooperative Education Services to provide services in juvenile justice facilities.
- The Assembly accepts the Executive proposal to repeal a reporting requirement related to the Youth Center Facility Program.
- The Assembly accepts with modifications the Executive proposal to authorize sharing of information related to the validation of the detention risk assessment instrument. The Assembly would require that such information be non-identifying.
- The Assembly accepts the Executive proposal to repeal the Child Welfare Research Advisory Panel.

- The Assembly accepts with modifications the Executive proposal related to information regarding the Abandoned Information Protection Act provided by hospitals, to maintain the requirement that OCFS provide such information to hospitals.
- The Assembly accepts the Executive proposal to repeal the Board of Visitors.

Assembly Budget Proposal SFY 2012-13
Office of Temporary and Disability Assistance (OTDA)

The Assembly provides an All Funds appropriation of \$5,759,801,510.

State Operations

- The Assembly rejects appropriation language in the Executive proposal that would provide broad authority to interchange or transfer funds among agencies.
- The Assembly rejects the Executive proposal that would provide \$11,096,000 in funding to authorize the state to takeover administration of the state supplemental Social Security Income (SSI) benefit from the federal government.
- The Assembly rejects the Executive proposal that would transfer six full-time equivalent positions from OTDA to the Department of State for the creation of a new Office of New Americans. The Assembly provides \$442,000 for the Office of New Americans within OTDA.

Aid to Localities

- The Assembly rejects the Executive proposal that would phase in the remaining ten percent public assistance grant increase. Instead, the Assembly provides \$24 million for full implementation of the ten percent public assistance grant increase effective July 1, 2012.
- The Assembly rejects the Executive proposal that would transfer \$3,338,000 in funding for the refugee resettlement program and the citizenship initiative from OTDA to the Department of State for the creation of a new Office of New Americans and would instead create such office within OTDA.
- The Assembly provides an additional \$9,447,510 in TANF funding for child care subsidies. There is a corresponding decrease in General Fund support for this purpose, which maintains funding levels from SFY 2011-12.
- The Assembly makes \$13,268,000 in TANF restorations for the following Legislative Initiatives, typically funded with TANF money, that were eliminated in the Executive Budget:
 - SUNY/CUNY Child Care - \$334,000
 - Various Transportation programs:

- Community Solutions for Transportation - \$112,000
 - Centro of Oneida - \$25,000
 - Rochester-Genesee Regional Transportation Authority - \$82,000
 - Wheels for Work - \$144,000
- Non-Residential Domestic Violence Services - \$510,000
- Bridge - \$102,000
- Career Pathways - \$750,000
- Displaced Homemakers - \$546,000
- Advantage Schools - \$500,000
- Wage Subsidy Program - \$950,000
- Preventive Services - \$610,000
- ATTAIN Technology Training - \$3,000,000
- Supplemental Homelessness Intervention Program - \$1,500,000
- ACCESS-Welfare to Careers - \$250,000
- Emergency Homeless Needs - \$500,000
- Disability Advocacy Program - \$250,000
- Supportive Housing for Families and Young Adults - \$1,500,000
- Caretaker Relative/Kinship - \$51,000
- Refugee Resettlement Program - \$102,000
- Educational Resources - \$250,000
- Strengthening Families through Stronger Fathers - \$200,000
- Settlement Houses - \$1,000,000

Capital Projects

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

Article VII

- The Assembly accepts the Executive proposal to implement a Social Security Income (SSI) Cost of Living Adjustment (COLA) beginning January 1, 2013.
- The Assembly rejects the Executive proposal that would phase-in the final ten percent of the public assistance grant increase.
- The Assembly rejects the Executive proposal for the state to administer the state supplemental program for SSI recipients.
- The Assembly proposal includes language that would temporarily exempt single-parent temporary assistance households with infants under the age of one year from work requirements for 12 months.

**Assembly Budget Proposal SFY 2012-13
Higher Education Services Corporation (HESC)**

The Assembly provides an All Funds appropriation of \$1,117,508,000.

State Operations

- The Assembly rejects appropriation language in the Executive proposal that would provide broad authority to interchange or transfer funds among agencies.
- The Assembly rejects an Executive proposal to move debt collection responsibilities for HESC to the Department of Taxation and Finance.

Aid to Localities

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

Capital Projects

- Not applicable.

Article VII

- Not applicable.

**Assembly Budget Proposal SFY 2012-13
Division of Housing and Community Renewal**

The Assembly provides an All Funds appropriation of \$328,732,000.

State Operations

- The Assembly rejects appropriation language in the Executive proposal that would provide broad authority to interchange or transfer funds among agencies.

Aid to Localities

- The Assembly provides \$20 million to the New York State Housing Trust Fund Corporation for the provision of foreclosure prevention services.
- The Assembly proposes to restore \$8,479,000 in funding for the Neighborhood Preservation Program.
- The Assembly proposes to restore \$3,539,000 in funding for the Rural Preservation Program.

Capital Projects

- The Assembly provides an additional \$25 million to support the following capital programs:
 - \$7 million for the Housing Trust Fund;
 - \$5 million for the Affordable Housing Corporation;
 - \$3 million for the Home for Working Families program;
 - \$2 million for the Housing Opportunities for the Elderly program;
 - \$2 million for the Access to Home program;
 - \$4 million for the Main Street Program; and
 - \$2 million for the Urban Initiatives program.

Article VII

- Not applicable.

**Assembly Budget Proposal SFY 2012-13
Division of Human Rights**

The Assembly provides an All Funds appropriation of \$18,744,000.

State Operations

- The Assembly rejects appropriation language in the Executive proposal that would provide broad authority to interchange or transfer funds among agencies.

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

**Assembly Budget Proposal SFY 2012-13
Department of Labor**

The Assembly provides an All Funds appropriation of \$5,225,561,000.

State Operations

- The Assembly rejects appropriation language in the Executive proposal that would provide broad authority to interchange or transfer funds among agencies.

Aid to Localities

- The Assembly provides a \$350,000 restoration for the New York Committee on Occupational Safety and Health.

Capital Projects

- Not applicable.

Article VII

- The Assembly rejects the Executive proposal to eliminate the Child Performer Advisory Board to Prevent Eating Disorders.

**Assembly Budget Proposal SFY 2012-13
State of New York Mortgage Agency**

The Assembly provides an All Funds appropriation of \$168,465,000.

State Operations

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

Aid to Localities

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

Capital Projects

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

Article VII

- Not applicable.

Assembly Budget Proposal SFY 2012-13 State University of New York (SUNY)

The Assembly provides an All Funds appropriation of \$10,190,744,800.

State Operations

- The Assembly increases support for SUNY Hospitals by \$27,800,000 to provide total funding of \$87,800,000 for SFY 2012-13.
- The Assembly proposal would modify appropriation language for SUNY university wide programs to remove several lump sum appropriations and restore programs at State Fiscal Year (SFY) 2011-12 levels. Remaining funds would be available for other university wide programs including additional funding for the Veterinary School at Cornell University.

Aid to Localities

- The Assembly provides \$30,252,000 to increase base aid for SUNY Community Colleges, increasing support by \$205 per full-time equivalent (FTE) student. This action represents the first increase to community college base aid since SFY 2007-08.
- The Assembly restores \$653,000 for SUNY Child Care Centers, providing a total of \$1,654,000 in funding.

Capital Projects

- The Assembly rejects an Executive proposal to provide \$25,098,000 that would allow SUNY to support capital projects through hard dollar capital financing, and instead would provide a bonded capital appropriation in the same amount under appropriations made for the SUNY Construction Fund.

Article VII

- The Assembly proposal includes language to define a new round of challenge grants that may be awarded to non-university center SUNY colleges.

**Assembly Budget Proposal SFY 2012-13
State University Construction Fund**

The Assembly provides an All Funds appropriation of \$25,098,000.

State Operations

- The Assembly provides an appropriation of \$25,098,000 for the SUNY Construction Fund, rejecting an Executive proposal to fund the Construction Fund through hard dollar capital spending.

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

**Assembly Budget Proposal SFY 2012-13
Office of Welfare Inspector General**

The Assembly provides an All Funds appropriation of \$1,516,000.

State Operations

- The Assembly rejects appropriation language in the Executive proposal that would provide broad authority to interchange or transfer funds among agencies.

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

**Assembly Budget Proposal SFY 2012-13
National and Community Service**

The Assembly provides an All Funds appropriation of \$30,683,500.

State Operations

- The Assembly rejects appropriation language in the Executive proposal that would provide broad authority to interchange or transfer funds among agencies.

Aid to Localities

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

Capital Projects

- Not applicable.

Article VII

- Not applicable.

**Assembly Budget Proposal SFY 2012-13
Higher Education - Miscellaneous**

The Assembly provides an All Funds appropriation of \$1,300,000.

State Operations

- The Assembly rejects appropriation language in the Executive proposal that would provide broad authority to interchange or transfer funds among agencies.

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- The Assembly accepts the Executive's proposal to extend the Higher Education Capital Matching Grants Program until March 31, 2013.
- The Assembly rejects the Executive's proposal that would allow the state to enter into an agreement with Cornell University, prescribing general terms and conditions with Cornell, for the purposes of providing services and technical assistance to state agencies. A state agency would then be able to enter into a memorandum of understanding (MOU) with Cornell outlining the scope of work for such services and assistance rather than through a contract pursuant to State Finance Law.
- The Assembly modifies the Executive's proposal that requires pharmacies to provide translation and interpretation services for limited English proficient individuals by allowing the Commissioner of Education to promulgate rules and regulations.

HEALTH & MENTAL HYGIENE

By Agency

**Assembly Budget Proposal SFY 2012-13
State Office for the Aging**

The Assembly provides an All Funds appropriation of \$242,921,100.

State Operations

- The Assembly rejects appropriation language in the Executive proposal that would provide broad authority to interchange or transfer funds among agencies.

Aid to Localities

- The Assembly restores \$228,500 to the Naturally Occurring Retirement Communities (NORC) program.
- The Assembly restores \$228,500 to the Neighborhood Naturally Occurring Retirement Communities (NNORC) program.

Capital Projects

- Not applicable.

Article VII

- The Assembly amends the Executive proposal to make technical changes to the Elderly Pharmaceutical Insurance Coverage (EPIC) program.

**Assembly Budget Proposal SFY 2012-13
Development Disabilities Planning Council**

The Assembly provides an All Funds appropriation of \$4,760,000.

State Operations

- The Assembly rejects appropriation language in the Executive proposal that would provide broad authority to interchange or transfer funds among agencies.

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

**Assembly Budget Proposal SFY 2012-13
Department of Health (DOH)**

The Assembly provides an All Funds appropriation of \$109,113,381,815.

State Operations

- The Assembly rejects appropriation language in the Executive proposal that would provide broad authority to interchange or transfer funds among agencies.
- The Assembly delays the expansion of the Medicaid Enrollment Portal for a savings of \$3 million.

Aid to Localities

- The Assembly rejects the Executive proposal to eliminate spousal refusal and restores \$34,300,000 to maintain this right.
- The Assembly provides \$5 million to deny an Executive proposal to reduce funds for the Tobacco Prevention and Control Program.
- The Assembly rejects the Executive proposal to have Child Health Plus cover Early Intervention program costs for a savings of \$1,210,000.
- The Assembly delays stem cell grant expenditures for a savings of \$5 million.
- The Assembly provides an additional \$1 million for infertility services programs.
- The Assembly delays implementation of the new supportive housing program for a savings of \$25 million, but accepts \$50 million in support for this initiative in the current state fiscal year.
- The Assembly provides \$2 million to support the Nurse Family Partnership.

Capital Projects

- The Assembly rejects the Executive proposal to require Roswell Park Center Cancer Institute to become operationally and fiscally independent from the state by March 31, 2014.

Article VII

Part A – Early Intervention (EI) Program

The Assembly rejects the Executive proposal:

- to require EI program evaluators to belong to the provider network of the parents' HMO or other insurer;
- to authorize representatives of third party payors to attend Individualized Family Service Plan meetings;
- to require children enrolled in EI that are covered under a third party payor plan that provides coverage for EI services to receive such services from an provider within such plan's network except under certain circumstances beginning January 1, 2013;
- to allow New York State to increase the percentage of state aid reimbursement to municipalities for EI, at the discretion of DOH and with Division of the Budget (DOB) approval;
- to require an arms-length relationship between an evaluator, service coordinator, and EI provider;
- to require all approved evaluators and EI providers to maintain contracts with a sufficient number of insurers;
- to authorize an increase in the percentage of state aid reimbursement to municipalities for EI services with Division of the Budget approval;
- to require the Child Health Plus program to cover EI services;
- to require third party payors to make available an adequate number of EI service providers, consistent with EI program enrollment;
- to require third party payors to make the list of EI providers publicly available and to review it quarterly; and
- to require insurers pay in-network provider rates negotiated between the provider and the insurer and require out-of-network providers to be reimbursed at rates set by DOH.

The Assembly modifies the Executive proposal:

- to remove the authorization for municipalities to contract with EI providers, require service coordinators to assume various responsibilities from the

municipality, and to require service coordinators to provide performance reports to the municipality by providing for municipality oversight of providers;

- to allow DOH to approve providers and enter into agreements as necessary; and
- to authorize DOH to contract with a fiscal agent by rejecting language notwithstanding procurement provisions in the State Finance and Economic Development Law.

The Assembly accepts the Executive proposal:

- to require EI service coordinators to notify the Office of Persons with Developmental Disabilities (OPWDD) if a child may be eligible for OPWDD services;
- to require that the EI service coordinator implement the Individualized Family Service Plan in a timely manner;
- to remove State Education Department (SED) authority to approve providers for the EI program who are approved through SED to provide services in the Preschool Special Education Program; and
- to require insurers to accept claims for payment from a fiscal agent, and to require providers to submit claims through the Fiscal Agent.

Part B – Roswell Park Cancer Institute (RPCI)

- The Assembly rejects the Executive proposal to require RPCI to become financially and operationally independent from DOH by March 31, 2014, as a condition of receiving State funding authorized under the HCRA and HEAL-NY.

Part C – Electronic Death Registration System (EDRS)

- The Assembly modifies the Executive proposal to the Executive proposal to authorize DOH to design, implement, and maintain an EDRS for counties outside of the City of New York, (which already operates an EDRS) in order to update the State's system of filing and maintaining information and documents related to the registration of death by prohibiting funeral directors and undertakers from passing to consumers a \$20 fee established to support implementation of the system.

Part D – Medicaid Redesign Team (MRT) Recommendations

The Assembly rejects the Executive proposal:

- to authorize the Commissioner of Health (COH) to temporarily suspend or limit an operating certificate of a not-for-profit corporation participating in the Medicaid program and to make certain changes to the board of directors;
- to require not-for-profit corporations that are hospital operators to notify DOH of a change of directors at least 120 days prior to the effective date of the change and authorize the DOH to bar such change;
- to eliminate the requirement that hospitals submit and DOH audit information related to certain hospital medical staff, which is audited by the federal government;
- to eliminate bed hold payments if DOH regulations are not approved by the Centers for Medicare and Medicaid Services (CMS).
- to deny prior authorization when the existing limit of four opioids prescribed within 30 days is exceeded if, upon reasonable opportunity for the prescriber to present a justification, DOH determines the prescription is not medically necessary;
- to reduce the information that must be made available on DOH's website regarding meetings of the Pharmacy and Therapeutics Committee;
- to eliminate the requirement that applicants to operate managed long-term care plan be a hospital, licensed or certified home care agency, health maintenance organization or not-for-profit organization with a history of providing or coordinating health care and long-term care services to elderly and disabled persons; and
- to eliminate spousal refusal by prohibiting a spouse or parent from refusing to contribute any available income or assets towards the costs of health care services being provided to a spouse or family member.

The Assembly modifies the Executive proposal:

- to allow for the re-investment of Medicaid savings from hospital and nursing home closures or bed de-certifications to expand supportive housing and related services by rejecting language notwithstanding procurement provisions in State Finance and Economic Development Law and establishing a grant process for distributing funds;
- to require assisted living programs to conduct initial assessments by allowing, but not requiring, assisted living programs to conduct assessments;

- to require the COH to establish regulations to ensure access to enteral formula for HIV related illnesses and other conditions;
- to authorize the COH to promote education and outreach and enrollment assistance for aged, blind and disabled Medicaid applicants by rejecting the proposal to pursue contracts through a mini-bid process;
- to allow the COH to establish a temporary operator of an adult care facility, a general hospital or diagnostic and treatment center on a temporary basis when a statement of deficiencies has been issued by DOH and upon a determination by the Commissioner that significant management failures exist in the facility by requiring best efforts to maintain and ensure access to services;
- to extend for three years the authority of the Dormitory Authority of the State of New York to establish one or more subsidiaries for purposes of limiting the potential liability of the Authority when exercising its powers and duties in pursuit of remedies against a borrower that has defaulted by extending the provision for one year; and
- to authorize the COH to promulgate regulations relating to grants awarded through DOH's Empire Center for Research and Investigation Program (ECRIP) for periods on and after April 1, 2013 by maintaining the program in statute.

The Assembly accepts the Executive proposal:

- to authorize assisted living programs to contract with multiple long term home health care programs, certified home health agencies and/or other qualified providers and eliminating the requirement that assisted living program bed establishment follow decertification of nursing home beds;
- to expand Medicaid program coverage to the following services: podiatry visits for adults with diabetes mellitus, services provided by certified lactation consultants to pregnant and postpartum women, harm reduction counseling and services, and services to promote care coordination and integration for individuals with hepatitis C;
- to allow HIV special needs plans to enroll related children (up to 21 years old) of an enrollee and other high-need/high-cost users as determined by the COH;
- to authorize enhanced Medicaid payments for dually enrolled (Medicaid/Medicare) patients receiving treatment in OASAS licensed chemical dependence outpatient clinic and opioid treatment programs;

- to authorize the COH to provide grants for coordination of services by community based organizations among providers and plans using health information technology and uniform screening criteria for prenatal risk;
- to establish the Primary Care Service Corps Loan Repayment Program for non-physician practitioners who agree to practice full-time in underserved areas of the state;
- to allow monies of the Medical Indemnity Fund that are not required for immediate use to be invested in obligations of or guaranteed by the United States, with the proceeds of any such investments retained by the Fund;
- to eliminate the requirement that providers issue written notice to DOH for repair or maintenance projects under \$6 million;
- to authorize DOH to establish certain disproportionate share payments to Article 28 hospitals based on uninsured and Medicaid losses to conform to guidance received from the federal Centers for Medicare and Medicaid Services;
- to provide technical changes to replace references to the EPIC panel, which no longer exists, with references to the COH and modify federally established benchmark premiums;
- to authorize the COH to promulgate regulations establishing rates for bed reservation payments to preserve savings;
- to clarify that allocations for home care workforce recruitment and retention funds shall be made “up to” the amounts specified in existing language;
- to expand beyond New York City the local school districts and social services districts with which the State would share a certain level of savings realized as a result of utilizing certified public expenditures in relation to school supportive health services;
- to reinstate mandatory generic substitution for drugs dispensed to Medicaid enrollees, except for brand name drugs that the COH may choose to exempt;
- to limit the Medicaid co-insurance for Medicare covered Part B services when the total co-insurance amount would exceed the amount Medicaid would have paid using a Medicaid rate for all qualified individuals, not just persons who are dually eligible for Medicaid and Medicare;
- to allow diagnostic and treatment centers access to funds under the HEAL-NY program for the purpose of facilitating closures, mergers or restructuring of such facilities;

- to clarify the existing six-year statute of limitations on audits under the HCRA and limit the time for providers to make amendments to their cost reports to the same six-year period;
- to extend the COH's regulatory authority to limit reimbursement for potentially preventable conditions and complications to outpatient settings;
- to require electronic reporting and certification of reports by providers for the health facility cash assessment program and hospital quality contributions;
- to permit licensed home care service agencies to contract with Medicaid managed care or managed long term care plans and to bill Medicaid directly in order to temporarily serve Medicaid recipients who transition to fee-for-service from managed care or managed long-term care;
- to clarify provisions requiring managed care plans and managed long-term care plans to offer the consumer directed personal care program to their enrollees;
- to require counties operating a mandatory Medicaid managed care program to utilize an enrollment broker;
- to extend for an additional year the authorization for the Commissioner to implement a Medicaid Savings Allocation Plan to maintain spending within the Medicaid Spending Cap and allow the Director of Budget to modify the cap to reflect reductions in local district claiming for Medicaid administration, consistent with the State takeover of local government Medicaid administration;
- to eliminate the across-the-board reduction in the EI program payments, avoiding a duplicative rate reduction on such payments; and
- to authorize Article 28 hospitals to make aggregated payments for surcharges and assessments on a monthly rather than a quarterly basis.

The Assembly includes new language:

- to carve out the nursing home capital component from Medicaid managed care rates;
- to require the COH to report on consumer transitions to Medicaid managed long term care;
- to ensure continuity of care for Medicaid consumers receiving home and community based services upon transitioning into managed long term care;
- to establish an episodic pricing system for long term home health care programs;

- to allow certain Article 28 facilities currently operating a long term home health care program to transition to providing certified home health care services;
- to provide general hospital outpatient clinics, diagnostic and treatment centers, and primary care clinicians reimbursement for house calls under certain circumstances;
- to require the Office of the Medicaid Inspector General to post administrative law judge decisions on the Office's website;
- to codify existing EQUAL program regulations in statute;
- to establish a workgroup on Medicaid payment for services for medically fragile children to make recommendations on the adequacy of Medicaid payment rates to certain pediatric providers;
- to repeal changes to the definition of "estate" that were enacted as part of the SFY 2011-12 budget;
- add provisions to require Medicaid Managed Care and Managed Long Term Care plans to use professional and clinical criteria when deeming drugs as "specialty drugs" for purposes of requiring patients to use mail order pharmacy to obtain such drugs; and
- add provisions to establish standards for prescriptions written in New York State under Article 2-A of Public Health Law.

Part G – Extension of Various Medicaid Initiatives

- The Assembly modifies the Executive proposal to extend certain provisions of the Preferred Drug Program until June 15, 2019 by extending the program permanently.
- The Assembly accepts the Executive proposal to extend certain hospital rate adjustments for potentially preventable re-admissions and negative outcomes until March 31, 2013.

Part E – New York Health Benefit Exchange

- The Assembly modifies the Executive's proposal to establish the New York Health Benefit Exchange in accordance with the federal health care reform law by requiring submission of "findings" of reports conducted and including certain organizations under the definition of small business.

Part F – State Takeover of Local Medicaid

- The Assembly modifies the Executive proposal to authorize the Commissioner of Health to transfer administration of the Medicaid program from local social service districts to DOH by requiring: implementation of a revised plan developed in consultation with stakeholders; a report and a timeline of the plan implementation; and the creation of a labor-employee advisory group.

The Assembly accepts the Executive proposal:

- to prohibit local governments from claiming for overburden expenses incurred prior to January 1, 2006, when the “local cap” statute that limited local contributions to Medicaid expenditures took effect;
- to provide for a phased-in state assumption of the three percent growth in the local share of Medicaid expenditures for all counties and New York City, at a rate of one percent per year, and to modify the Department of Health Medicaid State funds spending cap to allow for increased State spending associated with providing local government Medicaid relief beginning on April 1, 2013;
- to allow Monroe County to opt into the Local Medicaid Cap in lieu of a sales tax intercept by January 1, 2013;
- to cap state reimbursement of local government Medicaid administration;
- to authorize to assume sole responsibility for commencing Medicaid recovery actions and proceedings; and
- to eliminate the annual reconciliation of local government Medicaid expenditures effective April 1, 2015.

Board Mergers and Consolidations

- The Assembly modifies the Executive proposal to merge the State Emergency Medical Services Council, the State Trauma Advisory Committee, the Emergency Medical Services for Children Advisory Committee, and the State Emergency Medical Advisory Committee into a new “New York State Emergency Medical Services Advisory Board” by maintaining certain functions of the State Emergency Medical Services Council; and
- The Assembly accepts the Executive proposal to merge the Breast and Cervical Cancer Detection and Education Program Advisory Committee and the Ovarian Cancer Information Advisory Committee into a new “Breast, Cervical, and Ovarian Cancer Detection and Education Program Advisory Council”.

**Assembly Budget Proposal SFY 2012-13
Office of the Medicaid Inspector General**

The Assembly provides an All Funds appropriation of \$75,887,000.

State Operations

- The Assembly rejects appropriation language in the Executive proposal that would provide broad authority to interchange or transfer funds among agencies.

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

**Assembly Budget Proposal SFY 2012-13
Department of Mental Hygiene**

The Assembly provides an All Funds appropriation of \$600,000,000.

State Operations

- The Assembly rejects appropriation language in the Executive proposal that would provide broad authority to interchange or transfer funds among agencies.

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

**Assembly Budget Proposal SFY 2012-13
Office of Alcoholism and Substance Abuse Services (OASAS)**

The Assembly provides an All Funds appropriation of \$672,053,000.

State Operations

- The Assembly rejects appropriation language in the Executive proposal that would provide broad authority to interchange or transfer funds among agencies.

Aid to Localities

- The Assembly rejects the Executive proposal to transfer the Alcohol and Drug Rehabilitation Program from the Department of Motor Vehicles to OASAS.
- The Assembly includes language to provide for a \$14,704,018 allocation for school based prevention services for the New York City Department of Education's Substance Abuse Prevention and Intervention Specialists Program. The allocation is part of a \$42,553,000 appropriation in the Executive Budget.

Capital Projects

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

Article VII

- The Assembly modifies the Executive proposal by delaying for one year, instead of eliminating, cost of living adjustments and trend factor increases for OASAS programs.
- The Assembly rejects the Executive proposal to grant the Commissioner of OASAS broad authority to make rate adjustments beginning April 1, 2013.
- The Assembly modifies the Executive proposal to cap reimbursement for administrative expenses to add due process provisions.
- The Assembly modifies the Executive proposal to cap executive compensation for entities that receive state funds to add due process provisions.
- The Assembly accepts the Executive proposal to facilitate the integration of physical and behavioral health services by enabling two or more of the

Commissioners of OASAS, the Department of Health, the Office of Mental Health, and the Office for People With Developmental Disabilities to waive duplicative regulatory requirements.

- The Assembly modifies the Executive proposal to create an integrated Behavioral Health Services Advisory Council to require an annual report to the Legislature.

Assembly Budget Proposal SFY 2012-13
Office of Mental Health (OMH)

The Assembly provides an All Funds appropriation of \$3,535,366,000.

State Operations

- The Assembly provides a restoration of \$4,800,000 to reject proposed changes to the Sex Offender Management Treatment Act (SOMTA) Program.
- The Assembly provides a restoration of \$1,400,000 to reject a proposal to include local correctional facilities as “appropriate institutions” for incapacitated defendants awaiting trial.
- The Assembly rejects appropriation language that would permanently remove the 12 month notice requirement for mental health facility closures, consolidation and service reductions.
- The Assembly rejects appropriation language in the Executive proposal that would provide broad authority to interchange or transfer funds among agencies.

Aid to Localities

- The Assembly re-estimates the amount of funding necessary for supportive housing related to *Disability Advocates, Inc. v. Paterson*, for a savings of \$5 million.

Capital Projects

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

Article VII

- The Assembly rejects the Executive proposal to remove Kingsboro Psychiatric Center from the statutory list of OMH hospitals and to consolidate the Bronx, Queens and Brooklyn Children’s Psychiatric Centers.
- The Assembly rejects the Executive proposal to permanently repeal the 12 month notice requirement for mental health facility closures, consolidations and service reductions.

- The Assembly modifies the Executive proposal by delaying for one year, instead of eliminating, Cost of Living Adjustments and trend factor increases for OMH providers.
- The Assembly rejects the Executive proposal to grant the Commissioner of OMH broad authority to make rate adjustments beginning April 1, 2013.
- The Assembly modifies the Executive proposal to cap reimbursement for administrative expenses to add due process provisions.
- The Assembly modifies the Executive proposal to cap executive compensation for entities that receive state funds to add due process provisions.
- The Assembly accepts the Executive proposal to extend the Comprehensive Psychiatric Emergency Programs until July 1, 2016.
- The Assembly accepts the Executive proposal to facilitate the integration of physical and behavioral health services by enabling two or more of the Commissioners of OMH, the Department of Health, the Office of Alcoholism and Substance Abuse Services and the Office of People With Developmental Disabilities to waive duplicative regulatory requirements.
- The Assembly rejects the Executive proposal to require local school districts or boards of cooperative educational services to provide comparable educational services to children in OMH facilities.
- The Assembly modifies the Executive proposal to create an integrated Behavioral Health Services Advisory Council to require an annual report to the Legislature.
- The Assembly rejects the Executive proposal to provide that sex offenders facing civil commitment proceedings who have not yet reached their maximum expiration date must remain in the custody of the Department of Corrections and Community Supervision, rather than in a secure treatment facility, pending the final outcome of the commitment proceedings.
- The Assembly rejects the Executive proposal to allow a respondent and witness to appear in court by means of video-teleconferencing, over the respondent's objection, in any civil commitment proceeding other than a trial.
- The Assembly rejects the Executive proposal to require that each civilly confined sex offender receive a psychiatric evaluation and be provided with an opportunity to petition the court for discharge biennially rather than annually.

- The Assembly rejects the Executive proposal to allow OMH to contract with non-agency personnel for care and treatment or security services at SOMTA facilities.
- The Assembly rejects the Executive proposal to provide that the failure of a civilly confined offender to meaningfully participate in treatment would be a violation of a court order of confinement.
- The Assembly rejects the Executive proposal to provide that a civilly confined sex offender who intentionally causes physical injury to another be guilty of assault in the second degree.
- The Assembly rejects the Executive proposal to include local correctional facilities as “appropriate institutions” for mentally incapacitated defendants awaiting trials.
- The Assembly accepts the Executive proposal to allow for restoration of mentally incapacitated defendants on an outpatient basis.
- The Assembly accepts the Executive proposal to extend the time period that OMH can recover exempt income with performance and audit activities.

**Assembly Budget Proposal SFY 2012-13
Office for People with Developmental Disabilities (OPWDD)**

The Assembly provides an All Funds appropriation of \$4,783,267,000.

State Operations

- The Assembly rejects appropriation language in the Executive proposal that would provide broad authority to interchange or transfer funds among agencies.

Aid to Localities

- The Assembly provides \$168,000 in funding for Tourette's syndrome programs.

Capital Projects

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

Article VII

- The Assembly modifies the Executive proposal by delaying for one year, instead of eliminating, Cost of Living Adjustments and trend factor increases for OPWDD providers.
- The Assembly rejects the Executive proposal to grant the Commissioner of OPWDD broad authority to make rate adjustments beginning April 1, 2013.
- The Assembly modifies the Executive proposal to cap reimbursement for administrative expenses to add due process provisions.
- The Assembly modifies the Executive proposal to cap executive compensation for entities that receive state funds to add due process provisions.
- The Assembly rejects the Executive proposal to develop pilot programs for a new Medicaid "People First" 1115 Waiver.
- The Assembly rejects the Executive proposal to restructure OPWDD.
- The Assembly accepts the Executive proposal to facilitate the integration of physical and behavioral health services by enabling two or more of the Commissioners of OPWDD, the Department of Health, the Department of Mental Health and the Office of Alcoholism and Substance Abuse Services.

Assembly Budget Proposal SFY 2012-13
Commission on Quality of Care and Advocacy for Persons with Disabilities

The Assembly provides an All Funds appropriation of \$19,589,000.

State Operations

- The Assembly rejects appropriation language in the Executive proposal that would provide broad authority to interchange or transfer funds among agencies.

Aid to Localities

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

Capital Projects

- Not applicable.

Article VII

- Not applicable.

**TRANSPORTATION,
ECONOMIC
DEVELOPMENT &
ENVIRONMENTAL
CONSERVATION**

By Agency

**Assembly Budget Proposal SFY 2012-13
Adirondack Park Agency**

The Assembly provides an All Funds appropriation of \$5,702,000.

State Operations

- The Assembly rejects appropriation language in the Executive proposal that would provide broad authority to interchange or transfer funds among agencies.

Aid to Localities

- Not applicable.

Capital Projects

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

Article VII

- Not applicable.

Assembly Budget Proposal SFY 2012-13
Department of Agriculture and Markets

The Assembly provides an All Funds appropriation of \$160,196,000.

State Operations

- The Assembly rejects appropriation language in the Executive proposal that would provide broad authority to interchange or transfer funds among agencies.

Aid to Localities

The Assembly provides \$921,000 to support the following:

- a restoration of \$821,000 for the New York Farm Viability Institute to return to prior year funding levels of \$1,221,000; and
- a full restoration of \$100,000 for the Maple Producers Association, which was not funded in the Executive Budget.

Capital Projects

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

Article VII

- The Assembly accepts the Executive proposal to eliminate the mandate that the New York State Agricultural Experiment Station at Cornell be the state's exclusive seed testing entity.
- The Assembly modifies the Executive proposal to extend the Commissioner of Agriculture and Markets' ability to enter into certain contracts and charge for such services. This modification would limit the billing authority to federal and out-of-state entities.
- The Assembly accepts the Executive proposal to eliminate the Consumer Food Account and the Commercial Feed Licensing Account and redirects revenues and expenses to the General Fund.
- The Assembly modifies the Executive proposal to authorize the Commissioner of Agriculture and Markets to issue a dairy research and education order to clarify

that the dairy research and education order is intended to work in concert with existing programs and organizations that support and promote New York's dairy industry, such as Pro Dairy.

- The Assembly creates a Dairy Task Force that will create a plan for an expansion of the current dairy herd in the state and facilitate to this expansion as necessary.
- The Assembly specifies that the Agriculture and Markets Advisory Board may provide advice and recommendations to the director of the diagnostic laboratory regarding industry needs and the effectiveness of veterinary diagnostic laboratory services.
- The Assembly accepts the elimination of the following boards and commissions: Agricultural Transportation Review Panel, the Hudson Valley Agricultural Advisory Council, the Organic Food Advisory Committee, and the Animal Health Issues Committee.

**Assembly Budget Proposal SFY 2012-13
Department of Economic Development (DED)**

The Assembly provides an All Funds appropriation of \$74,437,000.

State Operations

- The Assembly rejects appropriation language in the Executive proposal that would provide broad authority to interchange or transfer funds among agencies.

Aid to Localities

- The Assembly proposal provides:
 - \$1.7 million in additional support for Centers of Excellence; and
 - \$1.185 million in additional support of the Centers for Advanced Technology.
- The Assembly restores support for the following programs:
 - \$750,000 for University at Albany Institute for Nanoelectronics Discovery and Exploration (INDEX); and
 - \$690,000 for SUNY Albany Semiconductor Research Corporation Center for Advanced Interconnect System Technologies (CAIST).
- The Assembly proposal would allow existing Center of Excellence funds to support a Center of Excellence for Materials Informatics at the University at Buffalo.

Capital Projects

- Not applicable.

Article VII

- The Assembly proposes Article VII language that would establish a RFP process for collaborations between state funded research institutions and community colleges for education and workforce training alliances and internships.

- The Assembly accepts the Executive proposal to authorize the Linked Deposit Program to provide a three percent interest rate reduction for agricultural businesses.
- The Assembly accepts the elimination of the Upstate and Downstate Tourism Councils.

**Assembly Budget Proposal SFY 2012-13
NYS Energy Research and Development Authority (NYSERDA)**

The Assembly provides an All Funds appropriation of \$30,230,000.

State Operations

- The Assembly rejects appropriation language in the Executive proposal that would provide broad authority to interchange or transfer funds among agencies.

Aid to Localities

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

Capital Projects

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

Article VII

- The Assembly authorizes the transfer of up to \$200 million in unobligated NYSERDA reserves for deposit into the General Fund to establish a fund balance that may be accessed, if necessary, to offer continued hard dollar capital support for New York Works and similar bonded capital projects plans that are focused on accelerating the creation of jobs and investment in New York State.
- The Assembly accepts the Executive proposal to transfer \$913,000 from NYSERDA to the General Fund to fund New York's debt service obligations associated with the West Valley nuclear facility.
- The Assembly accepts the Executive proposal to continue the 18-a utility assessment to fund NYSERDA's Research, Development and Demonstration Program, as well as its Policy and Planning Program.
- The Assembly accepts the Executive proposal to continue the authorization for the Department of Health to finance public service education activities with revenues generated from an assessment on cable companies.
- The Assembly accepts the Executive proposal to require that, for every Green Jobs-Green New York Loan that is to be repaid through an on-bill recovery mechanism, NYSERDA record a declaration with the local recording officer that indicates the existence of such loan, and to remove the current requirement that NYSERDA record a non-enforceable mortgage for such loans.

Assembly Budget Proposal SFY 2012-13
Department of Environmental Conservation

The Assembly provides an All Funds appropriation of \$1,044,485,000.

State Operations

- The Assembly rejects appropriation language in the Executive proposal that would provide broad authority to interchange or transfer funds among agencies.

Aid to Localities

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

Capital Projects

- The Assembly modifies the funding for various categories within the Environmental Protection Fund (EPF), but does not change the overall funding level.
- The Assembly modifies the Water Quality Improvement Program within the EPF to provide \$300,000 for a Total Maximum Daily Load Study for the South Shore Estuary Reserve.
- The Assembly modifies the Land Acquisition Program within the EPF to make towns with populations of 65,000 or more eligible for funding.
- The Assembly rejects the Executive appropriation language that would allow the Commissioner of Agriculture and Markets to set aside up to 25 percent of the Non-Point Source Abatement appropriation for significant regional or statewide projects.

Article VII

- The Assembly rejects the Executive proposal to authorize the Department of Environmental Conservation to transfer the operation and management of the Belleayre Mountain Ski Center to the Olympic Regional Development Authority.
- The Assembly includes language that would phase in the allocation of unclaimed bottle deposit revenue to the EPF, beginning in state fiscal year 2013-2014.
- The Assembly proposal authorizes a Health Impact Assessment to examine the potential public health impacts of horizontal drilling and high-volume hydraulic fracturing and provides \$100,000 to fund the study.

- The Assembly modifies the Executive proposal to amend various fishing and hunting provisions to include increased notification.
- The Assembly accepts the Executive proposal to modify the exemption for fees related to recycled hazardous waste and recommends no changes.
- The Assembly accepts the Executive proposal to repeal the following entities: Solid Waste Management Board; Environmental Facilities Corporation Technical Advisory Committee; Long Island Sound Coastal Advisory Commission; Freshwater Wetlands Appeals Board; State Environmental Board; State Forest Practice Board; Regional Forest Practices Board; and Surf Clam/Ocean Quahog Management Advisory Board.

**Assembly Budget Proposal SFY 2012-13
Environmental Facilities Corporation**

The Assembly provides an All Funds appropriation of \$12,653,000, rejecting an Executive proposal to move appropriations made for the Environmental Facilities Corporation off budget.

State Operations

- The Assembly restores \$12,310,000 in State Operations appropriations, bringing these funds back on budget.

Aid to Localities

- Not applicable.

Capital Projects

- The Assembly restores \$343,000 in Capital appropriations, bringing these funds back on budget.

Article VII

- The Assembly rejects the Executive proposal to eliminate a requirement of state operating fund support for certain purposes under the Environmental Facilities Corporation.

**Assembly Budget Proposal SFY 2012-13
Hudson River Park Trust**

State Operations

- Not applicable.

Aid to Localities

- Not applicable.

Capital Projects

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

Article VII

- Not applicable.

**Assembly Budget Proposal SFY 2012-13
Division of Lottery**

The Assembly provides an All Funds appropriation of \$102,673,000.

State Operations

- The Assembly rejects appropriation language in the Executive proposal that would provide broad authority to interchange or transfer funds among agencies.

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- The Assembly rejects the Executive proposal to merge the State Racing and Wagering Board with the Division of Lottery.
- The Assembly proposes to amend the restrictions related to the game of Quick Draw; to eliminate the requirement that establishments that sell alcoholic beverages for consumption on the premises must have a minimum of twenty-five percent of their gross sales from the sale of food in order to qualify as a Quick Draw vendor. This action would result in new revenues of \$25 million annually.

**Assembly Budget Proposal SFY 2012-13
Department of Motor Vehicles (DMV)**

The Assembly provides an All Funds appropriation of \$334,485,000.

State Operations

- The Assembly rejects appropriation language in the Executive proposal that would provide broad authority to interchange or transfer funds among agencies.

Aid to Localities

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

Capital Projects

- The Assembly rejects appropriation language in the Executive proposal that would provide broad authority to interchange or transfer funds among agencies.

Article VII

- The Assembly modifies the Executive proposal to amend provisions of law relating to the physical qualifications of commercial vehicle operators. The Assembly recommendations relate to provisions for the cancellation of commercial learners' permits and the downgrade of commercial drivers' licenses, medical certification for operating commercial motor vehicles, and notification to permit and license holders of status changes.
- The Assembly rejects the Executive proposal relating to the retention of fees by county clerks for DMV internet transactions.

**Assembly Budget Proposal SFY 2012-13
Olympic Regional Development Authority**

The Assembly provides an All Funds appropriation of \$4,733,000.

State Operations

- The Assembly rejects appropriation language in the Executive proposal that would provide broad authority to interchange or transfer funds among agencies.

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- The Assembly rejects the Executive proposal to authorize the Department of Environmental Conservation to transfer the operation and management of the Belleayre Mountain Ski Center to the Olympic Regional Development Authority.

Assembly Budget Proposal SFY 2012-13
Office of Parks, Recreation and Historic Preservation

The Assembly provides an All Funds appropriation of \$379,094,500.

State Operations

- The Assembly rejects appropriation language in the Executive proposal that would provide broad authority to interchange or transfer funds among agencies.

Aid to Localities

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

Capital Projects

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

Article VII

- The Assembly accepts the elimination of the NYS Conservation Corps Advisory Council which has been inactive since SFY 2010-2011. The purpose of this Council was to advise the Corps during planning.

**Assembly Budget Proposal SFY 2012-13
Department of Public Service**

The Assembly provides an All Funds appropriation of \$82,392,000.

State Operations

- The Assembly rejects appropriation language in the Executive proposal that would provide broad authority to interchange or transfer funds among agencies.

Aid to Localities

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

Capital Projects

- Not applicable.

Article VII

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

**Assembly Budget Proposal SFY 2012-13
State Racing and Wagering Board**

The Assembly provides an All Funds appropriation of \$21,684,700.

State Operations

- The Assembly rejects appropriation language in the Executive proposal that would provide broad authority to interchange or transfer funds among agencies.

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- The Assembly rejects the Executive proposal to merge the State Racing and Wagering Board with the Division of Lottery.
- The Assembly rejects the Executive proposal to provide that uncashed pari-mutuel vouchers would escheat to the state.
- The Assembly accepts the Executive proposal to shift two per diem employees from the State Racing and Wagering Board to the licensed harness track to which they are assigned.

**Assembly Budget Proposal SFY 2012-13
Department of State**

The Assembly provides an All Funds appropriation of \$131,702,828.

State Operations

- The Assembly rejects appropriation language in the Executive proposal that would provide broad authority to interchange or transfer funds among agencies.
- The Assembly rejects the transfer of the Office for New Americans from the Office of Temporary and Disability Assistance (OTDA) to the Department of State, and shifts \$442,000 in appropriations back to OTDA.

Aid to Localities

- The Assembly rejects the transfer of the Office for New Americans from the OTDA to the Department of State, and shifts \$3,338,000 in appropriations back to OTDA.
- The Assembly provides \$505,000 to restore support for the Public Utilities Law Project.

Capital Projects

- Not applicable.

Article VII

- The Assembly rejects the Executive proposal which would eliminate the current classification system for not-for-profit corporations and amend the current service of process requirements which are executed by the Department of State.
- The Assembly accepts the Executive's proposal to increase the period for which the Department of State renews licenses for security guards and real estate salespersons and brokers from two to four years and doubles the fee for renewals.
- The Assembly rejects the Executive's proposed elimination of the Manufactured Housing Advisory Council.
- The Assembly accepts the Executive's proposed elimination of the New York State Home Inspection Advisory Council.

Assembly Budget Proposal SFY 2012-13
Department of Taxation and Finance

The Assembly provides an All Funds appropriation of \$468,013,000.

State Operations

- The Assembly rejects appropriation language in the Executive proposal that would provide broad authority to interchange or transfer funds among agencies.

Aid to Localities

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

Capital Projects

- Not applicable.

Article VII

- The following Article VII proposals impact Department of Taxation and Finance operations only; Article VII proposals related to tax policy are not highlighted in this section:
 - The Assembly modifies an Executive proposal in order to authorize the Department to suspend a taxpayer's STAR exemption or New York City Personal Income Tax STAR benefits if the taxpayer has any past-due State tax liabilities or local sales tax liabilities. The loss in STAR benefits would be applied toward satisfying the taxpayer's past-due tax liabilities provided that the loss in STAR benefits could not exceed such liabilities.
 - The Assembly accepts an Executive proposal to authorize the Department to refuse to issue a Certificate of Authority for sales and use tax purposes if any person required to collect tax for the applying entity has any outstanding liabilities, not just sales tax liabilities. It would also authorize the Department to disclose to the applying entity the name of the individual and details of the outstanding liabilities that caused the application denial.
 - The Assembly modifies an Executive proposal to make permanent certain electronic filing requirements and segregated sales tax account provisions which are currently set to expire on December 31, 2012. The Assembly proposal provides that electronic filing requirements would only be extended

to all tax documents prospectively, and specifies that such electronic filing requirements do not apply to those documents that cannot be filed electronically.

- The Assembly accepts the Executive proposal to prohibit banking institutions from charging fees against the proceeds of a levy imposed by the Department for unpaid taxes or child support.

Assembly Budget Proposal SFY 2012-13
Division of Tax Appeals

The Assembly provides an All Funds appropriation of \$3,121,000.

State Operations

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

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

**Assembly Budget Proposal SFY 2012-13
Thruway Authority**

The Assembly provides an All Funds appropriation of \$2,000,000.

State Operations

- Not applicable.

Aid to Localities

- Not applicable.

Capital Projects

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

Article VII

- Not applicable.

**Assembly Budget Proposal SFY 2012-13
Department of Transportation (DOT)**

The Assembly provides an All Funds appropriation of \$9,616,953,700.

State Operations

- The Assembly rejects appropriation language in the Executive proposal that would provide broad authority to interchange or transfer funds among agencies.

Aid to Localities

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

Capital Projects

- The Assembly rejects appropriation language in the Executive proposal that would provide broad authority to interchange or transfer funds among agencies.
- The Assembly rejects the Executive proposal to reduce inspection requirements and implement a performance-based bus inspection program and restores \$655,000 for this purpose.
- The Assembly rejects the insertion of interchange language allowing DOT to incur costs on behalf of the Thruway Authority under shared service agreements.

Article VII

- The Assembly modifies the Executive proposal to consolidate DOT regional offices by requiring a plan to be made available to the Legislature before any consolidation can take place.
- The Assembly modifies the Executive's proposal relating to safety, hours of service and hazardous material transportation requirements for commercial motor vehicles and carriers, to provide definitions and further clarification of various provisions in compliance with federal requirements.
- The Assembly rejects the Executive proposal that would distribute 26 percent of the revenue collected from the transmission tax, previously deposited in the Metropolitan Mass Transportation Operating Assistance (MMTOA) account, to the Public Transportation Operating Assistance (PTOA) account. Instead, a transfer will be initiated from MMTOA to PTOA in the same amount as last year.

**Assembly Budget Proposal SFY 2012-13
Empire State Development Corporation (ESDC)**

The Assembly provides an All Funds appropriation of \$944,933,000.

State Operations

- Not applicable.

Aid to Localities

- The Assembly rejects an Executive proposal to provide a new \$50.4 million appropriation for the Empire State Economic Development Fund (EDF) and a new \$16.2 million for the Jobs Now Program. Instead, the Assembly provides discrete appropriations for the following initiatives:
 - \$25 million for the Small Business Revolving Loan Fund;
 - \$20.25 million for the creation of a new “Back to Work NY” jobs program;
 - \$10 million for the Commercialization Assistance Fund;
 - \$5.4 million for Military Base Retention Efforts;
 - \$1.365 million in additional support for the Minority and Women-Owned Business Development and Lending Program;
 - \$1 million for Agricultural Industry Competitiveness Assistance;
 - \$500,000 for Small Business Innovation Research Outreach and Technical Assistance; and
 - \$200,000 in additional support for Regional Technology Development Centers.
- The Assembly restores \$980,000 for the University at Albany’s Institute for Nanoelectronics Discovery and Exploration.

Capital Projects

- The Assembly accepts the Executive proposal with the following exceptions:
 - Makes a technical correction by eliminating a \$25 million appropriation for the Aqueduct Racetrack and reinserts it within the Assembly One House as a reappropriation; and
 - Modifies the language inserted into various reappropriations by the Executive clarifying ESDC's ability to provide grants within such programs.
- In addition, the Assembly provides \$230 million in support for the following programs:
 - \$150 million for a new High Technology, Research and Development Program;
 - \$50 million for the Restore New York Communities Initiative; and
 - \$30 million for a new economic development program to focus on local and regional economic development initiatives; including workforce development, manufacturing, agricultural, tourism destination facilities, industrial facilities, business parks, incubators, downtown and rural commercial center projects.

Article VII

- The Assembly proposes Article VII language that would:
 - create the Back to Work NY Jobs Program to assist the long-term unemployed with re-entering the workforce through re-training and internship placement;
 - ensure that the Regional Economic Development Councils are subject to the Open Meetings Law and the Freedom of Information Act (with the exception of personal information and tax information);
 - provide additional information regarding consolidated funding applications at the regional and statewide level; and
 - provides a second round of funding to the Small Business Revolving Loan Fund for loans to small businesses and MWBEs and extend loan eligibility to bridge loans for procurement purposes.

- The Assembly rejects the Executive proposal to enable ESDC to sell portions of property adjacent to the Jacob K. Javits Convention Center site.
- The Assembly rejects the Executive proposal to make the general loan powers of the Urban Development Corporation permanent and recommends a one year extension.
- The Assembly rejects the Executive proposal to make the Economic Development Fund permanent, accepts the authorization to make it retroactive to SFY 2009 and recommends a one year extender.
- The Assembly rejects the Executive proposal to provide general grant powers to the Urban Development Corporation.
- The Assembly rejects the elimination of the MWBE Advisory Board.

**Assembly Budget Proposal SFY 2012-13
Tribal State Compact Revenue**

The Assembly provides an All Funds appropriation of \$54,000,000.

State Operations

- Not applicable.

Aid to Localities

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

Capital Projects

- Not applicable.

Article VII

- Not applicable.

**Assembly Budget Proposal SFY 2012-13
Greenway Heritage Conservancy for the Hudson River Valley**

The Assembly provides an All Funds appropriation of \$166,000.

State Operations

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

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

**Assembly Budget Proposal SFY 2012-13
Hudson River Valley Greenway Community Council**

The Assembly provides an All Funds appropriation of \$321,000.

State Operations

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

Aid to Localities

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

Capital Projects

- Not applicable.

Article VII

- Not applicable.

**Assembly Budget Proposal SFY 2012-13
Metropolitan Transportation Authority**

The Assembly provides an All Funds appropriation of \$2,956,000,000.

State Operations

- Not applicable.

Aid to Localities

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

Capital Projects

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

Article VII

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

DEBT SERVICE

By Agency

Assembly Budget Proposal SFY 2012-13 Debt Service and Capital Projects

The Assembly accepts the Executive proposal for debt service that provides an All Funds appropriation of \$9.301 billion.

State Operations

- Not applicable.

Aid to Localities

- Not applicable.

Capital Projects

- The Assembly accepts the Executive's Capital Projects appropriation bill and adds the following projects, which will have no impact on the SFY 2012-13 Debt Service bill.
 - \$170 million for a projects determined by CUNY;
 - \$15.98 million for the SUNY Construction Fund;
 - \$25.10 million for the SUNY Construction Fund;
 - \$25 million for the Division of Housing and Community Renewal;
 - \$30 million for Economic Development Programs;
 - \$150 million for High Technology Research & Development;
 - \$50 million for Restore New York Communities; and
 - \$65,000 for the Legislative Office Building.

Article VII

- The following bond caps will increase due to the Assembly Capital Projects program adds:
 - Housing: from \$2,636,499,000 to \$2,765,699,000;
 - 2011 and 2012 Economic Development Programs: \$180,500,000 to \$1,010,500,000;
 - SUNY Educational Facilities: \$10,089,000,000 to \$10,329,000,000; and
 - CUNY Educational Facilities: \$6,843,280,000 to \$7,029,180,000.